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Introduction from the Editors in Chief

The launch of the Cambridge Journal of Political Affairs has been unconventional, to say the least. With work on our first issue beginning in the spring of 2020, just after the start of the COVID-19 pandemic, the fourth issue of the Journal is the first to come together in an offline setting. The fourth issue is testament to the promise in the scholarship being pursued at the undergraduate level at the University of Cambridge.

The fourth issue has only been possible thanks to the exceptional work of our Editorial Board and the institutional support of the Department of Politics and International Studies at Cambridge. Our fourth editorial board consisted of 31 undergraduates at 17 colleges, reading in degrees including Politics, Anthropology, Law, History, Philosophy, Sociology, Modern Languages, and even Natural Sciences, a testament to the Journal's commitment to an inclusive and multi-disciplinary study of politics. We are proud of how the Journal has provided a platform for students to engage with academia in a time when conventional 'student life' has been abstracted to an unprecedented degree. Moreover, we are proud to continue the work and purpose of the first three issues of the Journal, as we seek to make academia more inclusive and approachable by engaging undergraduate authors, editors, and readers in the academic review process.

Building on the work of our third issue, the fourth issue of the Cambridge Journal of Political Affairs is delighted to present yet another exceptional showcase of undergraduate scholarship. We continued to open up submissions from other universities for this edition. We are glad to have done so, and the diverse range of academic work in the following pages will demonstrate precisely why.

Our fourth issue begins with:

1. **Comparative Politics**, where Christy Boutros demonstrates how important feminist activism has been in transforming Chile and Uruguay's governments from authoritarian to democratic. Boutros identifies the *Asociación de Familiares de Detenidos-Desaparecidos* (The Mothers of the Association of Families of Detained-Disappeared) and *Madres y Familiares de Detenidos Desaparecidos* (Mothers and Families of the Detained and Disappeared) in Chile and Uruguay respectively, as critical actors not just for women, but for helping working-class families survive years of government tyranny and economic crisis.
2. Continuing with **Comparative Politics**, Tsz Fung Chan explores the composition of the middle classes in Hong Kong, and argues that the institutionalised socio-political participation of middle classes was manipulated by the Chinese central government as a tool to halt democratisation in Hong Kong. Chan employs a comparative approach, assessing the case of Hong Kong against those of Taiwan and South Korea. The paper also uses a rational choice approach, as well as an institutional approach in explaining the reasons for the institutionalised socio-political participation of middle classes.
3. For the final entry for **Comparative Politics**, Irvin Tsun-On Ng seeks to use state structures as an explanation for democratic consolidation, arguing that federalism is more conducive than unitary state systems. Canada, India and Hungary are used as empirical cases to establish this argument.
4. Secondly, in **International Relations**, we have Anna Cutler's 'Is 'Fair' Fair for All? An Analysis of the Rule of Law and Gender Equality in Sub-Saharan Africa'. Cutler assesses the relationship between rule of law (ROL) structures and gender representation in Sub-Saharan Africa. In doing so, Cutler casts a critical eye on the implementation strategies of ROL practices in Sub-Saharan African states and addresses alternative hypotheses for this relationship.
5. Next, in **Political Anthropology**, Nancy Tupling studies the diverging forms of democracy produced in post-communist states, focusing specifically on Russia and Poland. Tupling highlights the role of memory politics, and the lack of strong formal institutions, alongside the economic demands of becoming a democratic capitalist state in creating a surge of nationalist tendencies, and authoritarian-like regimes.
6. We continue with **Political Anthropology**, wherein Thalie Emond discusses the root causes and normalization of political assassinations targeting civilians in Thailand, delving into the factional

and clientelist dynamics in Thai electoral politics, as well as the illiberal practices of ruling elites that suffocate civil society. Emond's scholarship focuses on conceptualisations of Thai nationhood, and the role of political purges in the Land of Smiles.

7. To wrap up our entries for **Political Anthropology**, Tito Almeida employs a multidisciplinary approach, incorporating interviews and oral histories, to ask what it meant to be German in light of reunification in 1990. In doing so, Almeida emphasises the importance of government structure and political ideology in shaping distinct societies, social norms, and family values.

8. We move on to **Political History**, where Isha Bhasin begins the section with 'Assigning Responsibility for the Downfall of Salvador Allende (1970–1973)'. Here Bhasin attempts to do justice to Salvador Allende's legacy in Chile, and the domestic and geopolitical challenges faced in the attempt to instil ideas and leadership that, although novel at the time, have been accepted with broad consensus today.

9. For our second entry for **Political History**, Sarah Zugehoer continues the section with 'Colonial Legacies: Canada's Oppression of Indigenous Women'. Zugehoer examines the role of the Canadian state in the legalised and politicised oppression of Indigenous women. Zugehoer emphasises Charles Tilly's concept of durable inequality and its implications within the Indian Act and Bill C-31, residential schools and the 'Sixties Scoop,' and the Missing and Murdered Indigenous Women and Girls epidemic.

10. In **Political Philosophy**, Jack Yu-Jie Chou begins with 'Revisiting *jus ad bellum*: Implications of The Conceptual Connection Between War And Political Community. Here, Chou argues that concepts of community and 'the political', which entail an inherent right to war as the ultimate right to self-determination, are neglected by the tradition of Just War Theory. Chou analyses the implications of this and how concepts of community should fit into Just War Theory.

11. To continue with **Political Philosophy**, Locryn Geake, in 'Peace: A Violent Ideal', argues that peace is a necessarily violent ideal when examined through the framework of just war, war out of necessity, and non-violence. Ultimately, Geake posits that in order to achieve the absence of war we must sometimes wage war.

12. Our final entry for **Political Philosophy** entails Tyler Jager's discussion of civic virtue in 'Setting the Agenda for Civil Society: Civic Republicans, the "Bowling Alone" Hypothesis, and the Quest for Civic Virtue'. Jager identifies the contrasting views of Niccolò Machiavelli and Hannah Arendt and empiricist Robert Putnam before proposing that civic virtue is best maintained when citizens encounter public administrative programs that bring individuals together in service of the common good.

13. Penultimately, in **Political Sociology**, Theocharis Kalaitzidis seeks to develop a multi-causal analysis of climate catastrophe, arguing against the predominant sociological view which sees capitalism as the only and/or ultimate cause of climate crisis. In understanding climate catastrophe as an ongoing phenomenon that involves harm to both human and non-human life, Kalaitzidis' argument draws inspiration from post-anarchism, Nietzschean perspectivism, and standpoint feminism to produce a multi-systems methodological framework.

14. Finally, in **Political Sociology**, David Stout analyses financialisation as a long-standing process embodied in assertive involvement by the British and American states with finance in order to pursue social policy goals, as opposed to as an appendage of neoliberalism. Stout argues that we must understand Keynesianism as both a legitimate set of beliefs (and not deliberate mystification or false consciousness) that nonetheless obfuscates its own unintended consequences—this is essential for addressing those consequences.

This issue is indebted to the rigorous and thought-provoking work of the authors mentioned above, alongside the dedication of the editors who worked tirelessly to prepare these works for academic publication. We hope that the CJPA can continue to provide a platform through which they can be shared.

We hope you enjoy reading the fourth issue of the Cambridge Journal of Political Affairs.

Andrew Furlan
Tamkeen Nawab
Editors-in-Chief

Democratisation and Women's Movements in Latin America: The Case of Chile and Uruguay

Christy Boutros

Even though men have predominantly led revolutionary struggles, women have progressively participated in revolutionary movements that have toppled authoritarian regimes and changed the course of their nation's history. Women, in most revolutionary transitions, find themselves looking for answers to gender, ethnic, economic, and social inequalities. The notion of such activism by women is all but absent in Latin America, especially when one considers the case of Chile and Uruguay. Both of these Latin American countries have transformed their government from an authoritarian one to a democratic one. Women-led organisations, such as the *Asociación de Familiares de Detenidos-Desaparecidos* (Mothers of the Association of Families of Detained-Disappeared) and *Madres y Familiares de Detenidos Desaparecidos* (Mothers and Families of the Detained and Disappeared) in Chile and Uruguay respectively, have been essential assets in bringing about economic, political, and social rights to women in their country. The military's brutal tactics, in both countries, transformed women's lives and paved the way for their widespread mobilisation. This essay argues that women helped initiate the second wave of democracy in Latin America, where they began discussing the kind of power they want to achieve for themselves. Notably, through a series of informal events and secret organisations, such as workshops and communal kitchens, women in both Chile and Uruguay took advantage of the ideology that all women are caregivers, and immersed themselves into the public sphere to protest the injustices of the dictatorships and the disappearance of their loved ones, and to challenge the military. These secret organisations were dedicated to empowering women to take back some of the power that they were being deprived of, and to help working-class families survive the military hardships and years of economic crisis.

A Brief History
Chile
In 1973, one of Latin America's longest standing democracies, during the time, was overthrown by a military coup d'etat. The democratically elected president Salvador Allende was forcibly replaced by the military regime of Pinochet. For over 15 years, Chileans experienced a 'reign of terror' in the hands of the dictator. 'State-sponsored terrorism, concentration camps, disappearances, and executions' were the norm (Noonan 1995, p. 82). Before 1973, many informal and formal organisations, such as *Partido Civico Femenino* (Women's Civic Party) and women's reading circles, were dedicated towards bettering women's everyday lives, focusing mainly on their suffrage which rendered

them as subordinates. With the help and influence of these organisations, women were granted the permission to vote in 1949. However, it all went downhill from there; approximately all previous feminist organisations vanished, beginning a 25-year period of 'feminist silence' (Noonan 1995, p. 89). Reasons for the end of the feminist agenda are believed to be due to a change in priorities, where Chilean citizens, both men and women, 'viewed oppression based on class, not gender, as the most pressing problems of the day' (Noonan 1995, p. 90). This excluded women because they were not involved in the paid labour force, where due to cultural traditions, many women left the working force once they got married. During that time, the left in Chile portrayed feminism as a bourgeois issue, thus marginalising the whole concept and what it stands for. In other words, as liberalism and democracy in Chile deteriorated, so did feminism. Historically speaking, the Chilean left has always been hostile towards women. For instance, during the late 1930s and early 1940s the left expressed a multitude of issues that they had with the feminist ideology. They were very slow to accept and support gender equality. Ultimately, their lack of support was because they deemed women's suffrage as an unnecessary and unimportant frame for revolutionary politics.

After 25 long years, the feminist silence had come to an end, which helped shift the nation's priorities back to resolving some of the feminist concerns. However, the Chilean government viewed these issues as maternal concerns, disregarding the elemental feminist agenda that was advocated for by opposing political parties. Female politicians and civil servants that worked with the government were labelled as 'big' mothers for the country, 'concerning themselves with family welfare, child health, and balanced budgets' (Noonan 1995, p. 92). This stage was an important phase for Chilean feminist movement, because it gave shape to future political mobilisation by giving women a core of resources, both material and theological. In other words, ironically, using the notion of motherhood, women were able to establish many more centres than previously anticipated. Sisters, mothers, and daughters began taking initiatives to search for the thousands of family members who disappeared under the dictator's rule; thus, beginning the mobilisation against the dictatorship.

Uruguay
Advances for women in Uruguay began under the Batlle administration in the early 20th century. Batlle worked with both formal and informal associations for women, which aimed to help women in their battle

towards greater autonomy and equal rights in areas like divorce and education. In addition, President José Batlle y Ordóñez allowed girls to attend school, enabling them to get the same level of education as men, as early as 1912. Furthermore, he made it easier for women to get a divorce by making it a possibility for women to file for a divorce, without the necessity of providing a reason. Lastly, the democratically elected president laid the foundation that eventually succeeded in making Uruguay the first nation in Latin America to permit women to vote. Women advocated for many of their advances through political parties, such as the Communist Party (*Partido Comunista de Uruguay*) in the 1930s and 1940s, which included a reasonable amount of female representation for that time. Even though advances for women in Uruguay were astounding in comparison to its regional counterparts, the situation was still far from perfect. Women's work was still categorised as domestic. During the 1930s, women were prohibited from working night shifts, while pregnant women were entirely forbidden from being hired.

Uruguay's female movement found its strength with the dissolution of the dictatorship. Before the military coup, women in Uruguay were more outspoken than their southern counterparts. Thus, entering into the military's repressive regime, 'many women did not have much experience organising for fundamental policy changes regarding women's rights like other countries in the Southern Cone' (Sharnak 2017, p. 386). The first emergence of a female-led movement during the dictatorship was a reaction to the death of a student who was shot during a protest. The female student body formed *El Movimiento Femenino por la Justicia y la Paz Social* (The Women's Movement for Justice and Social Peace) to protest the violence against students (Sharnak 2017, p. 387). This same group eventually also advocated against the military's oppressive regime and for protected civil liberties, such as freedom of speech and freedom of the press. Unfortunately, their efforts were futile, since the military regime tightened its control, '[shutting] down the press and [imprisoning] one in every 50 people, resulting in the highest rate of political incarceration in the world' (Sharnak 2017, p. 387). This was due to the expansion and assertion of the military's power over the people. During this period, many formal and informal, political and nonpolitical, organisations were put under the military's surveillance or shut down completely. Also, many political leaders that were trying to initiate change encountered many difficulties. For example, Finance Minister Alejandro Vegh Villegas sought to implement a series of neoliberal economic policies to control inflation, but had to resign due to the difficulties he faced from government officials who deemed his policies as conflicting with their goals (Handelman 1978, p. 7). A breakthrough occurred in 1980 when Uruguayans rejected the constitutional plebiscite put forward by the oppressive military regime, which guaranteed them more permanent control and power over the nation. A political transition had occurred, where many negotiations and compromises were made. During this political transition, the women's movement reemerged in a full and powerful force, mainly because 'women used their gendered identity to access public spaces' (Sharnak 2017, p. 387). This political transition and the re-empowerment of the

women's movement will be discussed in Uruguay's section of *Democracy and Women's Activism*.

DEMOCRACY AND WOMEN'S ACTIVISM
CHILE

Pinochet was a strong advocate for the return of women to their conservative and traditional roles as housewives, sisters, and mothers. Chilean women have generally played the traditional maternal role in their society; they have accepted their 'natural' roles as mothers and caretakers. The Catholic Church was a strong supporter of that sentiment, since Catholicism associates the role of womanhood with motherhood, thus implicating that women are biologically designed to be caregivers that are driven by compassion. That sentiment is greatly damaging to women, as it sets many limitations on their roles in society and as individuals. Fortunately for Chilean women, they knew how to take that ideology and utilise it to their advantage to overcome the institutional hostilities in their patriarchal environment. Simply put, the rise of Pinochet's ideology also paved the way for his destruction. In the beginning of the 20th century, Chilean women were able to mobilise against the oppressive government by focusing on the improvement of family and community life. They chose to reject other feminist movements that focused solely on the inclusion of individual freedoms and autonomy, since the Mothers wanted to prioritise the concept of family rather than individualism. Take for example, associations such as *Asociación de Familiares de Detenidos-Desaparecidos* (The Mothers of the Association of Families of Detained-Disappeared—AFDD) which was formed a year after General Pinochet's military dictatorship began. This group initially comprised only 13 women, who had 'met each other in the morgues, hospitals, and torture centres' (Krause 2004, p. 371). Many of their children, husbands, and brothers were detained, and later their loved ones started disappearing. This group, whose majority was composed of lower middle-class women, had a vision of putting an end to the unjust actions of the government. They protested those disappearances in marches or hunger strikes, which put them at a risk of getting detained and imprisoned, and some women were. The AFDD's protests inspired many women, and resulted in the formation of several different organisations around the capital of Santiago with similar visions. One should note that the AFDD's protests were happening against the backdrop of an even bigger 'silent revolution' against Pinochet (Silva 1991, p. 385). Namely, the neoliberal Chicago Boys aimed to construct a rational economic model in Chile for the government to follow. Pinochet's government decisions 'were to be inspired by technical and scientific principles and not by political and ideological postulates as in the past' (Silva 1991, p. 393). Like the AFDD, they fought for their country's economic growth and rejected the promotion of patronage links, which was the norm in the past.

One might question the existence of these groups, since they were being organised in a country where such organisations were essentially forbidden. These women had to their advantage the difference in treatment of men and women received in Chile (Silva 1991, p. 371). It is an exceptional scenario, where the discrimination against women served for their benefit. Women had the ability to move in public places, such as streets and

plazas, virtually unnoticed, because the government had underestimated their strength and potential. Before the government knew it, the maternal figures of the country had adapted and used the oppression to their advantage. The Chilean women created arpillerista workshops, which in reality were secret societies disguised as sewing workshops. Women were able to share their concerns, fears and experiences through simple art pieces made with burlap fabric and thread. Although the main factor unifying these women was the loss of their loved ones, 'drawing together, when faced with a crisis and creation of community networks, [helped convert these] women into an extremely powerful political force in epochs of crisis' (Agosin 1987, p. 10). The *Asociación de Familiares de Detenidos-Desaparecidos* later helped birth 32 new arpillerista workshops between 1976 and 1988 in the country (Krause 2004, p. 372). Ironically, many of the women centres that held the arpillerista workshops were developed by Pinochet's government in an attempt to occupy the mothers' time and allow them to take on 'appropriate' hobbies.

The Chilean military manipulated the gendered ideology to deliberately categorise women to their 'proper and natural' roles, as caregivers within their families and society. Many of Pinochet's social and economic policies explicitly integrated the role of the family in society. In 1981, Pinochet declared his socio-economic program for the upcoming years to better maintain the political constitution of the state, where he defined the family to be 'the fundamental core of society' (Noonan 1995, p. 97). Women were held responsible for raising the next generations of patriotic citizens. Pinochet had invoked the long-standing cultural ideology of a 'self-sacrificing' and 'dutiful' mother with the help of the Church (Noonan 1995, p. 98). The Catholic Church has long believed in women's 'semi-divine' devotion to others, and Pinochet did not hesitate to manipulate this broad theme as a policy tool for his own purposes and benefit (Noonan 1995, p. 98). However, despite aiming to control and exploit women while rendering them apolitical, the consequences of Pinochet's policies ran contrary to his intentions. From a Marxist standpoint, a tyrannical regime contains the seeds of its demolition. Thus, the Chilean 'maternal frame' gave way to a new 'feminist frame', which concentrated on the broader question of democracy (Noonan 1995, p. 98).

The rate of unemployment was another cause for backlash against Pinochet's dictatorship. In 1983, the rate of unemployment rose 34%, approximately half of which was composed of lower-class communities, especially the youth within these communities. Women had to take it upon themselves to find solutions to help feed their community's hungry, mainly because many men had disappeared, leaving women to find the means of economic sustenance for the family (Noonan 1995, p. 100). Among the creative ways women worked to help their families were knitting and making tapestries. In response to the economic crisis, many urban groups have addressed the difficulties that women face in their communities by turning to documenting human rights violations. Therefore, a surge of human rights organisations developed as another source of protest against the Pinochet regime, where many focused on women's suffrage. Eventually, human rights were expanded beyond the 'basic rights of food, housing, and standard

of living' to include the right to vote and freedom of speech (Noonan 1995, p. 100).

Magendzo *et al.* argue that not only did those organisations' agendas expand, but also, the government was now identified as the true antagonist. Consequently, the attention was turned towards the '*representante del sistema*' (representative of the system), and that was none other than Pinochet himself, who had been depriving his people of fundamental freedoms that contributed to their quality of life (quoted from Noonan 1995, p. 101). A series of strikes against the government occurred starting May 11, 1983 where the capital city of Santiago 'reverberated with the deafening noise of Chileans beating on pots and pans and honking car horns to express their profound dissatisfaction with the military regime' (Arriagada 1988, p. 55). However, Pinochet's response was vicious and unmerciful. 1,800 of the strikers, for instance, were laid off from work after the second day of protest (Noonan 1995, p. 101). As Pinochet stepped up his crushing and brutal methods, strikes against his government seemed to bear little fruit and had started to die down. As workers and organisations were too crushed to continue, on the other hand, other social movements continued to 'carry the demand for democracy' (Noonan 1995, p. 102). For instance, when the government frightened the Copper Workers Union into cancelling a protest, women's human rights, feminists, and survival organisations continued rallying. Feminist movements had regained stability during Chile's time of unrest. They drew links between the family and the state. Pinochet's hypocritical glorification of the family started coming to light, like when his henchmen forced family members to report on one another; such actions shed a new light on the regime's exploitation of families (Noonan 1995, p. 102). According to Noonan, democracy became an issue in the home as well as in the nation, where 'authoritarian tendencies were [being] identified in the institution of the family' (Noonan 1995, p. 102). That is to say, that the line separating the state and the family was eroding and the Chilean feminist movement was there to put the pieces back together.

Uruguay

Uruguay's female movement expanded during the dictatorship. This development occurred because women used their gendered activism as a pathway to political activism. Uruguayan females used their skills and experiences, which they later combined with a human rights-influenced movement, to combat discrimination in their society. Their public advocacy began from a gendered perspective, where women used their roles as concerned mothers for their own children as the basis for change (Sharnak 2017, p. 389). The fear of losing a loved one resulted in a direct confrontation with the state. One iconic group, which came to be known as *Madres y Familiares de Detenidos Desaparecidos* (Mothers and Families of the Detained and Disappeared), appeared in 1985. This organisation was created after Uruguayan women were inspired by Argentina's *Madres de la Plaza de Mayo* (Mothers of the Plaza de Mayo), which began marching in 1977. Argentinian women's gendered advocacy on the basis of motherhood eventually jump-started Uruguay's own group, based on the same gendered terms. According to Viterna *et al.*, the ideological linkages between Uruguay

and Argentina influenced Uruguayan women's mobilisation against the state (Viterna & Fallon 2008, 684).

Madres y Familiares de Detenidos Desaparecidos' founders met each other and organised a group in a desperate search to find their missing sons, spouses, and brothers (Sharnak 2017, p. 388). Women took the traditional meaning of motherhood out of the private sphere, and into the public and political realm. They stressed their role as females and mothers and created an alliance, despite the absence of 'broad-based women's involvement in other civil society organisations' (Sharnak 2017, p. 388). For example, women worked against the high levels of incarceration, set out by the oppressive government, by informally joining forces to take buses to the prisons. This enabled them to visit their loved ones and present them with comfort in the face of their captivity. There were very few organisations that could mediate between the people and the state; therefore, the women's movement became a form of resistance and perhaps a solution to the state-sponsored infringements. By moving out of the private into the public sphere, many broke the traditional role of motherhood as being a 'private profession', transforming it towards being 'more broadly ethical and one that crossed traditional national and class boundaries' (Sharnak 2017, p. 389). As discussed earlier, Uruguay held the title for having the highest rate of political incarceration in the world during the dictatorship. During this difficult time, women, who were not from a homogenous class but came from different backgrounds, joined forces informally and coordinated 'collections' in neighbourhoods for the relatives of the convicts. These 'collections' helped the poor communities socially and economically. This was important because men, who were usually the providers in the family, were imprisoned or blacklisted from working by the military who deemed them as 'dangerous subversives' (Sharnak 2017, p. 389). Using this label, the military organised state-sponsored murder, backed by the US via 'Operation Condor', enabling the Uruguayan military to hunt down, kill, and kidnap political opponents and their supporters (Goñi 2016). Under these repressive conditions, the concerned mothers organised social networks to try to distribute information from prisoners to their family. This posed a fundamental challenge to the military's oppressive regime, which sought to divide families and destroy the 'subversive class' (Sharnak 2017, p. 389). Additionally, women also made change informally by circulating messages to and from loved ones. These women kept the community, which was distraught by the actions of the repressive dictatorship, alive and gave it hope. Even though they were deemed as 'old, tired, and obviously crazy women' by the government, they held a lot of support from different communities (Sharnak 2017, p. 388). These women were a symbol of resistance in the face of the military's autocracy, and their influence continued to expand as the country transitioned back into democratic rule.

Conclusion

Georgina Waylen claims that democracy is looked upon by many scholars using a narrow definition, where the place of gender is rarely incorporated in the processes and outcomes of democratisation (Waylen 1994, p. 335). For example, there is often no real acknowledgement that a lot of the human rights activists were women campaigning as mothers. This can surely be seen in Latin America's case. Furthermore, one cannot overlook the fact that the region's difficult history plays a very important role in its inequality, injustice, violence, and corruption that can still be seen to this day. Nonetheless, improvements can be seen in many countries. Two of the most prominent improvements were seen in Chile and Uruguay, where both of these countries have transformed their source of power from coming from one person to coming from the will of the people. Women's movements have been a catalyst in aiding that transition. Based on women's conventional roles, women's movements were able to change their corrupted system through their roles and responsibilities in the family. They drove change in Chile and in Uruguay by simply turning their concerned voice into a political one. The disappearances of their loved ones was a big enough issue for them to risk their lives and stand up to the state. They were successful in their political advocacy, all while conducting the necessary chores to maintain their household and ensure the wellbeing of their communities. Although they were demeaned and deemed 'insignificant' by many, in both counties, women's movements formed the backbone of the human rights movements. These brave women learned leadership skills, coordinated neighbourhood programs and workshops, protested in the streets, and were not afraid to oppose state tyranny. In post-dictatorship Chile, the historical relationship between the left and women has changed, leading the country down a more progressive and diverse path. Meanwhile in Uruguay, more civil society groups have begun advocating for women's rights more broadly, rather than just using their status as concerned mothers to petition for justice.

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Why Did a Vibrant Middle Class Not Bring about a Full-fledged Democracy? A Critical Analysis of the Case of Hong Kong

Tsz Fung Chan

Hong Kong has long been treated as a paradox of democratisation and modernisation theory by political scientists. Despite having a vibrant middle class, Hong Kong failed to achieve rapid democratisation. This paper examines the composition of the middle classes in Hong Kong and argues that the institutionalised socio-political participation of middle classes was manipulated by the Chinese central government as a tool to halt democratisation in Hong Kong. The paper approaches the subject by comparing the case of Hong Kong to those of Taiwan and South Korea. The paper also uses a rational choice approach, as well as an institutional approach in explaining the reasons for the institutionalised socio-political participation of middle classes.

For many democratisation and modernisation theorists, Hong Kong is to be seen as an exception to the general rules that govern changes in regime type. Despite its rapid economic growth and a sizeable middle class, Hong Kong has never experienced a transition towards a 'full democracy'. According to Freedom House, Hong Kong is regarded as 'partly free', barely scoring 59 points in the aggregate freedom score (Freedom House 2019). In contrast, some Asian countries like the Philippines, South Korea, and Taiwan experienced drastic changes in regime type during the third wave of democratisation (Huntington 1993), even though these countries have smaller middle classes when compared to Hong Kong. The anomaly of the slow democratisation process in Hong Kong has aroused numerous academic debates on the origin of such inconsistency. While some attributed the failure of democratic transition to the unholy alliance between the local business sector and the Chinese government (So 2000), others blamed the fragmentation of civil society (Ma 2008). However, little research has been conducted on what is regarded by many scholars as one of the key prerequisites for democratisation, that is, the middle class.

This paper examines the reasons for this paradox— that Hong Kong has a sizeable middle class but moderate democratic development—by analysing the patterns of middle class social-political participation. In particular, I argue that the middle class in Hong Kong appears to be more active in institutionalised and legal political participation but is comparatively reluctant to pursue democracy at the expense of violating the law. Afterwards, I argue that the Chinese government and the Hong Kong government have acknowledged the patterns of socio-political participation of the middle class in Hong Kong and have made use of them in order to suppress pro-democracy movements. The paper includes a brief review of the existing literature on the issue, as well as an explanation of the pattern of socio-political participation of the middle class in Hong Kong. In the end, it turns to an analysis of how the two governments have responded to the demands for democracy in Hong Kong.

A Brief Overview of the China-Hong Kong Relationship

On 1st July 1997, Hong Kong was handed over to the People's Republic of China as stipulated in the Sino-British Joint Declaration of 1984. The Declaration also provided several basic principles that were later incorporated into the Hong Kong Basic Law, which came into effect after the handover. These principles included 'One Country, Two Systems', a 'high degree of autonomy', the idea of 'Hong Kong people ruling Hong Kong', and most importantly, the extremely controversial articles concerning 'universal suffrage', that is, Articles 45 and 68, which stipulated that 'the method for selecting the Chief Executive [and Legislative Council] shall be specified ... in accordance with the principle of gradual and orderly progress' and that 'the ultimate aim is the selection of the Chief Executive [and Legislative Council] by universal suffrage upon nomination by a broadly representative nominating committee' (Hong Kong Basic Law). In the subsequent sections, we will see how the Chinese government manipulated the concepts of 'gradual and orderly progress' and 'broadly representative nominating committee' to hamper Hong Kong's democratic progress.

Despite Beijing's solemn promises to preserve Hong Kong's autonomy and refrain itself from implementing the 'Chinese model' in the region, some have argued that the Chinese government has failed to uphold its commitments (Maizland & Albert 2022). Part of the reason is China's change of leadership and the diminishing status of Hong Kong compared to the rapidly growing Chinese economy. In 2012, Xi Jinping succeeded the former General Secretary Hu Jintao and embarked on a series of reform in China and Hong Kong. Xi's acts are seen as deviating from China's paramount leader Deng Xiaoping's blueprints for China's future development, which featured a relatively free and highly autonomous Hong Kong (Li 2018). Xi appointed more hawkish politicians and diplomats to rule the country and also attempted to tighten the central governments' grip over Hong Kong (Li 2018). These hawkish politicians formed the 'core' and inner circle of politics in the Chinese Communist Party (CCP). Since the Hong Kong Chief Executive election is not fully democratic and the majority of the Election Committee members

are pro-Beijing, the Hong Kong government is de facto under Beijing's supervision (Wong 2017). It has no objection to the Chinese government's will and is willing to put forward any legislation under Beijing's directives. In 2003, China and Hong Kong signed the Mainland and Hong Kong Closer Economic Partnership Arrangement, which increased Hong Kong's economic reliance on the mainland and strengthened Beijing's control over businesses in Hong Kong (MOFCOM 2003). In the same year, a national security bill was proposed to prohibit treason, secession, sedition, and subversion against the Chinese government; this law was seen as an act to erode Hong Kong people's freedom of speech and assembly (Maizland & Albert 2022). In 2012, the national education curriculum was introduced in Hong Kong with the aim to foster Chinese national identity; the curriculum is heavily criticised by many in Hong Kong as 'Chinese propaganda' (Maizland & Albert 2022). Here, we could see that, since the Chinese government can directly exercise control over the Hong Kong government, Hong Kong's 'high degree of autonomy' is in peril.

Furthermore, the Chinese government has been exercising indirect control over Hong Kong by supporting pro-Beijing political parties, as well as Chinese-affiliated companies and organisations in Hong Kong. These organisations served a crucial role in helping the Chinese government gather information, rally support for government policies, and spread Chinese propaganda in Hong Kong (Fulda 2019). In return, these pro-Beijing organisations are often prioritised in the distribution of Hong Kong government funding and the receipt of government contracts, ensuring the financial sustainability of their work. Additionally, Beijing is keen on cracking down on pro-democracy organisations. In 2018, the Hong Kong government disbanded the Hong Kong National Party under the Societies Ordinance (Cheung & Lam 2018). Several pro-democratic organisations were subsequently disbanded in 2020 after the promulgation of the National Security Law. The fundamental reason for Beijing to oppress the pro-democracy organisations is its fear that these organisations might ascend to power through the Legislative Council elections. If pro-democracy organisations win more seats in the Legislative Council, these pro-democracy councillors might veto bills backed by China, threatening the political agenda of the central government. Pro-democracy organisations' ascension to power in Hong Kong might also incite democratic movements in China which might spread like wildfire or lead to 'domino effects' in other provinces. This results in a 'zero sum game' between China and pro-democracy organisations in Hong Kong, wherein Beijing would under no circumstances want to share their rule over Hong Kong with dissidents that might in turn jeopardise the CCP's legitimacy in China and Hong Kong. In sum, the Chinese government wields immense power over Hong Kong as it exercises both direct and indirect control of the city, while many see its actions as blatant violations of the commitments laid out in the Basic Law.

MIDDLE CLASS AND DEMOCRATISATION: A BRIEF REVIEW OF THE LITERATURE

In order to understand how the pattern of middle class socio-political participation could affect the democratic progress in Hong Kong, it is necessary to answer two questions. One is 'who makes up the middle class in Hong Kong?', while the other is 'why is the middle class essential to the process of democratisation?'. Only by answering these two questions can we proceed to understand why Hong Kong, despite having a sizeable middle class, failed to achieve 'full democracy'.

Concerning the first question, the definition of the term 'middle class' is essentially contested. Some scholars have defined the 'middle class' with reference to the ability to enjoy a certain type of leisure (Eisenhauer 2008). However, this approach to the term is ambiguous and could hinder the credibility of this analysis. I believe that adopting a modern approach to the 'middle class' would be more appropriate. 'Middle class' is defined as the social group made up of individuals who belong neither in the lower class (i.e. the 'poor'), nor in the upper class (i.e. the 'rich'), defined with reference to individuals' incomes (Eisenhauer 2008). In the case of Hong Kong, those living in a household with a family income between HK$49,000 to HK$106,000 can be regarded as 'middle class' (Ip & Tong 2017). It would also be appropriate to note that the middle class encompasses many individuals who are regarded as 'highly educated', for instance, doctors, lawyers, and teachers (Cambridge Dictionary 2019).

Concerning the second question, the major reason behind the importance of the middle class in democratisation is their active and eager participation in politics (Chen & Suen 2017). In the third wave of democratisation between the 1970s and early 1990s, the fundamental strength of democratic movements around the globe largely depended on the involvement of the middle classes, while peasants, industrial workers, and the rich remained silent or indifferent (Huntington 1993). The above phenomenon is complemented by an 'unilinear approach' in modernisation theory which asserts that the middle class universally embodies key features, for instance, high education levels, income levels and socio-economic mobility, which naturally leads them to support democracy (Chen & Lu 2011; Koo 1991). Supporters of the unilinear approach believe that it is natural for the middle class to pursue democracy as the democratic system could best protect their property from potential encroachment by the regime and the upper class (Chen & Lu 2011; Glassman 1995; 1997). Therefore, it has often been said that the middle class is the vanguard of democracy, and a sizeable middle class could lead to democratisation in a country.

Nevertheless, Hong Kong seems to be an exceptional case for standard accounts of democratisation. In the next section, I will explain how the structure of the middle class in Hong Kong contradicts the assumptions or reveals the limitations of the unilinear approach mentioned above, and how this relates to Hong Kong's atypical democratic development.

THE CASE OF HONG KONG: INSTITUTIONAL POLITICAL PARTICIPATION OF THE MIDDLE CLASS

In this section, I argue that the middle class in Hong Kong is divided on the issue of democracy, which contradicts the assumptions of the unilinear approach. In particular, I argue that, as the middle class in Hong Kong consists of individuals from different occupational sectors and with different educational levels, it is hard to generalise their views on democracy as a collective. Even if individuals from the middle class

support democracy, they tend to pursue democracy in an institutionalised, peaceful and lawful way, compared to individuals from the lower class. Such a pattern of political participation of the middle class is vital in understanding the slow democratic progress of Hong Kong, which will be described in more detail in the next section. The structure of this section will be as follows. I will first outline the argument that the composition of the middle class in Hong Kong points towards the need for an alternative approach to understanding its position on the pursuit of democracy. Afterwards, I will put forward some evidence showing the highly institutionalised pattern of political participation of middle classes in Hong Kong and provide a possible explanation for this phenomenon. Lastly, I will argue how we can understand the pattern by employing the institutional framework, that is, the conception of a gradual and orderly democratisation, as laid out in the Basic Law.

Firstly, some parts of the middle class in Hong Kong do not appear to have a natural inclination towards the pursuit of democracy, contradicting the unilinear approach coined by Ronald M. Glassman (Glassman 1995; 1997). To understand this inconsistency, we must analyse the composition of the middle class in Hong Kong. As mentioned in the literature review, we can take the middle class to be made up of individuals with a sufficient family income or with a high level of educational attainment. Under normal circumstances, the level of educational attainment is positively correlated with the income of a person. This implies that a person with higher educational attainment is likely to earn more money. However, it does not mean that all higher earners are necessarily well-educated. In the cases of Taiwan and South Korea during the democratic transition period, the middle class was generally well-educated (Hsiao & Koo 1997). However, the composition and background of the middle class in Hong Kong differ from those in Taiwan and South Korea. These two cases have been employed for comparative purposes because they were the only democratic regimes in the 'Four Asian Tigers' that successfully transitioned away from dictatorships during the third wave of democratisation. They also both have a sizeable middle class and are economically prosperous. Lastly, they are also part of the Sinic civilisation, as defined by Huntington in *The Clash of Civilisations* (Huntington 1996), meaning that there are no unbridgeable cultural differences between the two and Hong Kong. During the late 1980s, both Taiwan and South Korea underwent rapid social movements which ultimately led to the democratisation of the two states. According to the official statistics of the Taiwanese government, in 1991, the middle class in Taiwan was mostly made up of engineers, information technologists, scientists, and individuals working in the healthcare industry (i.e. doctors, therapists, nurses) (DGBAS 2019). In the case of South Korea, the middle class was made up of students, religious leaders, journalists, college professors, shopkeepers, and self-employed people (Hsiao & Koo 1997). Even though the middle class in South Korea has participated in its entirety in violent protests, most middle-class individuals stood in solidarity with those who have (Hsiao & Koo 1997). On the contrary, the middle class in Hong Kong is affluent in terms of income, but many of those who belong to it have not graduated from higher education. According to the

official statistics of the Hong Kong government, a huge proportion of the middle class worked in the import and export trading sector, financing and insurance sector, real estate, professional and business sector, and the public administration, social and personal services sector (C&SD 2019). The first three rely heavily on the wellbeing of the Hong Kong-China relationship and the socio-economic stability of the region. This comes as a result of Hong Kong's unique economic structure which focuses on trading, finance, and professional services, and its inseparable ties with the mainland, unlike the case of Taiwan and South Korea, which do not rely on a relationship with any particular country. Such a phenomenon is clearly shown in the trade patterns of Hong Kong, Taiwan and South Korea. In 2021, China is the biggest trading partner of Hong Kong, Taiwan and South Korea. However, Hong Kong's economic dependency on China is much higher than that of the other two countries. China accounts for more than half of Hong Kong's total trade, i.e. approximately 52.4%, whereas in Taiwan and South Korea, China accounts for approximately 25.2% and 25.7% respectively (BFT 2021; KITA 2021; TID 2021). Other major trading partners of Hong Kong, e.g. the United States and Japan only account for 5% and 3.8% of the total trade respectively (TID 2021). In the case of Taiwan, the United States and Japan accounts for 12.7% and 10.3% of the total trade respectively (BFT 2021). In the case of South Korea, the United States and Japan accounts for 29.4% and 19.8% of the total trade respectively (KITA 2021).

Under such circumstances, the unilinear approach to the role of the middle class in democratisation is not applicable. In the literature review above, one can understand the rationale behind the 'natural' support of democracy from the middle classes. According to Glassman (as cited in Chen & Lu 2011), the middle classes believe in a democratic system because self-interest is their most vital concern. Therefore, it is 'natural' for them to support a democratic system where they could better safeguard their rights and private properties from encroachment by the government and upper classes (Chen & Lu 2011). Here, we can infer that middle classes support democracy not primarily or solely because they embrace its virtues, but because a significant proportion of them are concerned with their class interests. As such, it is only if democracy is intertwined with their interests that some sections of the middle class will support a democratic regime. Looking back into the case of Hong Kong, since much of its middle class works in industries highly reliant on the stability of the Hong Kong-China relationship, its basic interest is affected by the Chinese government's policies towards Hong Kong. Therefore, the unique composition of the middle class in Hong Kong created a contradiction between the establishment of a full-fledged democracy and their interests, discouraging some from participating in pro-democracy movements. Some might even support anti-democratic movements as they would benefit more from maintaining the political status quo in Hong Kong.

Yet, according to voting patterns, we could observe that the middle class has usually supported candidates of the pro-democracy camp in District Council and Legislative Council elections. Taking the 2019 Hong Kong District Council elections as an example, most constituencies that are regarded as typical middle-class

areas voted for the pro-democracy camp. For instance, in constituency R04 City One, the pan-democratic candidate won 65% of the votes; in constituency T07 Discovery Bay, the pan-democratic candidate won 65% of the votes; in constituency C01 Taikoo Shing East, the pan-democratic candidate won 63% of the votes (Stand News 2019). These constituencies have long been considered as pan-democratic strongholds with solid middle-class support of democracy (Lam & Chung 2019). Given this strong level of support for the pro-democracy camp, why has the democratisation process been slow in Hong Kong? I argue that one of the reasons for this is the institutionalised pattern of middle-class socio-political participation in Hong Kong. In other words, the subpopulation of the middle class that support democracy in Hong Kong are keen on expressing their political views through institutionalised and traditional ways, for example, by casting their votes and participating in rallies and assemblies authorised by the Hong Kong Police Force. Conversely, despite their support for democracy, significant portions of the middle class decided to participate in unlawful rallies and assemblies and are reluctant to use violence. They also tend to participate in protests organised by the Civil Human Rights Front, which is the largest pan-democratic civil society that holds mass rallies and adheres to the principle of peaceful demonstrations, rather than the protests that are not.

The idea that the middle class in Hong Kong has a pattern of pursuing democracy in an institutionalised, peaceful and lawful way stems from the data collected by the Centre for Communication and Public Opinion Survey (CCPOS 2019). The research report shows the pattern of political participation of Hong Kong citizens in the Anti-Extradition Bill movements. It classifies social movements into three main categories (see Appendix 1):

1. Mass rallies;
2. Static demonstrations;
3. Fluid demonstrations.

One of the distinct features of mass rallies and static demonstrations is their largely peaceful manner, as well as their authorisation (or tolerance) by the Hong Kong Police Force, whereas fluid demonstrations are considered more radical and are not authorised by the Hong Kong Police Force. We can see the institutionalised pattern of socio-political participation of middle classes in the Anti-Extradition Bill movements by looking into the data collected. According to the research report, the percentage of the middle class that partook in the mass rally on 9th June is 64.9%, while that which participated in the mass rally on 16th June is 55.2%, both exceeding 50% (see Appendix 2). However, the proportion of the middle class that joined the fluid demonstrations on 12th June and 21st June were less than half, at 43.1% and 42.9% (see Appendix 2). We can see a drop of approximately 10–20% in the percentage of middle-class participants in fluid demonstrations, which are considered more radical than mass rallies and static demonstrations. Similar patterns could be seen in the data of other social movements in the research report. When respondents were asked about their views on radical protests, a difference can be noticed between the responses of participants in mass

protests with a considerable number of middle-class individuals, and those in fluid demonstrations with a relatively lower proportion of middle-class participants. When participants were asked whether they believed that radical protests could make the government heed public opinion, about 61.7% of respondents on 21st June's fluid demonstration strongly agree or agree that radical protests are effective in making the government heed public opinion, while only 40.5% respondents on 1st June's mass rally strongly agree or agree on the same question (see Appendix 3). Similar results were identified in other research conducted by the Hong Kong Institute of Asia-Pacific Studies (as cited in Chan & Ng 2017). The study revealed that middle class individuals were the most conservative: only 25% of middle-class respondents supported the use of violent acts in the Umbrella Movement and the 2016 Mong Kok civil unrest, as compared to the 32.7% support rate seen with the lower class. The studies also echoed the number of radical protestors being caught in the 2016 Mong Kok civil unrest, where 81.8% of them were from the lower class (Chan & Ng 2017). Therefore, we can conclude that the middle class was comparatively less supportive of, and less active in, radical protests compared to the lower class.

I argue that such a pattern shows an 'institutionalised' pattern of socio-political participation of the middle classes in Hong Kong. Even though much of the middle class might support democracy, seldom will it pursue democracy at the expense of social stability and in violation of the law. The institutionalised pattern of socio-political participation could be understood in several ways:

1. through a utilitarian and rational approach;
2. with reference to the relationship between age and income; and
3. through an institutional approach (i.e. the idea of a gradual and orderly democratisation process as stated in the Basic Law and promised by the Beijing government).

These approaches are complementary in nature and are essential in shedding light on our understanding of the institutionalised pattern of socio-political participation of the middle-class in Hong Kong. In particular, the utilitarian and rational approach stipulates that the interests of the middle class in Hong Kong are intertwined with social stability and the wellbeing of the China-Hong Kong relationship, discouraging them from participating in radical democratic movements. The second approach aims to explain the institutionalised pattern of middle-class political participation by referring to the relationship between age and income, meaning that middle-class individuals are usually middle-aged or elderly people (C&SD 2019), who tend not to participate in radical movements as compared to adolescents and adults. However, I believe that the first approaches cannot explain the institutionalised nature of middle-class socio-political participation patterns, as they neglect one of the major actors in navigating the democratisation progress in Hong Kong, which is the central government in Beijing. In the next section, I will explain how the Chinese government manipulated the Basic Law to discourage the middle class in Hong Kong from participating in radical democratic

movements and forming a unified political coalition in pursuing democracy in Hong Kong, leading to the gradual democratisation process in Hong Kong. I will also explain one of the key considerations of the Chinese central government in preventing the democratisation of Hong Kong.

GOVERNMENT RESPONSES TO DEMANDS FOR DEMOCRACY: DIVIDE AND RULE

In this section, I argue that the Chinese central government deployed the Basic Law in a manner that discourages the middle class in Hong Kong from participating in radical democratic movements. In particular, I argue that the central government has created an illusion of a more feasible institutional pathway towards achieving democracy, persuading the middle classes in Hong Kong to believe in a top-down democratic reform initiated by the Hong Kong government. Therefore, many members of the middle class in Hong Kong believed in the gradual democratisation discourse of the central government and refused to participate in radical democratic movements.

According to articles 45 and 68 of the Basic Law, it is stipulated that the Chief Executive and the members of the Legislative Council would be ultimately elected by universal suffrage, and that the implementation of universal suffrage must be practised under the principle of gradual and orderly progress (Hong Kong Basic Law). Although the Chinese government promised that Hong Kong would enjoy democracy through the gradual implementation of universal suffrage, there is a lack of incentives for it to honour its promises. As opposed to the authoritarian regimes in Taiwan and South Korea, the Chinese central government not only needs to cater to the demands of Hong Kong people, but it is also under pressure to suppress democratic movements within the PRC's western provinces and cater to the demands of hawkish politicians within the CCP (Buckley & Myers 2019). In the cases of Taiwan and South Korea, authoritarian leaders embarked on the path towards democracy because they wanted to gain legitimacy for their rule (Hsiao & Koo 1997). In the case of Taiwan, even if a full-fledged democracy was achieved, the governing party Kuomintang (KMT) was able to remain in power as KMT candidate Lee Teng-hui won the 1996 presidential election, after eight years of authoritarian rule (Hsiao & Koo 1997). However, in the case of Hong Kong, gaining the legitimacy to rule Hong Kong is not the central government's priority due to internal pressure from hawks within the party and the perceived need to halt a democratic 'domino effect'. As such, it is not easy for the central government to agree on allowing more power to the people of Hong Kong. Therefore, as the central government is not willing to allow the establishment of a full-fledged democracy in Hong Kong and wants Hong Kong to remain stable, I argue that its strategy in responding to the democratic demands of Hong Kong citizens is to 'divide and rule'.

'Divide and rule' in this context refers to the process of dividing the pro-democracy camp in Hong Kong, preventing a unified democratic coalition. From the Chinese government's perspective, the definition of democracy and universal suffrage differs from Western understanding. In lieu of allowing Hong Kong citizens to vote their Chief Executive and Legislative Council members through direct elections, Beijing insisted that there is a need for a nominating committee that determines the qualifications of election candidates. On 31st August 2014, the Standing Committee of the National People's Congress of China set limits for the two elections, imposing the standard that 'the Chief Executive shall be a person who loves the country and loves Hong Kong' and 'requires that the method for selecting the Chief Executive by universal suffrage must provide corresponding institutional safeguards for this purpose' (NPCSC 2014). In short, even though Beijing characterises the election as being carried out through 'universal suffrage', Hong Kong citizens can only choose from a pool of candidates approved by Beijing. Pro-democracy candidates were barred from running. Subsequent to the Standing Committee's decision, the Umbrella Movement broke out in Hong Kong in 2014, with protesters taking to the streets to voice out their opposition. On the other hand, Hong Kong government officials adopted the slogan 'to pocket it first' to persuade Hong Kong people to accept Beijing's decision and seek further improvements afterward, then condemned protesters for hampering Hong Kong's democratic progress by rejecting Beijing's proposals (Wong 2015). Here, the Chinese central government created an institutional pathway towards achieving democracy in Hong Kong which is seemingly more peaceful and lawful, by implying that the Chinese central government would allow Hong Kong to achieve a full-fledged democracy through a gradual process. Speeches made by Chinese and Hong Kong officials show how the Chinese central government created the illusion that democracy will be granted to Hong Kong if certain criteria were fulfilled. In the rhetoric of the two governments, the message conveyed to the Hong Kong public is straightforward: the Chinese government will grant Hong Kong 'democracy' if Hong Kong citizens use peaceful means in pursuing democracy instead of violent ones (HKET 2019). In the first press conference held by the Hong Kong and Macau Affairs Office, spokesman Yang Guang clearly stated that 'Hong Kong citizens need to distinguish violent and unlawful acts that aimed to challenge "One Country, Two Systems" from peaceful rallies and assemblies that hoped to pursue democracy' (HKET 2019). China's message, in this sense, is clear.

On the one hand, Hong Kong can keep the so-called 'flawed democratic plan' offered by the Chinese government and seek gradual improvements if the situation allows in an orderly manner, i.e. using peaceful means that do not challenge China's legitimate rule of Hong Kong (Kwan 2021). On the other hand, if the people of Hong Kong insist on using violent and unlawful means that undermine China's legitimacy in the region, democratic progress will be stifled in Hong Kong. Although the Chinese central government never publicly rejected the implementation of full-fledged democracy in Hong Kong, they claimed that they only rejected the use of force that threatens national security. To the middle class, the so-called 'flawed democratic plan' laid out by the central government seems to be more feasible than the use of radical protests, as the plan could achieve both democracy and social stability. Since violent and unlawful acts might trigger draconian measures from the Chinese government that might jeopardise their relationship and business interests with the mainland, it is better for (or at least perceived as

such by) the middle class to follow the Hong Kong government's call to 'to pocket it first' and accept China's so-called 'flawed democratic plan', which best fits the interests of the middle classes in Hong Kong. As a result, significant portions of the middle class in Hong Kong tend to pursue democracy within the traditional and institutional framework set by the Hong Kong government and the Chinese central government. They also worry that radical protests would lead to side effects, i.e. more hardline policies from the central government (Buckley & Myers 2019). Hence, they tend to participate in mass protests just to present their determination to pursue democracy to the Chinese central government and are reluctant to resort to violence as part of democratic movements (Chan & Ng 2017). They are also inclined to believe that the protracted democratisation progress in Hong Kong is the best way in achieve democracy in Hong Kong. Therefore, the middle class in Hong Kong is comparatively more supportive of the gradual and orderly democratic plan laid out by the Chinese central government, leading to an institutionalised pattern of socio-political participation.

Conclusion

In conclusion, this paper attempts to analyse the reasons behind the relatively slow democratic development in Hong Kong, which has occurred despite its vibrant and sizeable middle class. In particular, the paper analyses the composition of the middle class in Hong Kong and compares it to the cases of Taiwan and South Korea, which have undergone rapid democratisation. By rebutting the unilinear approach towards the middle class in standard accounts of democratisation, the paper argues that the intertwined interests of the middle class and the stability of the China-Hong Kong relationship have driven the middle class to form a unique kind of socio-political participation pattern, i.e. institutionalised participation. The middle class in Hong Kong tends to pursue democracy in a peaceful, lawful and orderly way and is relatively reluctant to participate in radical democratic movements. The Chinese central

government has made use of the institutionalised socio-political participation pattern of middle classes in Hong Kong to divide the pro-democracy camp in Hong Kong by creating an illusion that democracy will only be granted if the people of Hong Kong would abandon radical protests.

It is to be acknowledged that the arguments put forward in this paper can only explain a small piece of the puzzle in the wider picture; there could be other reasons for the slow democratisation process in Hong Kong, as suggested by other scholars (Ma 2008; So 2000). Here, this paper attempts to reject the 'unilinear approach' of modernisation theory which takes the positive relationship between economic development and democracy as granted. Despite the sizable middle class in Hong Kong, the city failed to achieve a full-fledged democracy, which rejected the fundamental assumption of the 'unilinear approach'. Furthermore, this paper aimed to shed light on the connection between the utilitarian/rational approach and the institutional approach in explaining why Hong Kong failed to achieve a full-fledged democracy where other Asian Tigers have done so over the same period of rapid development. This complemented the common approaches coined by scholars toward Hong Kong's failure in democratic transition, namely a weak civil society and power dependency approaches, through introducing the lens of the middle class in Hong Kong's democratisation process (Ma 2008; So 2000). The paper also contributes to our existing understanding of the modernisation theory and Hong Kong's political and social uniqueness in the field of comparative politics. It is also acknowledged that the arguments laid out in this paper are also preliminary, as there is insufficient data and evidence to prove an absolute correlation between income, political stance, and political participation patterns in Hong Kong (Kwok 2019). Nevertheless, the present analysis has attempted to shed light on the reasons behind the limited democratic progress in Hong Kong, despite its vibrant middle class.

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Appendix 1 | **Information on the protests surveyed onsite in the CCPOS report.**

The protests covered in this report can be categorised into three types. Type I are mass rallies that begin with the assembling of protestors at an assembling of protestors at an assembling point before following a specific route to a designated destination. Type II are static demonstrations that involve the gathering of protestors at a specific location. Type III are fluid demonstrations where protestors first gather at a specific location but then became more mobile and unpredictable, spontaneously moving to various locations like wildcat strikes. The table below summarises certain basic information about each protest onsite survey.

Date of protest	Location	Nature	Type	Sample size	Online-based sample (face-to-face)	Online-based sample (leaflet)	Paper-based sample	Response rate	Standard error
9 June	Victoria Park – CGO	Mass rally	I	285	N/A	N/A	285	74.0%	5.8%
12 June	CGO	Fluid demonstration	III	175	85	N/A	90	N/A	7.4%
16 June	Victoria Park – CGO	Mass rally	I	875	265	N/A	610	89.0%	3.3%
17 June	CGO, Police HQ and Revenue Tower	Fluid demonstration	III	717	598	N/A	119	91.5%	3.7%
21 June	CGO	Static demonstration	III	316	184	N/A	132	87.8%	5.5%
26 June	Edinburgh Place	Mass rally	II	418	164	N/A	254	90.7%	4.8%
1 July	Victoria Park – CGO	Mass rally	I	1,169	686	N/A	483	83.1%	2.9%
14 July	Shatin	Mass rally	I	546	254	N/A	292	87.8%	4.2%
21 July	Victoria Park – Southorn Playground	Mass rally	I	680	275	N/A	405	90.8%	3.8%
27 July	Yuen Long	Mass rally	I	235	N/A	235	N/A	13.1%	6.4%
4 August	Tseung Kwan O	Mass rally	I	717	64	511	142	85.6%	3.7%
4 August	Sai Wan	Static demonstration	II	555	106	338	111	92.7%	4.2%

Adapted from Centre for Communication and Public Opinion Survey (CCPOS). (2019) *Research Report on Public Opinion During the Anti-Extradition Bill (Fugitive Offenders Bill) Movement in Hong Kong*. Hong Kong: The Chinese University of Hong Kong. Available at: http://www.com.cuhk.edu.hk/ccpos/en/index.html.

Appendix 2 | **Demographic makeup of survey participants for each protest recorded.**

	9 June	12 June	16 June	17 June	21 June	26 June	1 July	14 July	21 July	27 July	4 August (TKO)	4 August (SW)
Gender												
Male	64.2%	53.8%	50.5%	50.5%	56.4%	42.6%	53.0%	56.8%	51.7%	56.6%	61.0%	54.1%
Female	34.4%	46.2%	49.5%	49.5%	43.6%	57.4%	47.0%	43.2%	48.3%	43.4%	39.0%	45.9%
Don't know/Refuse to answer	1.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total (sample size)	100% (285)	100% (175)	100% (875)	100% (717)	100% (316)	100% (418)	100% (1,169)	100% (546)	100% (680)	100% (235)	100% (717)	100% (555)
Age												
19 and below	10.5%	6.3%	15.6%	15.5%	14.6%	11.2%	12.9%	7.3%	11.9%	6.0%	8.6%	6.8%
20–24	20.7%	27.9%	16.3%	33.0%	54.2%	40.9%	18.6%	23.9%	23.3%	26.0%	27.9%	28.7%
25–29	11.6%	34.2%	18.3%	25.8%	16.4%	23.7%	18.3%	18.5%	17.5%	19.6%	20.5%	21.4%
30–34	8.4%	19.0%	12.9%	11.4%	8.6%	12.7%	11.0%	12.5%	10.6%	18.3%	10.5%	11.4%
35–39	5.6%	5.1%	9.0%	4.1%	4.6%	4.1%	6.1%	8.5%	5.6%	8.1%	8.0%	6.6%
40–44	6.3%	2.5%	5.4%	2.1%	0.0%	1.7%	7.8%	6.2%	5.3%	8.1%	7.5%	5.3%
45–49	4.6%	1.3%	4.2%	2.1%	0.6%	2.6%	4.5%	4.2%	3.4%	6.0%	3.8%	4.0%
50–54	8.4%	0.8%	6.6%	2.1%	0.0%	0.2%	4.9%	5.8%	5.8%	2.6%	6.2%	7.0%
55–59	6.0%	1.7%	4.2%	1.0%	0.0%	1.2%	6.1%	4.2%	5.6%	2.6%	3.0%	4.1%
60–64	6.7%	0.0%	2.7%	1.4%	0.0%	0.5%	4.9%	4.1%	4.7%	0.9%	2.8%	3.7%
65 or above	7.4%	0.0%	4.7%	0.7%	0.0%	0.0%	3.6%	3.6%	3.8%	1.3%	1.3%	0.9%
Don't know/Refuse to answer	3.9%	1.1%	0.1%	0.9%	1.0%	1.2%	1.3%	1.3%	2.6%	0.9%	0.0%	0.1%
Total (sample size)	100% (285)	100% (175)	100% (875)	100% (717)	100% (316)	100% (418)	100% (1,169)	100% (546)	100% (680)	100% (235)	100% (717)	100% (555)
Education												
Primary or below	2.8%	0.0%	1.4%	0.0%	0.9%	0.2%	1.6%	2.3%	1.6%	0.4%	0.2%	0.8%
Secondary	25.6%	13.8%	30.3%	15.8%	17.9%	10.5%	28.3%	29.2%	28.9%	12.8%	22.8%	21.3%
Tertiary or above	70.5%	86.3%	68.2%	84.1%	81.2%	88.5%	70.0%	68.6%	69.4%	86.4%	76.8%	77.8%
Don't know/Refuse to answer	1.1%	0.0%	0.1%	0.1%	0.0%	0.7%	0.0%	0.0%	0.2%	0.4%	0.2%	0.1%
Total (sample size)	100% (285)	100% (175)	100% (875)	100% (717)	100% (316)	100% (418)	100% (1,169)	100% (546)	100% (680)	100% (235)	100% (717)	100% (555)
Socioeconomic status												
Upper class	1.8%	0.0%	0.5%	0.6%	1.2%	1.0%	0.7%	1.0%	1.1%	0.9%	0.7%	0.3%
Middle class	64.9%	43.1%	55.2%	41.9%	42.9%	41.9%	52.1%	46.9%	48.4%	50.6%	54.0%	58.8%
Lower class	28.1%	48.6%	42.5%	46.0%	48.4%	46.4%	38.4%	45.0%	42.9%	40.0%	37.3%	33.2%
Don't know/Refuse to answer	5.3%	8.3%	1.8%	11.4%	7.4%	10.8%	8.8%	7.1%	7.5%	8.5%	8.0%	7.7%
Total (sample size)	100% (285)	100% (175)	100% (875)	100% (717)	100% (316)	100% (418)	100% (1,169)	100% (546)	100% (680)	100% (235)	100% (717)	100% (555)

Remarks:

1. The on-site surveys on 12 June, 16 June, 17 June, 21 June, 1 July, 14 July, 21 July and 4 August are mixed-mode surveys using both paper and online surveys to collect data. To improve the representativeness of the survey data, the figures collected online on the above days had been weighted according to the proportional distribution of the demographic information (i.e. gender, age and educational level) of the paper samples. *The above figures have been weighted.*
2. The total percentage of some questions might not be exactly equal to 100% due to rounding.

Adapted from Centre for Communication and Public Opinion Survey (CCPOS). (2019) *Research Report on Public Opinion During the Anti-Extradition Bill (Fugitive Offenders Bill) Movement in Hong Kong*. Hong Kong: The Chinese University of Hong Kong. Available at: http://www.com.cuhk.edu.hk/ccpos/en/index.html.

Appendix 3 | **Respondents' views on the extent of their agreement to the statement that 'radical protests could make the government heed public opinion'.**

	12 June	17 June	21 June	26 June	1 July	21 July	27 July	4 August (TKO)	4 August (SW)
Strongly disagree	3.2%	4.1%	1.0%	3.1%	8.8%	3.5%	0.9%	3.7%	3.5%
Disagree	14.2%	13.1%	8.1%	11.2%	17.8%	9.8%	4.3%	8.7%	11.3%
So-so	41.7%	28.8%	28.3%	26.1%	30.7%	30.7%	27.2%	35.1%	36.4%
Agree	33.0%	39.9%	47.4%	40.7%	29.0%	36.3%	36.6%	33.4%	32.8%
Strongly agree	5.2%	13.3%	14.3%	15.6%	11.5%	18.0%	28.9%	16.7%	14.5%
Don't know/refuse to answer	2.7%	0.8%	0.9%	3.3%	2.2%	1.7%	2.1%	2.5%	1.5%
Total (sample size)	100% (175)	100% (717)	100% (316)	100% (418)	100% (1,169)	100% (680)	100% (235)	100% (717)	100% (555)

Remarks:

1. The on-site surveys on 12 June, 16 June, 17 June, 21 June, 1 July, 14 July, 21 July and 4 August are mixed-mode surveys using both paper and online surveys to collect data. To improve the representativeness of the survey data, the figures collected online on the above days had been weighted according to the proportional distribution of the demographic information (i.e. gender, age and educational level) of the paper samples. *The above figures have been weighted.*
2. The question is not included in the surveys on 9 June, 16 June and 14 July.
3. The total percentage of some questions might not be exactly equal to 100% due to rounding.

Democratic Consolidation and Democratic Backsliding: An Implication of Federalism and the Unitary State System

Irvin Tsun-On Ng

While the world is facing another wave of democratic reversal, this paper seeks to use state structures (i.e. unitary or federal system) to explain why a democratic regime can be consolidated in some countries but not others. Through the study and comparison of the three empirical cases—Canada, India and Hungary, this paper argues that federalism is more conducive to democratic consolidation while countries that adopt a unitary state system are more prone to democratic backsliding.

After waves of democratisation in the past centuries, some countries have developed into democracies, yet with a major challenge in the consolidation of their new regimes. In the latest democracy index finding by the Economist Intelligence Unit (EIU)(2021), the global average democracy score fell to 5.44, which is the lowest point since the index was created in 2006. While democracy faces intimidation in this new era, scholars have been trying to explain the backsliding phenomenon by factors ranging from the personal characters of the rulers to the openness in political culture (eds. Linz & Stepan 1978; Inglehart & Welzel 2005).

There is, however, little investigation into the relationship between the organisation of state structure (unitary or federal) and the phenomenon of democratic backsliding. By taking an institutional approach to analyse democratic consolidation, this dissertation argues that countries that adopt the federal system are more likely to successfully consolidate a democratic regime and less likely to suffer from democratic backsliding. On the contrary, those countries that adopt the unitary state system are less likely to successfully consolidate a democratic regime than those who adopt the federal system.

In order to demonstrate the causality between state systems and the resilience of democracy, this paper will study and analyse the cases of Canada, India and Hungary. The unitary state system of Hungary and the semi-federal system of India have both failed in preventing democratic backsliding with a more palpable rebound of authoritarianism in Hungary's case. On the other hand, federalism in Canada has rendered its democratic regime well-consolidated and flourishing. The study and comparison of these three cases

implies that federalism should be preferred as it is more conducive to democratic consolidation.

This dissertation would start by discussing the phenomenon of democratic backsliding and defining the concepts of 'unitary state system' and 'federal system' through literature review. Then, a model on the causality between state systems and democratic consolidation would be developed and its theoretical reasoning would be presented. The later part of this dissertation would investigate the cases of Hungary, India and Canada as empirical evidence for the theory.

LITERATURE REVIEW AND DEFINITION OF CONCEPTS

Scholars generally agree that democratic backsliding, which refers to the erosion of the quality of a democratic regime towards an authoritarian direction, has been taking place in the 21st century. Bermeo (2016) defines democratic backsliding as a state-led undermining of its own institutions that are necessary for the survival of democracy. Based on this definition, democratic backsliding can take place in different forms from traditional intra-governmental coups to election manipulation (Bermeo 2016). According to the V-Dem Institute (2021), although the world is still more democratic today than in the 1970s, in which the third wave of democratisation started (Huntington 1991), global citizens on average enjoy less democratic rights than a decade ago. Meanwhile, in 2020, the number of countries that underwent autocratic transition rose to 25, which was the highest in four decades (V-Dem Institute 2021). These findings echo the research done by Freedom House (2021), who found that democratic decline has been a trend since 2006, and the year of 2020 recorded the most severe autocratisation. These results prove unequivocally that there has been a clear retreat in democracy.

Many scholars have tried to explain this trend by societal contexts inhospitable to democratic consolidation. Acemoglu and Robinson (2006) compare the cost of coups and the level of economic inequality in different societies and argue that democratic backsliding may be induced by income disparity. Przeworski and Limongi (1997) believe that the failure to produce steady economic growth would lead to a retreat in democracy. In addition, Mudde and Kaltwasser (2017) suggest that populism, which itself is against checks and balance against the tyranny of the majority, is detrimental to the consolidation of liberal democracy. The existing literature provides a lot of discussion and implications for the causation between socio-economic conditions and the robustness of democratic regimes.

However, in terms of the institutional approach to understand democratic backsliding, a full picture on how democratic reversal takes place has yet to be clearly illustrated. For example, in Mainwaring's article (1993), the validity of Linz's theory (1990) that presidentialism is more prone to democratic breakdown than parliamentarianism is critically challenged. Mainwaring argues that there is no clear evidence that parliamentarianism can reduce the likelihood of democratic reversal. Meanwhile, Enyedi (2016) also challenges the traditional belief that multi-party systems can prevent democratic backsliding. Enyedi purports multi-party systems to be ineffective in contributing to the consolidation of democracy when there is a rise of populism

in a polarised political climate. Therefore, in the institutional aspect, it is relatively unclear as to which constitutional arrangements would be compatible with democratic regimes. Among many institutions that may have potential impacts on democratic consolidation, the compatibility of state structures with democracy is particularly under-discussed. As such, this paper seeks to fill this gap in academia.

The main difference between a federal country and a unitary country is the relationship between the central government and sub-national units. Under federalism, as Law (2013) argues, different levels of governments enjoy equal status. This means that the national authority and its sub-national units are in a division of power with each other. In practice, the power held by the federal government and that reserved by local authorities would usually be enshrined in the federal constitution to protect the autonomy of sub-national units (Weller & Nobs 2012). The sub-national units of the federation would usually have their own executive, legislative and judicial branches to implement their own laws (Cameron & Falleti 2005). On the other hand, a unitary state system implies that there is a centralised authority, and that the power held by local governments is delegated by the central government. As such, the central government has the right to rescind the power from sub-national units at any time. Weller and Nobs (2012) notice that most of the unitary countries have their power delegated to local governments through legislation made by the national parliament. Therefore, the sources of power of sub-national units is one of the main differences between the two different systems. It would be divided between different levels of governments under federalism and delegated by the central government under the unitary system.

The political development in recent years has also made state systems no longer a binary concept. The emergence of 'quasi-federalism' and 'partial federalism' has advanced the definitions of state structures (Piris 2006). Some countries such as the United Kingdom are described as quasi-federal states because of its 'devolution of power' (Bogdanor 2001). Therefore, this dissertation would need to examine three cases instead of two to demonstrate the causality between state structure, which is a relative concept, and democratic consolidation.

DEVELOPMENT OF THE THEORY

This theory suggests that countries which adopt federalism are more likely to consolidate a democratic regime than those countries that adopt the unitary system. The elaboration on theoretical reasoning will be divided into four parts. The first part would be a description and discussion on the relationship between people and authority with reference to the concepts of the social contract and the source of power. The second part would explain why federalism resembles the division of power between people and authority, and why federalism manifests limitations on the ruler's power. The third building block of this theory will suggest that the division of power and the limitation on the ruler's power are crucial to the consolidation of democracy. After explaining why federalism can better contribute to democratic consolidation, this dissertation will also consider some outliers and thus set a precondition for this theory. The precondition is the willingness and consent of the state and its people to join the federation.

To begin with, the people and authority are in a division of power, as the power of an authority is limited to the aspects where people are willing to submit their autonomous rights. Locke (1689) suggests that in the state of nature, people are born naturally with complete and full autonomy, meaning that there is no limitation on what an individual cannot do unless it is restricted by biological limitation. In *Leviathan*, Hobbes (1651) also implies that people have full autonomous rights in the state of nature. Since the stronger ones may deprive the rights of those who are less strong in an anarchy, Hobbes posits that people need to sacrifice part of their autonomous rights for the formation of an authority, so that people's behaviour can be regulated and chaos can be avoided (Hobbes 1651). In the discussion of the concept of 'legitimacy', Weber (1964) also raises a similar idea as he refers to the power of an authority as a 'lent prestige'. The implication of 'lent prestige' is that an authority borrows its power from the people. As such, the power of an authority would be limited to the amount of autonomous rights that people are willing to lend to the authority. For example, when people want to be protected from being killed by others, the action of killing is subject to the intervention and prohibition by the authority. However, when people do not think that a lack of regulation of, for example, daily outfits would lead to unacceptable levels of chaos, and people choose not to lend such autonomous rights to the ruler, then the ruler does not have the legitimate power to interfere in people's selection of outfits. It is thus evident that people and state are in a division of power. When people are willing to sacrifice that part of their autonomous rights, the state holds the power in that particular aspect. When people refuse to sacrifice that part of their autonomous rights for the formation of an authority, the state does not hold power in that aspect. This division of power between the people and a state is usually enshrined in a constitution, which lists out the power of the government and the freedom of the people. Therefore, the starting point of this theory is that a legitimate authority must be in a division of power with the people, and the boundary of the division of power depends on how much power people are willing to delegate to the ruler.

The second argument of this theory is that these characteristics of a legitimate authority, namely a division of power, and thus a limitation on ruler's power based on people's consent, can be manifest in the federal system. As aforementioned, a federal government and the state governments are in a division of power under federalism. When different potential federal constituents seek to form a federation, they may come together to discuss the aspects of power that they are willing to submit to the federal authority, as well as the autonomous power that these federal constituents seek to retain. Take Australia as an example. The six former British colonies recognised their respective risk of having a weak military capability in the 19th century, so they came together to form the Federation of Australia primarily for the sake of national safety (National Museum of Australia 2021). All six former British colonies have voluntarily decided to give up their own military sovereignty and submit it to the federation. This formation process of the federation emphasises the consent of the federal constituents as well as the constituents' delegation of power to the federal authority. It

also demonstrates that there is a division of power between federal constituents and the federal authority because the power of the federal authority is limited to the aspects of autonomy that the federal constituents are willing to give up. Therefore, the federal-state relations under federalism resemble the authority-people relations under a legitimate democratic regime.

The third building block of this theory is that the manifestation of the division of power and the limitation of the authority's power is immensely important, if not even necessary, to the development and consolidation of democracy. Democracy is understood as the rule by the people. If one can have any political pretext to seize power from the people, democracy cannot be consolidated and may suffer from backsliding. Hence, democracy relies on the proper recognition of the source of power of an authority as a 'lent prestige' from the people. Contrary to democracy is a dictatorial regime in which the ruler, or a group of rulers, does not have any limitation on their power. They can decide what and how to intervene in people's daily lives based on their own arbitrary views. The possibility for the existence of such a dictatorial regime stems mainly from the idea that their power comes from sources other than the people. In this case, how much power the people are willing to delegate to the authority is irrelevant to the authority, and there would possibly be no limitation on the ruler's power. Therefore, the consolidation of democracy requires a constant reminder on the legitimate source of power and the limitation on the ruler's power. As federations and federal subjects (i.e. sub-federal states) are relatively permanent sets of institutions, the existence of these institutions to manifest the division of power would act as a constant reminder that the ruler only has the power to make decisions where people delegate the power to him, as if a federal authority only has the power to make decisions where the state and the people delegate power to them through state enrolment or a people's referendum. Therefore, having a constant emphasis on the respect over the autonomy of the people is crucial to democratic consolidation.

To summarise the three building blocks of the theory, federalism is conducive to democratic consolidation because the federal-state relation manifests how the people delegate their power to an authority as well as a necessary limitation on the ruler's power. Yet, one may notice that there are some cases where a federal country suffers from democratic backsliding. For instance, the Russian Federation, which was founded in 1991, has become more authoritarian since Putin came to power. United Russia, the ruling party, has nearly dominated the whole political arena, as the Communist Party in the Soviet era had. Putin and his allies have obstructed opposition candidates from running for elections. Many dissidents such as Alexei Navalny have been persecuted. This is a clear example that democratic backsliding can take place under federalism. This dissertation recognises this major challenge to the theory, and suggests a pre-condition for this theory, namely the state's willingness and the people's support for the formation or enrolment to the federation.

The federal constituents' willingness to join a federation and their support to the federation is essential to the consolidation of a democratic regime. Since the potential causality between federalism and democratic
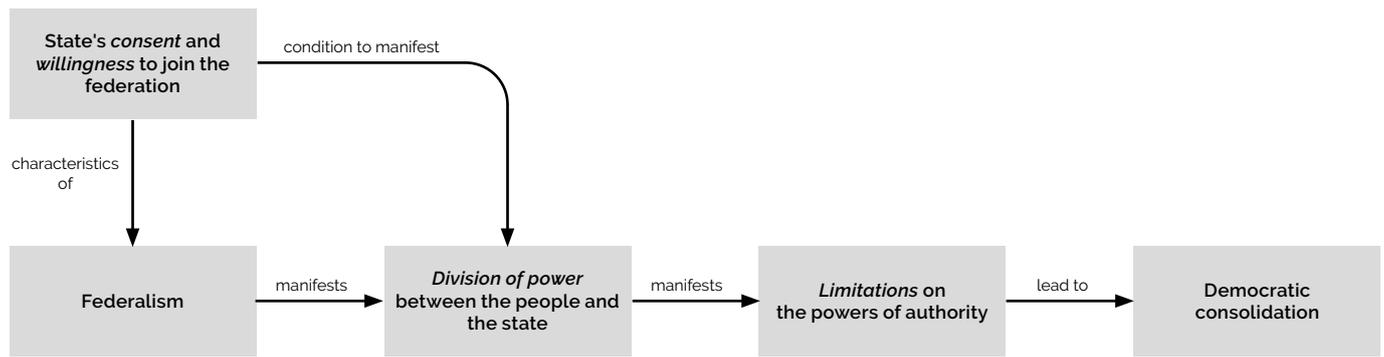
Figure 1 | **Diagramatic summary of the causality between federalism and democratic consolidation.** Federalism (left) is the independent variable, while democratic consolidation (right) is the dependent variable or outcome.

consolidation is based on manifesting the limitation of the ruler's power with 'consent theory' as well as the idea of the 'social contract' between the ruler and the ruled, if the state is not willing to join the federation but is *forced* to join the federation, the ideas of 'consent' and division of power between federal authority and federal constituents cannot be established. As such, the political institutions would manifest the lack of political legitimacy instead of a legitimate division of power between an authority and its people. For example, in the case of Russia, some federal subjects such as Chechnya were forced to join the Russian Federation despite their political resistance. The people of Chechnya have never wanted to be part of Russia. If we look back to the history of Russia and Chechnya, the dissolution of the Soviet Union created, as people in Chechnya believed, a precious opportunity for them to declare their national independence as the Chechen Republic (German 2003). Yet the people of Chechnya miscalculated the political decisions of Russia, and Russia in fact suppressed the movement violently by force for decades (German 2003). This suppression has become even more intense since Putin came to power (German 2003). The case of Chechnya demonstrates that the Russian Federation ignores the views and willingness of the people of Chechnya, so the inclusion of Chechnya in the Russian Federation itself cannot demonstrate the importance of consent nor the limitation of the power of the federal authority. Meanwhile, it has created an unfavourable condition for the division of power between the federal government and government of Chechnya, stemming from the extreme power imbalance between the two. Therefore, the state's willingness and the people's support to the federation is necessary for federalism to contribute to democratic consolidation.

This causality between federalism and democratic consolidation has been explained by the three building blocks. The major challenge to this theory has also been addressed with a pre-condition, namely the federal constituents' willingness to enrol onto a federal authority. The theoretical reasoning of the whole theory is summarised by Figure 1 (above). Here, the federal system is the independent variable and the consolidation of democracy is the dependent variable, while the state's consent to join the federation and recognise the power of the federation, which could be a characteristic of federalism, is a condition to this theory.

Case Studies

This section provides background information about Canada, India and Hungary to facilitate the comparison and analysis.

Canada

Canada has a long tradition of federalism. After the American War of Independence in the 18th century, the United States had tried to expand its territory by conquering Canada. One example was the War of 1812, in which the United States sent troops to both upper and lower Canada. While many Canadians were loyal to the British and did not want to join the United States, the Dominion of Canada was created in 1867 consisting of New Brunswick, Nova Scotia, Ontario and Quebec to resist the invasion of the United States (Bothwell 1996). Several years later, people in British Columbia and Vancouver also sought to join the confederation because they were deep in debt and also faced the threat of American annexation (Barman 2007). The history behind the establishment of the Dominion of Canada demonstrates that people in different states believed their enrolment to the confederation was crucial to their safety, so each of the federal constituents were willing to join the confederation and share their political power with the federal authority.

The federal system which divides power between federal authority and local governments is still in place in Canada today. There are currently 10 provincial governments in addition to the federal government in Ottawa. According to the *Constitution Act of 1867* (1867), which sets out the framework of the federal system, the federal authority and the provincial governments hold different aspects of political power respectively. For example, section 93 of the *Constitution Act of 1867* stipulates that provincial governments have the power to decide all matters related to education as long as it does not conflict with the principle of equality in religion. Meanwhile, all powers related to 'peace, order and good government' are reserved by the federal authority only, and the provincial legislatures do not have the power to make laws in these aspects (*Constitution Act of 1867*, section 91). Despite some ambiguities and different interpretations in the details of division of power in certain aspects, such as the power of setting economic migration policies, the main emphasis has always been that powers are divided between the two

levels of governments and thus each level of government has their own limitation of power (Nijboer 2010).

Canada has a long tradition of democracy under which the government restrains itself from encroaching on the autonomous rights of the people. Canadian governments have a culture of limiting its own power and seeking people's consent if the decisions to be made may interfere with people's lives to a huge extent. For example, the Canadian government during the Second World War held a referendum on conscription. This example demonstrates that even during the most critical moments, the views of the people were still of utmost importance and fully respected, thus manifesting democracy. In recent decades, in which there has been widespread democratic reversal around the world, there were numerous referenda in which the authority seeks people's consent on important political matters. For example, there was a referendum on the Charlottetown Accord in 1992, in which people voted against the Charlottetown Accord (Johnston 1993). Furthermore, while many countries have cancelled parliamentary elections with the pretext of mitigating the COVID-19 pandemic in these few years, Canada still held its parliamentary election for Canadians to delegate their power to the authority without any delay. According to the reports of Democracy Index by the EIU (2007–2021), Canada has always been categorised as a 'full democracy' since the EIU started its annual evaluation. While the average Democracy Index score worldwide fell from 5.52 to 5.37 between 2006 and 2020, the Democracy Index score of Canada rose gradually from 9.07 to 9.24 during the same period (EIU 2007; EIU 2021). These figures demonstrate that the democratic regime in Canada has been fully consolidated and does not suffer from democratic backsliding.

In short, Canada has adopted the federal system since it was subject to British rule. The division of power between federal government and local governments are enshrined in the constitution. The government limits its own power and seeks people's consent, and the democratic regime in Canada is well-consolidated and does not suffer from democratic reversal.

India

The long history of social diversity and the large territory of India have contributed to the development of the quasi-federal system in India. When many Indians became resistant towards British rule in the late 19th and early 20th century, the British parliament passed the *Government of India Act 1919*, which divided the Indian political structure into a central authority with several provincial governments (*Government of India Act 1919*). This part of history has laid the foundation of the quasi-federal system of India.

The system in India is called the 'quasi-federal system' as there are both features of federalism and unitary system in its state structure (Wheare 1950). The Indian quasi-federalism purports to practise the division of power between the central authority and the local authorities, but the division of power inclines largely towards the centralisation of power for the union government, thus lacking a sufficient limitation of power on the federal authority. Theoretically, India is described as a 'Union of States' by its Constitution (Constitution of India, article 1). There are 36 sub-national units including 28 states and 8 union territories to divide

official power with the federal authority in New Delhi. In the Constitution of India, there is an attachment called the Union List, which enumerates the aspects of power which the federal parliament is entitled to, such as making laws with regards to national defence and criminal extradition. There is also an attachment to the Indian constitution called the State List, which specifies the power only given to local authorities such as setting public health policies and agricultural policies, which the union government is not supposed to intervene with.

However, the federal authority has enormous political influence on states in the state structure, rendering the state structure quasi-federal. For instance, article 155 of the Indian Constitution stipulates that the state governors of different provinces are appointed by the President of India based on nominations by the union government (Constitution of India). Although the local executive power is vested in the chief minister instead of the state governor, Basu (2019) observes that in a lot of cases the governors can influence the decisions made by the chief minister and other ministers. In reality, the union government has enormous influence over the appointment of both governors and chief ministers. For example, even though Yogi Adityanath, a former member of parliament, faced charges of attempted murder, he was still chosen to become the chief minister of Uttar Pradesh, one of the most influential states of India, just because Modi handpicked him (Gupta & Gowen 2017). This example demonstrates that the union government can manipulate political developments and policy formulations at the local level. Therefore, India has the legal stipulation over the limitation of the federal power, but these did not prevent manipulations or interventions by the union government in reality.

An important characteristic of the establishment of the federation of India is that there were no states being forced to join the federation. People across former British India who were unwilling to join the federation achieved independence for their own states. This was manifested in the partition of India in 1947. Since there were abundant religious conflicts between Muslim and Hindu throughout the history of India, the last British governor of India, Viscount Mountbatten, understood that it would be impossible for the larger British India to remain in a federation (Talbot & Singh 2009; Ambedkar 1945). As such, after several rounds of negotiations among different parties in British India, Pakistan did not join the Indian union but became an independent state (Talbot & Singh, 2009; Ambedkar 1945). Similarly, Burma, which was part of India before the Second World War, also achieved independence on its own and did not become a federal constituent of India. It is thus very clear that the states of former British India were not forced to join the union, but that their enrolment was based on their voluntary support to the federation.

In terms of the democratic performance of India, the democratic elements of the regime still remain fragile and there was a gradual democratic decline. The fragility of democracy stems mainly from religious conflicts, especially when popularly-elected politicians and political parties oppress particular religious groups in the country. As the right-wing Bharatiya Janata Party (BJP) has become more influential in the political arena, the Modi government launched a gradual campaign of oppression against many Muslim activists and journalists (Biswas 2021). Therefore, India only has the façade

of democracy with elections and its constitution. Yet the people's rights, especially those who are in minority, are not respected. According to the EIU (2007; 2021), the Democracy Index score of India was 7.68 in 2006 but it dropped to 6.61 in 2020. There are also similar findings by the V-Dem Institute, which describes the regime as 'electoral autocracy' in 2021 (Biswas 2021). Freedom House also downgraded the latest democratic classification of India (Biswas 2021). These figures suggest that India has a gradual decline in the quality of democracy.

Hungary

Hungary developed a unitary state system as early as the end of the Second World War. Since Mátyás Rákosi, the Soviet-handpicked leader for Hungary, and the Hungarian Working People's Party came to power in 1949, a constitution was promulgated (Ludwikowski 1996). According to the 1949 Constitution of Hungary, the power of the state was very centralised. Article 10 of the Constitution stipulates that all of the state's power was vested in the National Assembly (Hungarian Constitution of 1949). Article 32 of the Constitution required all local authorities to report to the central government at least twice a year (Hungarian Constitution of 1949). These stipulations made it very clear that all power held by local authorities came from the central authority, and therefore such a state structure was a unitary state system. Even though Hungary had constitutional amendments in 1989 after the Round Table Talk and the revolution against the Soviet Union, the unitary state system has remained unchanged.

The Fundamental Law of Hungary, which superseded the 1949 Constitution, did not change the unitary state system but further promoted the centralisation of power in the central government. As the Fidesz–KDNP alliance won a two-thirds majority in the parliamentary election in 2010, the ruling alliance took this opportunity to dominate the political arena over different institutions (Kovács & Tóth 2011). For example, the constitutional amendments gave power to the national government to decide which judge to adjudicate on which case under the judiciary, and to appoint senior executives to the central bank (Halmai 2019). However, it is important to emphasise that these amendments have not changed the power relationship between the central government and local governments, meaning that all the power of local governments is still delegated by the central government. Although article 32 of the current constitution stipulates the power and responsibilities of local governments, it has no stipulation over the limitation of power of the central authority (Fundamental Law of Hungary). Therefore, the constitution only limits the power of local authorities but not the central authority. As such, one may suggest that Hungary has a long tradition of adopting a unitary state system since its very first constitutional framework.

Hungary is one of the most typical cases of democratic backsliding. Since Viktor Orbán came to power, he has vowed to bring an 'illiberal democracy' to the country. In recent years, the Orbán's government amended family laws to exclude intersex and homosexual couples to formally form a family, reducing the liberal elements in the regime (France 24 2021). During the COVID-19 pandemic, Orbán declared a state of emergency, where he could rule the country by decree without checks and balances (Walker & Rankin 2020).

He repeatedly sought to extend the state of emergency with the pretext of the pandemic (Radio Free Europe 2021). According to quantitative data, the democratic score of Hungary dropped from 7.53 in 2006 to 6.56 in 2020, and its democratic ranking slid down from 38 to 55 (EIU 2007; 2021). Hungary even got removed from the list of democracies by Freedom House, as Freedom House regards the democratic backsliding in Hungary to be too evident that the regime became a hybrid regime consisting of both elements of democracy and autocracy (Al Jazeera 2020). Therefore, it is plausible to suggest that Hungary has had a rapid democratic backsliding.

The brief summary on the case of Hungary is that it has always been a unitary state because the central authority is not limited from exercising power to intervene in local matters, and it has also experienced democratic backsliding since Viktor Orbán came to power.

Discussion and Analysis

From the three cases above, it is evident that, firstly, the federalism of Canada demonstrates more about the source of governmental power and manifests more the limitation of the authority's power than the semi-federal system in India. In the case of India, the union government has the implicit power to indirectly interfere with local matters even though such interference may not be allowed by the legislative intent of the constitution. This creates a scenario where authority is used to exploit the constitutional loophole in the federal-local relation. When the Indian union government and the BJP can arbitrarily use the constitutional loophole to gain more power in the federal-local relation, it should not be too alien to suggest that it can also use political and legal loopholes to interfere with the autonomous decisions of the people without the people's consent when the government wants to expand its power. On the other hand, the federal-state relation in Canada sticks closely with the division of power between the federal authority and the local authorities. The federal government of Canada has both the constitutional power constraint and realistic power constraint from interfering with the exercise of local governmental power, such as formulating education policies. As such, there is a political culture to have limitations on the authority's power based on the amount of power that is legitimately delegated to it. Therefore, it is clear that the Canadian federal system can demonstrate limiting governmental power more than the Indian semi-federal system.

If the cases of these two countries are compared against the case of Hungary, it is evident that the unitary state system of Hungary has no manifestation of limiting governmental power. The difference between Canada and India lies in how much the federal system manifests a limitation on governmental power, but the difference between these two countries and Hungary is whether or not there is a political culture that governmental power should be limited. Under the constitutional stipulations of Hungary, local authorities have their own responsibilities and power. Yet, in the exercise of such power, they can always be instructed by the central government. In other words, the central government always has the power to interfere into any aspect of local governance arbitrarily. Unlike the federal-state relation, this central-local relation in Hungary does

	Canada	India	Hungary
State structure	Federalism	Quasi-federalism	Unitary state
Central-local relation	Division of power.	Division of power inclined towards centralisation of power towards the union government.	Centralisation of power.
	Federal government is not allowed to interfere with local governance.	The union government can indirectly influence local governance.	All power comes from the central government.
Manifestation in state-people relations	Divison of power between the state and the people.	Division of power to a lesser extent.	No manifestation on power limitation in state-people relations by the unitary state system.
	The state holds power to the extent of which is granted by the people.	The state holds power to the extent of which is not objected by the people.	
Commonality in federalism	States were willing to join the federation	States were willing to join the federation	N/A
Democratic performance	Democracy well-consolidated.	Democratic backsliding through governance.	Democratic backsliding through explicit constitutional amendments and legislation.
	EIU Democracy Index score rose from 9.07 to 9.24 between 2006 and 2020.	EIU Democracy Index score dropped from 7.68 to 6.61 between 2006 and 2020.	EIU Democracy Index score dropped from 7.53 to 6.56 between 2006 and 2020.

Table 1 | **Summary of the comparisons between Canada, India and Hungary.**

not bring any political message about the legitimate limitation on political power, which shall be limited based on the amount of autonomy people are willing to sacrifice under a democratic regime. There is hence no political message under the unitary system that the political power held by the Hungarian government should be limited.

The comparison of the democratic backsliding of India and Hungary brings a clear message that Hungary has a political culture more likely to lead to democratic backsliding. If one looks into Hungarian politics since 2011, Prime Minister Viktor Orbán explicitly amended the constitution so that the constitution has less power restrictions over the government. This has been different from the case of India where the government exploits the constitutional loophole to expand its power and suppress Muslim journalists. The difference between the Indian government and the Hungarian government is that the Indian government still vows to uphold democracy and has never rejected values such as press freedom and the rule of law, while the Hungarian government explicitly mentiones that it purports to practise an 'illiberal democracy'. Through the comparison of these three cases, it is evident that Canada has the strongest culture of respecting people's rights, while the Indian government realises the legitimate limitation on governmental power but people have lesser awareness than the case of Canada. Hungary has the least respect for democracy. Therefore, the different state structures explain the differences in political awareness over the limitation of governmental power, and the political awareness over the limitation of governmental power explains why there are different democratic performances between the three countries.

A stronger awareness over the limitation of governmental power, as demonstrated in the case of Canada, is profoundly conducive to democratic consolidation. As discussed before, the Canadian government has the self-awareness of seeking people's consent for major decisions such as conscription. This political awareness on the limitation of power can promote democracy and avoid democratic backsliding. One of the largest protests in Canada in recent years was the protest for racial equality and the prevention of police brutality after the George Floyd incident in the USA (Sharp 2020). The death of George Floyd coincided with the death of Regis Korchinski-Paquet, a young black woman who died after a police operation in Toronto. In response, many Canadians filled the streets and protests spread across different parts of Canada. This political culture of monitoring the exercise of power by authority prevents brutality from happening and thus also dictatorial tyranny. When Canadians filled the streets in protest of the death of George Floyd to raise awareness for the case of Regis Korchinski-Paquet, they vowed to uphold the rule of law and racial equality, which are two cornerstones for democracy. Hence, when Canadian federalism can manifest the source of political power and the legitimate limitation on political power held by the Canadian authorities, its democratic regime can be consolidated.

In contrast to the case of Canada, as aforementioned, the quasi-federalism in India manifests a weaker culture of limiting governmental power, thus creating room for a slow and gradual democratic reversal. While article 19 of the Indian constitution protects the freedom of the press and the freedom of expression of the people, the government still arrested many journalists by accusing them of 'spreading fake news' (Constitution of India; Al Jazeera 2021). This crackdown on press freedoms, which are also an important cornerstone for liberal democracy, however did not meet with major political resistance in

India, so the Indian government could expand its power to crack down on dissent with constitutional loopholes. The lack of domestic resistance over the crackdown was mainly because Indian do not have a strong awareness over the problems such as oppression of journalists. Instead, they focus more on the potential problems brought by Muslims. This lack of awareness to monitor authorities has made room for the undermining of the rule of law, press freedoms and freedom of expression in India, ultimately leading to democratic backsliding. It is hence clear that the political culture of limiting governmental power in Canada and the lesser awareness over government's abuse of power in India due to the different state structures could be one of the reasons for the differences in democratic performances between the three countries.

The analysis above suggests that federalism manifests the limitation of governmental power better than the unitary state system, and the culture of limiting governmental power is crucial to democratic consolidation. The comparison of the three cases to demonstrate this theory is summarised in Table 1 (in the <u>previous page</u>). There is yet a very important factor that one should consider when analysing the causal linkage between state structure and democratic performance, namely the states' willingness to submit to the federation.

The states' willingness to submit to a federation is a common characteristic between the federalism of Canada and that of India. As discussed, the different states including New Brunswick, Nova Scotia, Ontario and Quebec all willingly and voluntarily came together to form the Dominion of Canada when they faced military threats from the USA. Those who enrolled at a later stage such as British Columbia and Vancouver voluntarily joined because of the same security reasons and their respective financial problems. A more important point to note here is that these states did not only voluntarily join the federation, but they were also not forced to stay in it. When a significant proportion of people in Quebec wanted to reclaim their sovereignty and leave the Federation of Canada, Quebec was allowed to hold a referendum in 1980, the motion of which was defeated (<u>Rocher 2014</u>). There was a second referendum in 1995 in which people in Quebec were asked again whether they wanted to retrieve their sovereignty from Canada but the referendum again made it clear that people have chosen to stay in Canada (<u>Rocher 2014</u>). These two referenda demonstrate that the Federation of Canada was based on the states' and their people's willingness to submit to the federation. Similarly, India also put emphasis on the voluntary enrolment of its states. When the people in Sylhet were given a chance to hold a referendum between joining the union of India or joining Pakistan in 1947, it is clear that the Union of India focuses on the willingness of a state, despite possibly to a lesser extent than Canada (<u>Hossain 2013</u>). This attitude of respect for state sovereignty during their enrolment is very crucial to the consolidation of democracy because the respect for people's rights and the bottom-up delegation of power are exactly the reasons why federalism can manifest a legitimate limitation on governmental power. When compared with other federal countries such as Russia, where the state of Chechnya was suppressed by force and has been coerced to stay in the federation, it is evident that federal countries which deploy force to keep their federal constituents are unlikely to have a division of power in the federal-state relation, and thus there is no manifestation of limiting power in the authority-people relation. Therefore, this paper suggests that only when a federation has enough respect for the state's willingness to enrol, the federal system can prevent democratic backsliding and be conducive to democratic consolidation.

Although there are many factors that affect the democratic performance in these three countries, the different state structures certainly play an important role in influencing the robustness of democracies. It is undeniable that, for instance, the rise of Viktor Orbán, and the structural religious conflicts in India are some reasons irrelevant to the state structures that however contributed to the democratic reversal in Hungary and India respectively. It is also palpable to suggest that the democratic regime in Canada is consolidated because of a more stable economic performance as compared to India. Nevertheless, this paper believes that if federalism in India were less power-centralised towards the union government, India would not experience democratic backsliding despite the rise of the nationalist Bharatiya Janata Party (BJP), at least not to the current extent. This is because the political rivals of the BJP might win local elections and balance out the power of the BJP if the local governors and chief ministers were no longer handpicked by the BJP. As a result, the BJP would have less opportunities to incite hatred against Muslims and suppress journalists. It is also plausible to suggest that if Canada were a centralised unitary state with a vast territory, the Prime Minister would more likely have stronger political power because the political power is not divided between the two levels of government, thus reducing the amount of constraints and limitations on the political power held by the cabinet. Therefore, this paper recognises that state structures are not sufficient for democratic consolidation, nor are they sufficient for explaining the democratic backsliding in India and Hungary fully, but it is certainly an important factor that is conducive to such political phenomena.

Conclusion

This research paper aims to demonstrate that federalism is a better state structure for consolidating a democratic regime and preventing democratic backsliding by extension. The three cases of Canada, India and Hungary exemplify that federalism can better manifest the source of legitimate state power than a unitary state system. It is because the federal-state relation under federalism and the state-people relation under a legitimate democratic regime are both based on a division of political power and a limitation on political power. This research finding also brings numerous implications. Firstly, state-building processes should attempt to construct federalism for the sake of political legitimacy in the future regime. Secondly, for current federal countries, it is important to note that coercing a federal constituent to stay within its federation is scarcely beneficial to the consolidation of a legitimate regime, as demonstrated in the case of Russia. Thirdly, people living under a relatively democratic regime should be aware of the greater possibility of democratic backsliding in democratic regimes that were constructed under a unitary state system, such as the cases of Tunisia, Chile and Poland.

There are still abundant unknowns regarding the

causality between state structure and democratic performance. For example, when factors ranging from economic performance to political culture all may affect the consolidation of democracy in a country, how much influence would state structures have on the prevention of democratic reversal exactly? This paper also focuses on qualitative discussions and the case studies only, while quantitative data from a large number of countries may confer a greater degree of reliability and validity for this theory. Therefore, there is room for future research to further verify the theory and assess the scope of influence of this institutional factor based on quantitative data.

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Is 'Fair' Fair for All? An Analysis of the Rule of Law and Gender Equality in Sub-Saharan Africa

Anna Cutler

This paper assesses the relationship between rule of law structures and gender representation in sub-Saharan Africa to understand if democratic policies correlate to improved gender equality. The hypothesis stated believes there is a positive correlation between the two variables. In pursuit of this question, this paper surveys rule of law and gender equality indexes and examines case studies across the region. This paper aims to provide further insight to the development aid community on the efficacy of specialised aid on additional variables. Special attention is given to quantitative research and supplemented by qualitative assessments through literature research, followed by interpretations of the data. This paper casts a critical eye on the implementation strategies of rule-of-law (ROL) practices in sub-Saharan African states and addresses alternative hypotheses for this relationship, ultimately rejecting the hypothesis of positive correlation and concluding there is no significant correlation between the variables. It argues that the forced implementation of ROL systems and the inadaptability of the local society do not allow for immediate or correlated development in gender equality.

In an increasingly globalised and modernising world, the quality of human treatment is consistently assessed in each country, with increasing scrutiny from highly progressive sects and organisations. The fight globally for women's equality and access to justice for all people has been at the forefront of development agendas for decades, though not all efforts relate the two objectives. This essay seeks to understand the relationship between gender equality and rule of law development in sub-Saharan Africa to see if creating a foundation for democratic treatment and ideals leads to improved gender equality.

Background Information

Consistently, an increasingly immutable requirement for modern states is equal treatment of all genders, geared mainly towards the gender equality of men and women. While this may be contested in relation to the customs and norms of unique societies, the global pressure to award equal rights and opportunities to men and women has become a necessity. In the neoliberal period, spurred by the UN 'Decade of Women (1976–1985)' (Grown, Addison & Tarp 2016, p. 312) gender empowerment and the goal of gender parity became a priority for international organisations and foreign aid operations from Western organisations, leading to funding and programs that attempted to indirectly advance a gender-equal environment through conditional agreements and foundational systems for equality. Many aid efforts that directly target women in gender-unequal societies are geared toward access to healthcare and health information regarding sexual and maternal health (Grown, Addison & Tarp 2016, p. 312). More recent efforts have focused on empowering women in the home through micro-loan systems to fund projects and initiatives that allow women to contribute to the economy and maintain their household and familial obligations. These methods have yielded results, with an eight to eighteen percent growth in the promotion of women's empowerment in the 2002–2013 period, correlated to aid directed in these arenas (Grown, Addison & Tarp 2016, p. 313).

However, upon further analysis, aid directed towards women's empowerment specifically, in the context of Africa, primarily went to states with an existing bureaucratic structure or stronger institutions in place already (Grown, Addison & Tarp 2016, p. 315). While this aid distribution improves gender equality in the states that fulfil that criterion, it leaves states who do not meet the institutional or foundational requirements behind.

As the rule of law gained traction on the international development stage, scholars and development scientists lauded it 'as the answer to a multitude of diverse policy challenges' (Carothers 2009, p. 49). Not only would it improve the economic attractiveness and facilitate economic transactions of emerging states; it could also 'bolster fledgling economic experiments' such as 'undergirding new constitutions, electoral systems, and political and civil rights.' While global commitment has grown astonishingly as a 'miracle' cure for development issues, improvements with regards to the rule of law have not always correlated to successes in some primary targeted arenas, such as economic growth (Carothers 2009, p. 52). Due to the variety of perspectives one may view rule of law (conservatively, centrally, or liberally), much of the intended outcomes and values can differ, yielding different priorities and results. A primary concern surrounding rule of law is the difficulty in measuring and defining its progress, as Ringer points out (Ringer 2007). As is common in political and social sciences, the variables for measurement must work together to formulate a fuller picture of success, as no one variable can tell the complex story of complete success or failure. The lack of consistency in measuring what is acceptable or 'successful' rule of law in emerging countries begs the question of whether the Western democratic version of rule of law can effectively translate into drastically different societies. The question of local legitimacy and the hovering implications of imperialism also call into question the merits of rule of law development at all.

Regardless of the technical debates, the core of the rule of law mission is to bolster the capacity of developing nations in a way that promotes equality in access to

justice, and hopefully into other sectors of society. By creating a foundation that can serve economic, political, and social development, rule of law creates an avenue for opportunity and development by way of ensuring justice and autonomy.

Research Question

Development politics in Africa have been heavily contested over the past century, with shifts between modernisation, dependency, neoliberal, and post-development theories all contributing to the various levels of success and failure in sub-Saharan African nations. One pro-democratic strategy adopted by Western powers over the past half century has been increasing commitment to, and emphasising the value of, 'good governance' systems and strong rule-of-law (ROL) institutions to developing states. The notion of access to justice (ROL) is seen throughout the *UN Declaration on Human Rights*[1] from 1945 and was given specific attention in the *Declaration of the High-level Meeting of the 67th Session of the General Assembly on the rule of law*[2] at the national and international levels in 2012. Access to justice as a core human right, though newly stated, is inherent and inalienable.

The global commitment to gender equality had not been as obvious on the international stage until the late 20th century. While gender equality is a human right declared in the 1945 charter, countries worldwide have operated with drastically different levels of equality for women for centuries. In 1979, the *Convention on the Elimination of All Forms of Discrimination Against Women*[3] gave specific attention to gender equality for women and set the global agenda to reach gender parity.

As the combination of these two rights both address the notion of fairness, this paper asks: What is the relationship between rule of law and gender equality? If rule of law ensures access to fair protection under the law, does that correspond to gender-equal treatment by the state? In society? What conditions are required to create a positive correlation?

Literature Review

Sub-Saharan Africa is a rapidly developing continent economically and socially. Due to its colonial past, many African nations have been forced to adopt Western governing practices in order to receive aid or qualify for 'status' in the eyes of the hegemon. The post-Cold War reforms focusing on ROL, according to Celestine Nyamu-Musembi, were due to the 'overwhelming emphasis … [on] creating a suitable legal and institutional environment for the market' (Nyamu-Musembi 2006, p. 1193). In this period, there was opportunity for constitutional reform to address sex discrimination, property rights regarding women, and labour laws. However, these were often bypassed because of the possibility that they were 'goals seen as incompatible with the core agenda of creating inefficiently functioning legal institutions for the market' (Nyamu-Musembi 2006, p. 1194). Nyamu-Musembi acknowledges that the World Bank and other development institutions were funding programs addressing gender equality simultaneously, and ROL lending was a fraction (four percent in 2004) of all international development agency lending (Nyamu-Musembi 2006, p. 1194). Regardless, the prioritisation of market efficiency and stability over gender equality seeded space for discrimination and inequality

in this reform cycle across sub-Saharan Africa as of 2006. Based upon this assessment, one could reasonably hypothesise that rule of law systems do not lead to better gender equality.

While the early twenty-first century assessment of ROL in sub-Saharan Africa noted a negative or indifferent impact on gender equality, recent studies have pointed to examples of positive impacts 'good governance' has on societal reforms, including gender equality. Jennifer Schoeberlein's 2020 report broadened the level of reform from only ROL to include measures to improve government coordination between levels, introduce citizen participation in government, improve budgeting tools, and create programming sensitive to gender and marginalised populations in addition to access to justice (Schoeberlein 2020, pp. 1–23, 4). This multifaceted approach is heralded by the African Union and included in their *Transformation Strategy Agenda 2063: the Africa We Want* in 2015 (Schoeberlein 2020, p. 4). The continent-wide draw towards democratisation and constitutionalism has led to improved access to justice, independent judiciaries, and transparency in the judicial process (Schoeberlein 2020, p. 6). In the OECD's 2018 *Policy Framework for Sound Public Governance*, inclusivity and gender equality are acknowledged as key factors in successful governance that existed in all relevant examples (Schoeberlein 2020, p. 10). Based upon this assessment, one could reasonably hypothesise that rule of law systems with the conditions outlined in 'good governance' and an economy with potential upward mobility lead to better gender equality.

While rule of law development efforts and broader democratisation across the continent are founded, there is still the question of how it relates to the rise in gender equality. Blankenship found that 'most African states have made progress since the 1990s, although many still have high levels of gender inequality' (Blankenship & Kubicek 2018, p. 28). In assessing what contributes to the rise of equality, democratisation and the accompanying welfare systems immediately come to the mind of development scholars. But, as Blankenship points out, 'the causal links are not always clear … improved gender equality often lags behind democratisation' (Blankenship & Kubicek 2018, p. 29). In their assessment, Blankenship finds that the manufactured version of democracy left behind by colonial states creates additional variables for women in sub-Saharan African states to overcome, thus decreasing the levels of gender empowerment with the rise of democratisation (Blankenship & Kubicek 2018, p. 33). Citing Beer, Blankenship determines there is a conditional nature of democracy-fuelled gender equality in the region. If the situation feminises poverty and culturally subordinates women, has a corrupt political system, apathetic citizenry, and government that avoids state oversight, all of these conditions create space for the prohibition of women's empowerment. Further, political institutions 'tend to be highly gendered, and the ability of women to achieve "gender justice" is conditioned by the inclusiveness of debate conditions in the public sphere, including civil society and the media,' claims Denise Walsh (Blankenship & Kubicek 2018, p. 34). These barriers that are institutionally ingrained in sub-Saharan African states inherently seem to prohibit women from achieving equality. The 'Big Man' syndrome, manifested through structures that 'embrace religious institutions

or tribal leaders who care little for or are hostile to gender equality' harkens back to colonial legacies and pre-modern state systems. While not all pre-modern tribal or religious structures excluded or demeaned women, patriarchal colonisation modified the structures into the new patriarchal norms for local structures and traditions as well (Blankenship & Kubicek 2018, pp. 35–36). In the context of democratisation, the neo-colonial efforts—through foreign aid, intervention, and international cooperation—do not seem to necessarily serve the local community and its needs effectively in terms of bolstering gender inequality. Based upon this assessment, one could argue that the colonial legacies of sub-Saharan Africa were irreparably formative in formal state development and relied too heavily upon patriarchal institutions and structures that any alike method would also not effectively improve gender equality.

Theory

As discussed previously, this paper aims to understand the effects of rule of law development efforts in a new context of promoting gender equality. In development studies, it is commonly known that 'governance failures afflict women differently than men' (Goetz 2008, p. 239). One of the primary concerns in this field is how to actually create effective and meaningful change for women in a certain country. Even in the context of a legally strong state, the state could still operate at a 'low-capacity,' and be 'unable to challenge vested interests in women's subordination' (Goetz 2008, p. 239). As Goetz finds, the remedy to bolstering gender equality and political efficacy is not merely to create structures that exist but to find a way to engage with them meaningfully and create a sense of 'good' governance. While there are many tiers to address gender inequality at the state level, Goetz asserts that rule-of-law structures create the foundation for equality, for example through improving 'women's capacities to profit from their economic activities and secure their assets' (Goetz 2008, p. 244).

In the context of sub-Saharan Africa, scholar Blankenship, asserts that colonialism and 'Big Man Rule' are tightly tied to the continued gender disparity in the region. While the patriarchal Big Man Rule structure existed pre-colonialism, its legitimacy increased through the European, colonial authorities relying on existing local structures (in other words, tribes and clans, usually with them at the helm) to enforce colonial policies (Blankenship & Kubicek 2018, p. 31). While this practice is no longer institutionalised, there maintains a lingering hierarchy of male-dominance, creating an unlevel playing field for women at the value-level in many sub-Saharan African states. This begs the question of whether a Western judicial and legal system would effectively support communities in non-Western nations, or if it would further isolate populations and uplift increasingly problematic ones. Though, in a study completed by Goetz and Hassim, institutional protection and promotion of 'gender justice issues … gives more opportunities for women to advance their interests' (Blankenship & Kubicek 2018, p. 33). So, some level of institutional protection is essential to ensure gender equality and equal access to justice and fair practices.

Rule of law, though developed and promoted heavily by the West, is noted by the United Nations as one of the Sustainable Development Goals (SDGs) targets for 2030. SDG Target 16.3 aims to 'Promote the rule of law at the national and international levels and ensure equal access to justice for all,' pursuant to Goal 16's aim of 'promoting peaceful and inclusive societies … provide access to justice for all and build effective, accountable, and inclusive institutions' (Malby 2017). Inherent to what ROL development promotes, creating institutional frameworks and supporting vulnerable populations, including women, creates space for empowerment at many levels.

Alternative Explanation

This paper seeks to answer what conditions must be present in order for there to be a positive correlation between rule of law practices and gender equality. An alternative explanation that will not be further explored in this paper is legal systems that inherently do not award women equal freedoms. In the case of Nigeria, prior to democratic transition, there was a moderately successful campaign to install Shari'a law across Northern Nigeria. While the campaign was unsuccessful in creating a fully Shari'a system, there still is a provision in the Nigerian Constitution to 'cover issues of inheritance, divorce, child custody' among other civil arenas (Kirwin 2009). This is concerning to the questions of achieving gender equality in this state, as gender-unequal policies are encoded into law. Shari'a law is based on 'male interpretations of divine revelation,' and includes punishment for unlawful sexual intercourse (often resulting in harsher punishments for women) and promotion of polygyny for men in the case of Nigeria (Imam 2004). In a situation such as this, the conditions present make it impossible for true gender equality to be present in the legal system, resulting in an institutionalised hierarchy. While Shari'a law will not be further discussed in this paper, it is worth noting that anti-women or gender-unequal policies have existed and continue to exist in legally structured societies and serve as an alternative explanation to the relationship between rule of law and gender equality.

Hypotheses

In seeking to understand these assessments and curate hypotheses, one hypothesis is that modern rule of law systems will have a net positive correlation to gender equality, with a wider margin where additional societal and governmental conditions are met in sub-Saharan Africa. Alternatively, another hypothesis may be that there is no correlation, due to the forced implementation of rule of law systems that creates a system that is doomed to fail by virtue of incompatibility to the values and norms of the society in question. Thus, this essay seeks to determine the validity of either of these claims.

Research Strategy

In order to determine the validity of the above-mentioned hypotheses, there must be a standard metric where empirical data can be analysed. For this analysis, the independent variable is rule of law systems. The indicator for ROL will be the 'overall rule of law scores' as determined by the World Justice Project.[4] This index determines the overall score by averaging the score of eight individual factors for each nation: constraints on government powers, absence of corruption, open government, fundamental rights, order and security,

4   'WJP Rule of Law Index,' World Justice Project.

regulatory enforcement, civil justice, and criminal justice. The dependent variable for this analysis is gender equality and representation. The indicators for this variable are the proportion of seats held by women in national governments (DataBank), the proportion of women as wage and salaried workers (DataBank), and the Women, Business, Law (WBL) Index score (World Bank), all hosted by the World Bank. The WBL group specifically assesses economic growth, job opportunity, and the involvement of women in these fields. These variables will be assessed at two intervals, 2000 and 2019. Due to limited data availability from the World Justice Project dataset, there will not be a comparative variable for 2000 as the group only began comprehensive data collection beginning in 2015. This is acknowledged as a limitation of the research design.

An example of how the data will determine the validity of a hypothesis is as follows. When testing the hypothesis that the presence of rule of law systems do not lead to better gender equality because rule of law does not inherently promote gender equality, I expect to find a low proportion of women represented in national parliaments and a low WBL score where there is a high score for rule of law if the hypothesis was true.

In order to probe all hypotheses, the conditions will be tested against three sub-Saharan African nations from three different GDP statuses, using the qualitative case study comparison structure. Of the forty-eight sub-Saharan African nations and available data points for our variables, the cases examined will be from South Africa (number two in GDP), Mozambique (number twenty in GDP), and Sierra Leone (number thirty-five in GDP) (World Bank).[5] These numbers were selected at random from three groups of sixteen in numerical order (for example, 1–16, 17–32, 33–48).

Further qualitative analysis will address the sociological conditions of each of the case study states, including assessment and interpretation of peer-reviewed studies pertaining to each of the nations and addressing the sub-Saharan region as a whole.

Empirical Analysis

As outlined in the research strategy, the empirical analysis of these hypotheses is two-fold; one using quantitative statistics and indicators from data collected to determine potential correlation, and the second to complete a qualitative assessment of case examples through literature study to assess the conditions present at various levels in order to draw comprehensive conclusions on the matter. All data analysed in section one is from the data sources cited above. These analyses will be followed by a brief interpretation addressing both elements.

Indicator Assessment & Comparison

The basis of this section is looking at the dependent variable, the WJP ROL index score, and three indicators for the independent variable to measure gender equality in the three states, measured using the variables of proportion of seats held by women in national parliaments, proportion of female wage and salaried workers, and Women, Business, and Law Index. As mentioned previously, the data samples collected were from 2000 and 2019 to offer insight with regards to any potential growth that may have occurred in nearly two decades.

For the indicator, the proportion of seats held by women in national parliaments in 2000, South Africa had 29.8%, Mozambique had 30.0%, and Sierra Leone had 8.8%. In 2019, South Africa had 46.3%, Mozambique had 41.2%, and Sierra Leone had 12.3%. From this indicator, we can see that all three states had an increase in women represented in national parliaments, with South Africa having the greatest increase at 16.5% whereas that of Sierra Leone only increased by 3.5%. It is also worth noting that Mozambique had a slightly higher proportion of women in national parliaments in 2000 compared to South Africa, but by 2019 South Africa was able to surpass Mozambique in proportion.

For the indicator, the proportion of female wage and salaried workers in 2000, South Africa had 77.4%, Mozambique had 2.9%, and Sierra Leone had 3.4%. In 2019, South Africa had 86.7%, Mozambique had 6.8%, and Sierra Leone had 4.0%. The proportions for both Mozambique and Sierra Leone are strikingly low. Both Mozambique and Sierra Leone are considered low-income countries by the World Bank, even though Mozambique falls in the middle for GDP in sub-Saharan Africa. This classification should be understood with the context that many low-income countries operate with a large informal economy, meaning that many professions or jobs are not recorded or regulated by the state. In that regard, it is unsurprising to see a very small proportion of women in regulated wage and salaried positions, as those roles are not as available in their economies as in South Africa, which is classified as an upper-middle income state (World Bank).

For the indicator, Women, Business, and Law Index, the values are assessed on a scale of 1–100, with 100 meaning very high involvement of women in the economic and labour market and acceptable legal representation and protection. In 2000, South Africa scored 76.3, Mozambique scored 38.8, and Sierra Leone scored 31.9. In 2019, South Africa scored 88.1, Mozambique scored 82.5, and Sierra Leone scored 63.1. There is tremendous growth for all countries from 2000–2019, with dramatic increases for both Mozambique, increasing by 43.7 points, and Sierra Leone, increasing by 31.2 points. While South Africa also increased, its starting point was significantly higher in 2000 than the other countries, meaning there was less room for significant change to present itself statistically.

For the indicator of the dependent variable, WJP Rule of Law Index score, the values are assessed on a scale of 0.00–1.00, with 1.00 meaning a very strong adherence to the rule of law. In 2019, South Africa had an overall score of 0.58, Mozambique had an overall score of 0.43, and Sierra Leone had an overall score of 0.45. While there is no comparison to a value from 2000, the value still offers empirical insight to a potential factor of the increases in the other indicators. The lack of a 2000 variable will be supplemented with additional details and study in the following section. What is interesting about these data points is how close they are (within 0.15 points) compared to the drastic differences of the independent variable indicators. However, for some global context, South Africa's WJP ROL score ranks 47th globally, Sierra Leone's score ranks 98th globally, and Mozambique's score ranks 109th. Despite small numerical differences, the relative global difference between these scores, especially from South Africa, is significant.

In testing these variables against the hypothesis that

higher rule of law adherence leads to greater gender equality and representation, I found that the results do not offer a strong positive correlation in all cases. For instance, Sierra Leone has a slightly higher WJP ROL score than Mozambique, though it underperforms compared to Mozambique in all gender equality indicators. Additionally, given the relatively high proportion of women in national parliaments, proportions of women in wage and salaried positions, and WBL index score for South Africa, the WJP ROL score is comparably low, at only 0.58. Despite the increases in all independent variable indicators for all countries over the timeframe, the comparison to the WJP ROL score does not clearly indicate any meaningful correlation at this time.

Case Studies

South Africa

In the case of South Africa, this is the most democratic nation out of this set of case studies. The democratic history of South Africa has been evolving for over six decades, gaining traction during a regional movement following colonial independence in the 1960s, with many states in the south of Africa attempting to complete 'multiparty competition for government power' (Selolwane 2008, p. 129). This multiparty preference not only is a core tenet of democracy but has also promoted women-centred political parties and movements. While the African National Congress, the ruling party of South Africa since 1912, only integrated women into the party in 1954 through the ancillary Women's League, significant representation of women in political positions did not occur until the 1994 election season (Selolwane 2008, p. 134). Those electoral gains can be attributed to the 1992 creation of the Women's National Coalition, which was created to 'mobilise women across the South African political spectrum to identify key issues of concern in terms of needs and aspirations for democracy' (Selolwane 2008, p. 135). This coalition has been credited for setting key foundational institutional reforms for South African democracy, including rule of law programs. The creation of this coalition is also indicative of a change in South Africa's political leadership to create unique state institutions separate from colonial installations earlier in the decade. In 1994, South Africa's new constitution outlined fundamental rights and democratic prerequisites that called for rule of law improvements. The constitution also outlined rights promoting gender equal treatment through non-discrimination clauses (Sonnekus 1995, p. 660). This historical evolution set a pattern for inclusion of women in political institutions that is reflected in the data from section one.

In a 2018 analysis by Serges Djoyou Kamga, Kamga notes the role cultural differences in jurisprudence play in the Western intention of individualism compared to the South African cultural value of 'caring for one another,' or *ubuntu* (Kamga 2018, p. 626). While this commitment to the cultural value was furthered by decisions made by the Truth and Reconciliation Committee (TRC) who was empowered to create committees and initiatives to promote national unity, the inherent difference in the foundational value of rule of law opposed some of the new *ubuntu* initiatives. As Kamga explains, '*ubuntu* is an African reality which on every account fosters human rights and social justice, including gender justice' (Kamga 2018, p. 635). Essentially, Kamga asserts that *ubuntu* values more accurately reflect the will and values of the people than the rule of law systems proposed to the state following independence and instructed by the Western-empathising leaders at the time.

Despite its best efforts, there is a continued contradiction between *ubuntu* and rule of law jurisprudence, as '*ubuntu* jurisprudence … disregards the notion of prescription which is considered an impediment to unveiling the truth, which is a core element of justice' (Kamga 2018, p. 647). In sum, South African courts prefer accounting for the 'harmonisation of human relations' over the staunch commitment to individuality and rights, lending to a lower rule of law ranking over this separation.

Mozambique

The case of Mozambique differs greatly from that of South Africa, as civil war had plagued the nation since 1964 in independence power struggles led by the Liberation Front of Mozambique (FRELIMO) guerrilla campaign. FRELIMO leaders sought to create a non-hierarchical society as a response to decolonization and the constituent powers the institutions had. Power is a core value in Mozambique, 'tightly bound up with social hierarchies favouring men over women' (West 2008, p. 120) so it is unsurprising that while women were included in the movement as 'equals', that delineation did not expand into post-independence structures. The rural nature of Mozambique contradicted modernising efforts that aimed to centralise and unify power post-independence, leading to various villages creating their own local socialist groups, called 'villagisation'.

Additionally, rural communities were wary of rapid social changes as they 'are likely to cause an increased preoccupation with beliefs in sorcery and witchcraft' (West 2008, p. 122), creating staunch adversaries to any form of control or restriction beyond the local level. The primary institutional hierarchies that existed in Mozambique were due to colonial rule, where local leaders were elevated to statuses that fit within Portuguese governing structures but allowed local structures to remain intact. Over time, however, and with restrictions and encouragement from FRELIMO initiatives, the villages adopted more formal structures, including a courts system. Though, certain settlements and villages in rural areas remained opposed to development projects and changes to the social hierarchy. This division between the traditional rural communities and the colonial-implanted institutions laid a weak foundation for successful democratic institutions to be immediately effective.

ROL practices were introduced in Mozambique during a precarious time after finally resolving the decades-long conflict in 1990, allowing only a very limited level to be put in place due to the instability of the country (Baker 2003, p. 145). This precarious system was further damaged by corrupt policing tactics and systems, contradicting the goals of the newly-installed judicial system that was nominally compatible with the Western structure. While the country attempts to stabilise, efforts to improve gender equality have been marginal, typically geared towards individual cases as opposed to widespread initiatives, as shown in the data above.

Sierra Leone

The case of post-conflict Sierra Leone illustrates how a vulnerable society was steamrolled by Western institutions and values during the recovery period, regardless of the neo-colonialism framed as 'peacebuilding' (Park 2008, p. 537). With the intrastate conflict only ending in 1991, resulting in a devastation to the rural civilian population, international organisations immediately took charge of the situation, arranging various peace treaty agreements (that fell through), installing troops and numerous state interventions until the war officially ended in 2002. Upon greater understanding of the conflict, it was found that 'legal injustice [was] regarded as the chief cause of the conflict' (Park 2008, p. 538). The peacebuilding efforts included installing rule of law systems that were used mainly to address the war crimes that had occurred in accordance with international law and lacked legitimacy at the local and national levels. The intervention by the UN to promote rule of law systems that had no regard for local needs aggravated the frustration over liberal or neo-colonial methods throughout Sierra Leone, creating a lack of adherence to ROL principles. Moreover, the governmental structures that were installed, such as the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA), 'the government's focal point and coordinating agency for gender issues in the country, [did not] include the empowerment of women' (Abdullah & Fofana-Ibrahim 2010, p. 260). Though there have been later efforts to set an agenda on gender equality, including attempting to reduce barriers to women's empowerment (including safety, economic empowerment, education, exploitation, *etc.*), there has been little tangible result of empowerment. New strategies have been slowly rolling out at the national level, including programs geared towards empowering women economically and ending violence against women and girls (Abdullah & Fofana-Ibrahim 2010, p. 263). The relative failure of ROL systems and implementation of democratic institutions can be accredited to the UN not understanding the populations' needs on the ground and not acknowledging the tense history of colonial powers in Sierra Leone.

INTERPRETATION

Both the quantitative and qualitative analyses offer a perspective on the status of rule of law and gender equality in each of the case examples: South Africa, Mozambique, and Sierra Leone. The case studies offer more context into the statistics baseline and their relative improvements. All countries were recovering from conflicts when ROL principles started to be employed, and obviously were met with different degrees of reception institutionally and socially. In the case of South Africa, it's reasonable that a relatively well-developed state would be able to overcome conflict and result in a more advanced constitution that looked to guarantee freedoms and rights to all citizens, by way of rule of law systems and protections for gender equality. It is also worth noting that South Africa has the most Western-adjacent state structure due to its strong colonial ties. It is only through recent analysis, where indigenous cultural values are clearly reacting to implanted structures that do not align with the unique culture of South Africa, that results in its WJP ROL score. In the case of Mozambique, conflict has, within

colonial, traditional and modernising sects of society, created an unstable ground for ROL systems to be considered. Once in place, though, they have proven to be relatively unsuccessful in practice, due to corruption and lack of regard for rigid, national systems. The preference for local, traditional societies directly juxtaposed the colonial structures and neo-colonial efforts in the region, exemplified by the discontent and disjointedness of the adherence to ROL. Gender has been regarded similarly, with no real structural regard for the advancement of gender equality. In the case of Sierra Leone, Western intervention clearly derailed stable and lasting efforts of judicial systems and meaningful legislation to protect women. This is very clearly exemplified by the low empirical statistics for the empowerment of women. Regarding the rule of law system, while there is one in place, it is unable to operate as a meaningful apparatus at national and local levels, creating a system that is not helpful to the citizens of Sierra Leone.

Based upon these analyses, I can reject my hypothesis that there is a positive correlation between rule of law and gender equality in sub-Saharan Africa and can mostly accept my hypothesis that there is no correlation between rule of law and gender equality due to the implantation of systems that have little to no regard for local cultures and values.

CONCLUSION

The question of the relationship between rule of law and gender equality and what conditions are necessary in order for there to be a positive correlation is answered through two core conditions: relative institutional development prior to contemporary democratisation and limited colonisation. These conditions that make the successful adoption of rule of law are paradoxical, as any previous Western-colonised state may be unable to fully adopt rule of law structures. It is evident that institutional development prior to contemporary democratisation efforts came from colonial powers, resulting in a range of successful or unsuccessful institutions. However, rule of law still has a place in development policies, as seen in the example of South Africa. South Africa was able to amend the ROL system to meet its own cultural needs, sometimes by restricting its adherence to policies that were not native to the country. In terms of gender equality, each state studied in this paper was able to increase in all indicators over the 2000–2019 period, regardless of colonial impacts and ROL status. While the variables may not be correlated, they both still contribute to building a stronger and fairer state, which, at the end of the day, is the overall goal of international sustainable development.

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One People, Two States: How the division of Germany impacted families' relationships, norms, and values

Tito Almeida

From 1945 onwards, Germany was divided by the Allied forces into East and West, having two different governments with diverging ideologies that would reshape the German society into two distinct cultures that would try to fill the void of what it meant to be German. For 45 years, one people was divided into two states. This paper aims to emphasise the role of governments and political ideologies in shaping identities, social norms, and family values, as well as the persistence and legacy of such cultural aspects after periods of regime change. With a multi-disciplinary approach incorporating the use of interviews and different academic secondary sources, this paper explores the case study of Germany from its partition in 1949 to its reunification in 1990. According to the evidence collected, the two regimes formed two different and conflictual cultural identities of what it meant to be German. Furthermore, these distinctions persisted in the decades following the reunification as East Germans found themselves sharing the feelings of *Ostalgie*—nostalgia for the long-gone regime—and continued to teach former GDR socialist family values to the next generations as a form of resistance against the pressure of Westernisation. The paper's findings emphasise the cultural legacies of the former two German states' identities and its challenges for the formation of a united modern concept of what it means to be German in a modern, reunified Germany. This project intends to connect, expand, and enrich books and scholarly articles written by the different scholars mentioned in this paper by linking their research with oral accounts of the experiences of individuals who lived throughout the division and reunification of Germany.

After the end of World War Two, Germany was completely destroyed, cities were turned into wreckages, the economy was in a terrible depression, and the sense of German identity was found in limbo as the Allies, fortunately, defeated the Third Reich that had brought terror to Europe for more than five years. From 1945 onwards, Germany was divided by the Allied forces into East and West, having two different governments with diverging ideologies that would reshape German society into two distinct cultures that tried to fill the void of what it meant to be German. For 45 years, one people was divided into two states. This period of Western civilisation history is one of the richest case studies to understand how external factors such as politics and government structures affect the development of social relations and their norms. Therefore, this paper will analyse how the years of the division of Germany affected families' relationships, norms, and values in both the Federal Republic of Germany (FRG; West Germany) and the German Democratic Republic (GDR; East Germany).

This paper will incorporate the lens of two social science disciplines to further understand the case study of Germany. History will provide major details and information regarding the events, agreements, conflicts, and international variables that influenced the formation of the FRG and the GDR, and their respective societies' culture and family structure. Political science will be essential to analyse how the diverging political-economic systems of West and East Germany, and ultimately its policies, impacted the development of the social ideal of family values, gender roles dynamics, and the perception of the role of the state in family life. Furthermore, the disciplines will be useful for further understanding how the integration of East German families, culture, and their values to the West German ideology and lifestyle after the reunification of the two societies into a single state was experienced. The project

will also rely on and incorporate the oral history of two interviews conducted with honourable interviewees that lived during the division and after the reunification of Germany in different periods of their lives. Helga Rudolf is a former professor of Marianopolis College who lived from her childhood until part of her adulthood in the antecedent FRG, and in West Berlin during her college studies. Josef Schmidt is a retired professor at McGill University who was born in the West and worked as a visiting professor in the former GDR who experienced the feelings of resentment among East Germans towards the state of West Germany and its causes.

By the use of the two disciplines, oral histories mentioned above, and further academic secondary sources, the focus of the paper will be to clarify the importance of government structure and political ideology in shaping the distinct societies, social norms, and family values of the two former German states. Accordingly, since this paper will address key sociological concepts, it is important to define them as they are often used out of context in academia. The term *value* refers to the interests, preferences, moral obligations, needs, and desires of individuals within the societies they inhabit (Williams & Albert 1968). On the other hand, *norms* are defined as the rules and standards by which people's actions are judged, a culturally shared definition of desirable behaviour (Williams and Gibbs 1968). *Culture* is understood as all the characteristics including language, habits, knowledge, values, and social organisation that make one group distinct from the other ('Culture', 2015). Ultimately, *family values* exist within social contexts, influenced by different social aspects that compose the societal notions of what is beneficial for family life (Arrighi 2003).

Ultimately, this project intends to expand and enrich the research done by several scholars mentioned in this paper by linking their research with the oral accounts of experiences of individuals who lived throughout the

division and reunification of Germany. Furthermore, the paper also aims to connect the previous academic works regarding the differences in culture and social norms of the West and the East to the challenge of developing a unique sense of German identity.

HISTORICAL BACKGROUND

After nearly 5 years of conflict, the European theatre of World War Two came to an end in the spring of 1945. The German military leaders agreed to the terms of unconditional surrender, and the Allies found themselves in possession of a devastated country. In the summer of 1945, the Allied leaders met just outside of Berlin at the Potsdam Conference to discuss the arrangements regarding the occupation of Germany. The victors decided that the country should be administered as one economic entity by the four-power Allied Control Council, however, each Allied state was granted executive powers to each occupation zone assigned respectively to the United States of America, United Kingdom, France, and the USSR (Turner 1992). Nevertheless, as the relationship of the Americans, British, and French governments started to deteriorate with the Soviet Union due to conflicts of ideology and political ambitions, the Western leaders decided to take decisive measures to strengthen the part of Germany outside of the Soviet orbit (Turner 1992).

Therefore, the American, British, and French zones who had already adopted the same monetary currency since 1948—as part of the Marshall Plan to reconstruct Europe, and therefore, recover the German economy—united to create a single Western-controlled zone that in May of 1949 would form the democratic state known as the Federal Republic of Germany, or the FRG (Turner 1992). The FRG would be influenced by Western ideals of democracy and capitalism, being part of the capitalist bloc during the following decades that marked the Cold War. In response, an ideologically diverging new German state was developing in the Soviet zone (Turner 1992). In October of 1949, the German Democratic Republic, or GDR, was founded on the pillars of a 'people's democracy', similar to other regimes in Eastern Europe backed by the USSR with ideologies based on the indoctrination of Marxism-Leninism in the educational system of the former Soviet states. Ultimately, the GDR became a socialist regime under the Soviet sphere of influence (Turner 1992).

FAMILIES AND SOCIETY IN WEST AND EAST GERMANY

Politics and government structure can be important factors that influence social expectations of what is considered normal and acceptable behaviour. The concept of family is at the core of the idealisation of societies, and the case study of Germany is a natural experiment for observing the direct impacts of diverging political stances and policies in the formation of the family. The FRG was directly influenced by the middle-class capitalist values promoted in North America during the 1950s and 1960s. Therefore, a typical West German family would ideally be nuclear-structured with conservative views of gender roles, where the husband was expected to be the breadwinner, while the wife was responsible for house affairs and taking care of the children (Bauernschuster & Rainer 2012). An exemplary West German family would be like the case of Mrs. Rudolf's parents that lived in Stuttgart. Her father worked in the textile industry and throughout the decades kept the role of the breadwinner, while her mother continued to be in charge of the children and house affairs. Mrs. Rudolf's mother remained a housewife throughout the rest of her life, even though she was interested in academia and would have loved to have had the opportunity to pursue further post-secondary education (H. Rudolf 2021, personal communication, 18 March).

The West German government also looked across the Atlantic to the credit financing-based macroeconomic policies of the USA to inspire its economic model, a move that played a sizable role in the economic recovery of the recently-formed FRG. During the initial post-war years, families used credit financing for the purchase of less durable items such as radios and winter coats. However, for the purchase of larger durables—such as automobiles—the use of credit was less common; instead, individuals and families were more likely to purchase such items with their savings (Logemann 2008). Furthermore, an example of the practicality of the FRG credit policy is seen with the case of Mrs. Rudolf's parents when they acquired their own house. The plan provided cheap mortgages for veterans or families who lost relatives in the war effort so they could finance the ownership of a property in suburban areas. That was the case for Mrs. Rudolf's family as her father was a Second World War veteran and qualified for the programme requirements, thus allowing them access to cheap credit mortgage for purchasing their house in Stuttgart in 1952 (H. Rudolf 2021, personal communication, 18 March).

The GDR, in contrast, found its national ideology in the German working-class ideals of egalitarianism and social justice, holding the belief that such ideology should be enforced in an authoritarian manner by the state into all dimensions of East German society such as the family, workplace, and polity (Minkenberg 1993). The state was viewed as a central piece in family life and in the formation of social values and norms. Therefore, the GDR held a planned economy and its social policies ranged from job creation, pension plans, education, health care services, housing, subsidised prices of goods, and social services. The regime had, for instance, the objective to use the taxation system to discourage the culture of consumption by subsidising essential goods like food and housing while imposing extremely high tariffs towards imported raw materials and finished goods such as automobiles, stereos, and stylish clothing (Scharf 1988).

Furthermore, as opposed to the West German gender values, the GDR promoted dual-earning income families by encouraging women to join the workforce alongside men to become breadwinners. Towards the final decades of the regime, East Germany successfully achieved an impressive rate of 88.5% of females as part of the workforce (Scharf 1988). The East German government made such integration possible by using social programs as a way to relieve possible problems of the incompatibility of child-rearing with full-time employment. One of its most powerful measures was the implementation of full-time day-care for children of all ages and the constitutional right for females to work and receive equal wages as their male counterparts (Bauernschuster & Rainer 2012). Nevertheless, dual-earning income families imposed a certain threat to the increase

in the fertility rate as couples could marry in their late adulthood and have fewer children. Therefore, the GDR used its family planning policies to avoid such outcomes by providing public transfers such as a 'marriage loan' for couples that married before the age of 26. Furthermore, the East German housing policy also played a key role in promoting higher fertility rates, as apartments were centrally allocated, and having children was a powerful means for receiving priority access to one's own flat early in life (Diewald, Goedicke & Mayer 2006).

Nonetheless, the regime's family planning policy did not achieve a completely egalitarian gender-role society. Part of the East German women would be preferably employed in characterised pink-collar jobs (Scharf 1988)—jobs historically done by women involving nurturing such as nursing, teaching, childcare, and secretarial work. Furthermore, gender-role dynamics did not see a shift towards a more egalitarian division of house affairs in the GDR. Therefore, women suffered the double burden of full-time employment and traditional role expectations within the family for childcare and domestic work (Minkenberg 1993). Ultimately, the social measures promoted by the regime to encourage women to join the workforce had an obscure connotation behind them. By promoting such measures, the GDR political ambition was to encourage women to join the work so the regime could obtain as much information and control over family life as possible, which became clear as the Stasi archives were open to the public after the reunification of Germany (J. Schmidt 2021, personal communication, 24 March). The Staatssicherheit, or Stasi for short, was the state security service of the GDR, and like other secret police of communist states, handled domestic and foreign affairs, and functioned as an agency for political persecution. The organisation was enormous, employing over 90,000 full-time employees and a total of more than half a million 'unofficial informants' from 1950 until the reunification of Germany (Jedlitschka 2012). Therefore, in 1989, East German families discovered that they were being spied on by co-workers, friends, and even by their own partners and family members (J. Schmidt 2021, personal communication, 24 March).

Two Societies, One State

With all the international and political obstacles cleared away, at the minute after midnight of the 3rd of October, 1990, the GDR ceased to exist, and the Federal Republic of Germany gained full sovereignty over the former territory of the former, reunifying all Germans into a single state once again (Turner 1992). The new unified Germany had no direct plans to integrate East German culture into the creation of its new national identity, as the former GDR state, along with its industries and values, were regarded by the West German government and society as symbols of socialist inefficiency, backwardness, and inferiority (Berdahl 1999). Therefore, East German goods disappeared overnight from market shelves as West German corporations dominated the market and bought out the devalued East German companies, occasionally for small amounts of money (Berdahl 1999). Nevertheless, as previously mentioned, the East German identity was intricately connected to the ideology of production and working-class ideals, where the workplace was an extension of family life and everyday sociality (J. Schmidt 2021,

personal communication, 24 March). Not surprisingly, the dismantling of the former GDR industries and workplaces was a hard blow for the East Germans, threatening their cultural identity, and their feeling of national belonging (Berdahl 1999). Although part of the East Germans wanted to have the luxuries of Western life such as modern utilities, cars, and houses, the FRG's Western assimilation, rather than cultural integration project, was considered by many Easterners as a form of diminishment and mockery of East German culture. As the psychotherapist Hans Joachim Maaz remarked: "People here saved for half a lifetime for a spluttering Trabant. Then along comes the smooth Mercedes society and makes our whole existence, our dreams and our identity laughable" (Berdahl 1999).

The appropriation of the former GDR's local market and the devaluing of its produced goods by West Germans corporations were just part of a series of circumstances that promoted feelings of resentment between East and West Germans in the years after reunification. The discrediting of the former GDR educational system played a significant role in exponentiating these feelings, especially after the implementation of a series of *Abwicklung* (Berdahl 1999)— 'restructuring'—reforms that happened between the years of 1989 and 1995 (Hechler & Pasternack 2014). These educational reforms imposed on East German universities fired and demoted several local professors to be replaced by academics, some of them Westerners, that aligned with the new government educational agenda (J. Schmidt 2021, personal communication, 24 March). When working as a visiting professor in Greifswald in the former GDR, Joseph Schmidt experienced feelings of deep distrust and frustration when talking with his colleagues. He was told, and witnessed cases of, professors who were almost at the end of their careers, in their 50s and 60s, demoted for being considered unqualified for their current position in academia after the reforms. Although the restructuring of former GDR universities affected East German scholars in different degrees, the reforms were viewed by East German professors as an affront and degradation of their experiences, knowledge, and contribution to German academia (Berdahl 1999). Because of the restructuring of former GDR institutions including universities, many East Germans received considerably lower retirement benefits when compared to that of their Western counterparts. Moreover, the fact that it was widely known by East Germans that they received smaller salaries when compared to their West German colleagues also contributed to the nurturing of such resentment (J. Schmidt 2021, personal communication, 24 March).

Ultimately, after the reunification, the former GDR abandoned its planned economy and adopted the Federal Republic of Germany's capitalist economic model. Nevertheless, East Germans had no knowledge or practical experience with the market economy, which left them vulnerable to exploitation from West German corporations, investors, and scammers (J. Schmidt 2021, personal communication, 24 March). In one extreme case, a friend of Professor Schmidt was scammed into buying a printing company from a West German who had no legal ownership over it, due to the simple fact that he had no knowledge of how contracts and business agreements in a capitalist society worked (J. Schmidt 2021, personal communication, 24 March). Another

situation of such exploitation was the way that West German corporations dominated the East German housing market after the reunification. These Western companies bought and refurbished several devalued houses in the East, which massively increased the price of buying and renting real estate in the region. Furthermore, the East Germans received much smaller salaries than their counterparts in the West, and consequently, did not have the financial power to pay for such inflated rents which led families to debt (H. Rudolf 2021, personal communication, 18 March). Therefore, East Germans started to perceive West Germans as colonisers and carpetbaggers as some Western companies and individuals took advantage of the Easterners' lack of business practices and capitalist economic knowledge to offer them exploitative working conditions and contracts (J. Schmidt 2021, personal communication, 24 March).

Cultural Reunification and Persistence in Reunified Germany

The situations acknowledged above culminated in the formation of a deep feeling of resentment by the East Germans in the recently reunified Germany, and not surprisingly, part of this resentment took the form of resistance towards the Westernisation of the former GDR. A way in which such resistance was emphasised was through the phenomenon known as *Ostalgie*, the feeling of nostalgia for the lifestyle of the former GDR. During the mid- and late 1990s, this nostalgia became the emotional refuge for some of the East Germans who were anxious to demonstrate their symbolic resistance and cultural pride (Berdahl 1999). Accordingly, several business and events started to emerge to praise the lifestyles under the forgone socialist regime, discos started to reconstruct GDR times with East German drinks and music, cinemas screened old GDR films, cafés were decorated with artifacts from the socialist period, while some supermarkets opted to specialise in former East German products (Berdahl 1999). During her field study in the former GDR, Dr. Berdahl herself witnessed cases of *Ostalgie* in the daily social lives of East Germans as she remarked that one family chose to drive their old Trabi instead of their West German Opel to dinner with their Western relatives intentionally to magnify their cultural differences. Furthermore, she saw a situation in which a group of men chose to drink East German beer after it had been nearly taboo for social events, as well as women who resumed buying the East German laundry detergent Spee rather than the Western variations of the product (Berdahl 1999). There were even cases of families who bought *Ostalgie* board games—which consisted of answering a trivia of questions about everyday life in the GDR—as a way for the parents to find comfort in their memories of the regime, as well as teach their children about their livelihoods in the GDR and their cultural identity as East Germans (Berdahl 1999).

Nevertheless, it is worth considering the fact of how East German products took on a new meaning in *Ostalgie* as bonds to cultural identity, while being stripped from their original context as a symbol for the years of economic scarcity that persisted throughout the GDR (Berdahl 1999). Furthermore, the concept of selective memory also played an important role in the phenomenon as East Germans recalled only the positive outcomes of the regime, such as the former social policies and services that attended to their needs while developing a blind spot for the oppressive measures of the regime such as the years of espionage and freedom infractions of the Stasi (J. Schmidt 2021, personal communication, 24 March).

Another interesting aspect to notice is the relationship and practice of family values by East and West Germans after the reunification. It was expected that East German families would shift their family values towards the idea of men as breadwinners that was promoted in the FRG due to the Westernisation movement in the former GDR. Nevertheless, dual-income earnings and egalitarian views on gender roles persisted as part of the practised values of East Germans, and that was even the case for families who left the former GDR to live in the West (Bauernschuster & Rainer 2012). When doing their field study in post-reunified Germany, Dr. Bauernschuster and Dr. Rainer noted that East Germans were more likely to agree with the participation of women in the workforce and egalitarian gender-role attitudes towards child-rearing by over 24 percentage points when compared to West Germans, and that was the case for 19 years following the German reunification. This data depicts those egalitarian perspectives over gender expectations as persisting cross-generationally as parents who lived during the regime taught such family values to their children even after the dismantling of the former GDR (Bauernschuster & Rainer 2012). According to the professors, this persistence of the former socialist regime approach to gender norms can be linked to the emphasis put by the East Germans on their cultural identity in the years following reunification. Furthermore, it can also be associated with the fact that children who were raised by working mothers likely view egalitarian gender roles as the norm and hold such values during the formation of their own families (Bauernschuster & Rainer 2012).

Therefore, as East Germans resumed to consume former GDR goods and services, and praised the forgone communist regime, under the premise of *Ostalgie*, many East German families continue to teach former GDR socialist values to their children and grandchildren as a way to resist Westernisation and emphasise their cultural identity as East Germans to the next generations that were and will be born in reunified Germany.

Conclusions

The case study of Germany illustrates that political regimes and policies can be key factors that shape and influence social behaviour and family life. Although the Germans were once a people that shared the same norms, the two politically diverging states that emerged in 1949 reshaped the German identity. The 40 years of diverging rulership created two different societies that espoused different ideologies and lifestyles. One great example of these cultural differences is the contrasting relationship with gender roles in the FRG and in the GDR. In the FRG, it was the norm for women to be housewives and men to be the main income earner of the family. That was the case of Mrs. Rudolf's parents, where her mother fulfilled the role of the housewife while her father carried the burden of being the source of revenue for their family. In contrast, the GDR advocated for dual-income households where women and men shared the role of being the breadwinners.

The following years after reunification illustrated that states and their policies can be so influential in the formation of norms and values that their influences on social behaviour can persist for decades after regime change. The reunified Germany's policy to Westernise rather than integrate East German culture into the creation of their own new identity caused East Germans to harbour resentments towards the FRG and its citizens. Furthermore, the fact that many West Germans took advantage and exploited East Germans during the process of reunification due to their lack of knowledge about capitalist economic and legal systems led to an exponentiation of such feelings of resentment. A clear example is the case of Professor Schmidt's friend who was scammed into buying a printing firm from a West German who did not have any legal ownership over the company. Such incidents led many Easterners to perceive West Germans as colonisers and carpetbaggers. Consequently, many East Germans sought refuge in the nostalgia of life in the former socialist regime to demonstrate their cultural distinctions and idealise their cultural identity throughout the years after the fall of the GDR. Furthermore, the fact that 19 years following

the reunification of the country, egalitarian gender-role dynamics still persisted cross-generationally in East German families emphasises how the descendants of people who lived during the rule of certain governments may be taught to carry on foregone advocated values under that rule into their social behaviour without directly living during the regime.

As depicted throughout the development of this paper, the issue of what it means to be German is a delicate topic as, throughout the 20th century, the German identity was reconstructed differently into two different cultures that were shaped by diverging political states. Although the nation finally reunited in October of 1990, feelings of resentment and diverging perspectives over social norms and values persisted throughout the years, dividing the population in the idealisation of what defines the German identity. Accordingly, further research into the possibility of Germany to achieve a unique shared ideal on national identity has a merit of its own in which the current perspective of second and third-generation descendants of West and East Germans should be taken into consideration.

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This article by Stefan Bauernschuster and Helmut Rainer is a secondary source that focuses on understanding how the different political regimes of East and West Germany shaped social attitudes about the appropriate roles of women in society. The article implies that the political ideology of the GDR encouraged the employment of women in the workforce, while the FRG advocated for the classical idea of men as breadwinners and women as housewives. The authors argue that even after the unification of Germany, East German families hold more egalitarian gender roles than those from the West. This source is useful when exploring how the political systems of the two Germanys shaped different social norms and family values as well as the long-term effects of these distinct cultures after the reunification.

Berdahl, D. (1999). '"(N)Ostalgie" for the Present: Memory, Longing, and East German Things. *Ethnos: Journal of Anthropology*, 64(2), pp. 192–211. https://doi.org/10.1080/00141844.1999.9981598.
This article by Daphne Berdahl is a secondary source that aims to clarify the social-political and economic conditions that promoted the phenomenon referred to as 'Ostalgie'—the nostalgia for the lifestyle of East Germany prior to reunification. This source is useful when it approaches the subject of the integration of both Germanys, and the cultural conflict generated by the merger. It illustrates the resistance of some East Germans to the massive exposure and dominance of West German values and lifestyles.

'Culture'. (2015) in Riggs, T. (ed.) *Worldmark Global Business and Economy Issues*, (1). Detroit, MI: Gale, pp. 41–47.

Diewald, M., Goedicke, A., and Mayer, K. (eds.) (2006) *After the Fall of the Wall: Life Courses in the Transformation of East Germany*. Stanford, CA: Stanford University Press. https://doi.org/10.1515/9780804779456.
This book by Martin Diewald, Anne Goedicke, and Karl Mayer is a secondary source that explores several aspects regarding East Germany and the social life of East Germans. It explores the transformation of East Germany into a socialist regime and how it impacted the livelihoods of its citizens. Furthermore, the book has an entire chapter on family formation in East Germany during and after reunification which includes interesting demographical information. Ultimately, the book also depicts the transition from a planned economy to a market economy and how it affected the lives of, and the nature of work for, East Germans after the reunification. This is useful in providing information regarding the political impacts of the East German

regime on the livelihoods of East Germans as well as its long-term effects on their livelihoods after the reunification.

Droit, E. (2015). 'La Stasi face à la «Révolution pacifique» de l'automne 1989 en République démocratique allemande', *Vingtième Siècle. Revue D'histoire* (128), pp. 63–76. https://doi.org/10.3917/ving.128.0063.
This article is a French secondary source that refers to the Peaceful Revolution in the German Democratic Republic in the autumn of 1989 which resulted in important political changes that would enable the reunification of Germany in 1990. The article goes in-depth about the East German security service, also known as the Stasi, during this period, arguing that part of the success of the Peaceful Revolution relied upon the Stasi's inability to react to the opposition movement. This article is useful when referring to the fall of East Germany and the dismantlement of the Stasi.

Hechler, D., and Pasternack, P. (2014) 'From Transformation to Transfer the Transformation of the German Academic System 1989/90–1995'. *Revue d'études comparatives Est-Ouest*, 45(1), pp. 207–227. https://doi.org/10.3917/receo.451.0206.
This article is a secondary source that gives a further, in-depth explanation about the educational reforms that happened in East Germany in the years following the reunification of the German state. This article is useful in its description of how the reforms from 1990–95 reinforced feelings of resentment between East Germans and their West German colleagues, as many Eastern academics lost their respective jobs due to the new government's educational agenda.

Jedlitschka, K. (2012) 'The Lives of Others: East German State Security Service's Archival Legacy', *The American Archivist*, 75(1), pp. 81–108. https://doi.org/10.17723/aarc.75.1.c6555155715775nq.
This work by Karsten Jedlitschka is a secondary source that gives precise information on the Stasi secret security service as well as its methods, tasks and proportions. Furthermore, it describes the demise of the Stasi in the Peaceful Revolution of 1989 and its consequences and archival legacy. This article is useful since it goes in-depth about what the organisation was and its impact on the privacy of East Germans. It illustrates the darker past of the GDR and the lack of privacy it imposed on its citizens.

Le Gloannec, A. (1994) 'On German Identity', *Dædalus*, 123(1), pp. 129–148. Available at: http://www.jstor.org/stable/20027218.
This article by Anne-Marie Le Gloannec is a secondary source which analyses the separate development of the FRG and the GDR and consequently the creation of two different cultures and senses of identity. Furthermore, the author explores the issue of defining a single German identity after the reunification of Germany and reflects on the future possibilities and what it would take to redefine what it means to be German. This article was useful in the conclusion of the paper, as it explores the idea of the creation of a nation-wide conceptualisation of German identity and family which will open doors to future research on the matter.

Logemann, J. (2008) 'Different Paths to Mass Consumption: Consumer Credit in the United States and West Germany during the 1950s and '60s', *Journal of Social History*, 41(3), pp. 525–559. https://doi.org/10.1353/jsh.2008.0045.
This article by Jan Logemann is a secondary source that aims to analyse the credit financing macroeconomic model of West Germany that was inspired by the American policies of the 1950s and 1960s. Furthermore, the article also compares the model of the two states, determining their differences and similarities. This article is useful in exploring the macroeconomic model of the FRG that directly impacted West German families.

Minkenberg, M. (1993) 'The Wall after the Wall: On the Continuing Division of Germany and the Remaking of Political Culture', *Comparative Politics*, 26(1), pp. 53–68. https://doi.org/10.2307/422173.
This article by Michael Minkenberg is a secondary source that aims to understand the roadblocks and difficulties of merging the two political cultures of East and West Germany by using theories of cultural and political change. The author argues that although the physical wall separating the two Germanies is gone, there is still an 'invisible cultural wall' separating East and West Germans which can only be taken down by a slow and arduous process of reshaping the country's political culture. This article was instrumental in helping illustrate the cultural shock and conflict of the merging of the two German societies. Furthermore, it also briefly addresses the next challenge of unified Germany in the creation of a new political identity of what it means to be German.

Williams, R. M., Jr., and Gibbs, J. P. (1968) 'Norms' in Sills, D. L. (ed.), *International Encyclopedia of the Social Sciences*, (11), pp. 204–213. New York: Macmillan Co. and Free Press.

Williams, R. M., Jr., and Albert, E. M. (1968) 'Values' in Sills, D. L (ed.) *International Encyclopedia of the Social Sciences*, (16), New York: Macmillan Co. and Free Press, pp. 283–291.

Rudolf, Helga. (2021) Interview by Tito Almeida, March 18. Audio recording in possession of the author.
This oral history account by Helga Rudolf, who lived from her childhood until part of her adulthood in West Germany, was critical for this work. In this interview, Mrs. Rudolf gave great insights into the lifestyle of West Germany by describing her livelihood in different periods of her life and the lives of her family members. Furthermore, she also talks about the cultural shock of the integration of the two Germanys into a single state and explores the resentment of West and East Germans towards one another.

Scharf, C. (1988) 'Social Policy and Social Conditions in the GDR', *International Journal of Sociology*, 18(3), pp. 3–24. Available at: http://www.jstor.org/stable/20629990.
This work by Bradley Scharf is a secondary source that explores the government structure and social policies of East Germany and their impact on the regime's society. It goes in great depth into the different types of social programs and policies that were put in place such as taxation, social services, and subsidies in the

GDR. This article provided substantial material to the author's understanding of life in East Germany as well as the place of the government in family life. Ultimately, it illustrates how political regimes and ideologies influence family values and norms.

Schmidt, Josef. (2021) Interview by Tito Almeida, 24 March. Zoom recording in possession of the author.
This oral history account of Josef Schmidt, a West German who lived for a couple of months in the GDR as a visiting professor, was a crucial component of this work. He gave great insights into the political intentions of the East German state towards encouraging women to join the workforce. Furthermore, he provided me with East German insights towards the reunification of Germany as well as several reasons why there was a feeling of disappointment and resentment from East Germans towards the former FRG and Westerners. Ultimately, he provided me with further information on the phenomenon of 'Ostalgie' and some reasons why some East Germans felt that way.

Turner, H. (1992) Germany from Partition to Reunification. New Haven, CT: Yale University Press.
This book is a secondary source that explores the historical background of the division of Germany since the defeat of the Nazi Reich until the reunification of Germany into a single state. This book provided most of the historical information and all the relevant details from 1945 until the 1990s for this paper, especially for the first part of this project, where key historical events such as the immediate post-war period, the Potsdam conference, the Marshall Plan, and the Cold War which all influenced the situation and division of Germany into West and East, were explained.

The Spectacle of Political Purges: Clientelism, Illiberalism and Narratives of Belonging in Thailand

Thalie Emond

This article discusses the root causes and normalisation of political assassinations targeting civilians in Thailand, delving into the factional and clientelist dynamics in Thai electoral politics, as well as the illiberal practices of ruling elites that suffocate civil society. First, it draws on academic literature on electoral politics and patronage in democracies with a high degree of social division. Notably, the work of Paul Frymer on the phenomena of electoral capture and Kanchan Chandra on patronage democracy are critically examined and evaluated with respect to the Thai case. Second, it conducts a historical analysis of party-voter dynamics and early state policies to reveal the illiberal structures that hold back the democratic spirit of Thai society. Indeed, the institutionalisation of a pre-existing feudalistic social structure defines Thai party-voter relations more than the concepts of electoral capture and patronage democracy. Third, it explains why undemocratic political processes breeding counter-hegemonic movements tend to end in political purges to maintain a social order favouring the ruling class comprising the monarchy, rich bureaucrats, and the military. These dominant actors often instrumentalise Thai identity to suppress and pit civilians against one another. The conceptualisation of Thai nationhood has facilitated violent political repression and conditioned the act of self-censorship, presenting political participation as a double-edged sword in the Land of Smiles. The article essentially argues that political purges are cautious displays of loyalty to the Thai monarchy, which occupies a major role in the political landscape of Thailand.

Mass protests in Thailand are often associated with simmering public frustration against the ruling elites which comprise the monarchy, the wealthy, and the military. Stuck in an unfortunate cycle of political strife and social polarisation, the country remains as divided and unequal as ever (Sombatpoonsiri 2020). Any attempt by the masses to rebuke deep-seated inequalities has often been shut down in what can be described as political purges instigated by state officials. Accordingly, the military, hired mercenaries mostly known as 'men in black', and civilians have diligently carried out deadly crackdowns of activists, electoral opponents, political dissidents, or any individual that is considered obtrusive to social harmony (McCargo & Thabchumpon 2014, pp. 387; Rojanaphruk 2016). The purpose of these violent campaigns of repression is to eliminate any alien element that is perceived to undermine social order within the nation—or rather, the status quo.

Mainly driven by long-standing inequalities, counter-hegemonic social movements that gain enough prominence are met with a repressive and violent response by the ruling elites, perpetuating a large disconnect between governing institutions and the population. Between 2004 and 2005, the Thai government in the capital launched a wave of sporadic executions in Southern Thailand to silence Malay Muslim insurgents militating against century-old inequity in the region. To this day, these events remain the deadliest repression campaign in the country with nearly a thousand victims, instantiating this pattern of political purging that crucially hinders social and political change. These calculated acts of senseless violence have been routinised by the Thai government to maintain antiquated power structures. By engaging outside of formal political channels to denounce the status quo, Thai activists put themselves in dangerous positions.

Given how predictable the outcome is to civil society movements of counter-hegemonic nature, regardless of the context they emerge from, one cannot help but wonder what compels Thai citizens to engage outside of formal political channels to denounce inequality and injustice. Understandably, major public protests against the status quo point to political alienation in the country and limited opportunities for government participation in ruling institutions. The regime's calculated agenda to eliminate any political opponent destabilising social and political order calls into question the state of democracy in Thailand.

So, what exactly causes this disconnect between the Thai electorate and the national government? And why are political purges common responses

to counter-hegemonic civil society movements in Thailand? Infamous for having the most recorded coup d'états in world history, the former Kingdom of Siam represents a peculiar case whose century-long democratic struggle exposes deep-seated issues beyond the political realm.

This article explores theories on party competition in multiethnic democracies with governing institutions beset with patronage, arguing that political purges in Thailand result from the alienation of Thai society from government processes. The first section will closely examine and contrast two political theories brought forward by renowned political scientists Paul Frymer and Kanchan Chandra, who respectively theorise the concepts of electoral capture with respect to party systems and of patronage democracy in multiethnic countries. Then, this article will question the compatibility of the theoretical frameworks in the context of Thailand, considering the clientelistic and factionalist nature of Thai sociopolitical organisation and dynamics. Lastly, this article will explain the normalisation of political killings against civilians by means of maintaining social order, intently trapping Thai society in a climate of fear and apathy.

Theorising Electoral Politics in Polarised Societies

The work of Frymer on American politics and Chandra on Indian politics provide useful theoretical foundations to make sense of electoral processes and outcomes, such as party competition and political participation, in societies with levels of polarisation comparable to those observed in Thailand. The authors both consider the impact of institutional configurations on the relationship between parties and voters that exist in democracies with a high level of social polarisation. On the one hand, Frymer assumes that the American two-party system induces competition between the Democrats and Republicans for the majority of congressional seats, shaping their responsiveness to the minority voter groups other than their natural support base. Though Thailand has a multiparty system, electoral victory necessitates building coalitions with parties that represent minority voter groups. So, the notion of electoral capture can help pinpoint the disconnect between parties and the electorate in the Thai case on the basis of party competition. Alternatively, Chandra observes the formation of patron-client relations between Indian political candidates and voters through the devolution or centralisation of redistributive powers as well as the role of caste and ethnic affiliations. India and Thailand share a couple of similarities, such as having deeply entrenched religious worldviews that shapes their sociopolitical organisation; legacies of caste distinctions that still linger to this day; and mobilisation tactics that echo narratives of belonging. In summary, Frymer and Chandra offer good frames of reference for understanding the conditions that align political parties and voters or drift them apart.

Frymer on Electoral Capture

In *Uneasy Alliances: Race and Party Competition in America*, Frymer conceptualises the phenomenon of electoral capture, wherein electoral incentives prompt parties to instrumentalise the demands of certain interest groups for electoral fortunes. In fact, Frymer

advances that the interests of marginalised groups are elevated in electoral platforms by parties seeking to capture their vote. In doing so, political parties may realise substantial electoral gains at low electoral costs if the demands of marginalised groups do not alienate their voter base. The conscious decision of incorporating minority interests in their electoral agenda hints at a relational interdependence between political parties and voters. For instance, opposition parties may try to capture votes from underprivileged groups by entertaining their demands, intently forming a 'coalition of minorities' that could challenge the incumbent party (Frymer 1999, p. 18). As party objectives guide voter choice, the policy preferences of the specific interest groups within the electorate shape electoral platforms. In a two-party system like the United States, intense rivalry seeps through the electoral arena. In brief, party competition becomes much fiercer insofar as actuating an electoral capture strategy of parties.

Moreover, Frymer posits that structural incentives such as the type of party system has an effect on party-voter dynamics. Notably, he suggests a two-party system that introduces electoral incentives that prompt parties to become more cognizant and receptive to issues that marginalised groups face (Frymer 1999, p. 13). That implies political parties must align their objectives with those of voters outside of their natural support base. According to him, an 'uncompetitive single-party system [...] den[ies] voters a choice and allow the "haves" to obstruct electoral accountability, [whereas] two-party competition provides the necessary organization and the ability to mobilise the public around programs more beneficial to the "have-nots"' (Frymer 1999, p. 13). In some places, the 'haves' population may outnumber the 'have-nots' population, creating less incentives to instrumentalise minority demands when needed for electoral gains. For instance, the Republican Party in the Second Reconstruction had an overwhelmingly white voter base that was solid and consistent enough to allow it to remain indifferent on Black voting rights, a contentious issue at the time (Frymer 1999, p. 89). As such, despite sharing family values or some other form of social norms, the Republican Party poorly valued interest groups like Black people and white supremacists which formed a minority of voters each on complete opposite sides of the political spectrum. To sum up, Frymer argues that the adversarial nature of two-party systems generates electoral incentives for political parties to cast aside the needs of underrepresented, minority groups when deemed harmful to the interests of their voter base and the majority.

Chandra on Patronage Democracy

As presented in her book *Why Ethnic Parties Succeed: Patronage and Ethnic Head Counts in India*, Chandra unpacks patronage politics in a multiethnic democracy where institutional and party structures dictate redistributive powers which entice political candidates and voters, shaping electoral strategies. She primarily describes a patronage-democracy as a special type of democratic system characterised by '[t]he individualised distribution of benefits at the disposal of those who control the dominant state' (Chandra 2004, p. 116). Notably, the discretionary powers of elected officials and their scope rests on the institutional structures, which also define the rules of party governance, party

membership, and electoral processes. To rephrase her argument, decentralised political parties and electoral candidates tend to have more discretion over the control of their operational and organisational means in contrast to centralised ones.

Consequently, such a difference in party governance equally impacts voting choices and party organisations in multiethnic democracies, either incentivising or minimising the usage of patronage practices. Chandra suggests that Indian voters base their voting strategy on the social and economic benefits that they will reap through patronage. This means that decentralised parties devolving considerable discretionary powers to elected representatives are likely to receive support from particular interest groups that comprised like-minded individuals sharing vague similarities, including, but not limited to, ethnic, occupational, and cultural backgrounds, and even location of residence (Chandra 2004, p. 199). The ethnic identity of party leaders, however, is given greater importance when parties are centralised (Chandra 2004, p. 199). The Indian National Congress is an example of a decentralised party that forms broad ethnic coalitions, dominating the political arena in India for several decades (Chandra 2004, p. 220). To summarise, it is understood that, in patronage-democracies, voters expect patronage resources in return for their support for a political candidate if elected, creating a patron-client relationship.

As an illustration, when institutional structures place discretionary powers in the hands of the state itself, then patronage resources are not guaranteed. That pushes interest groups, such as marginalised communities, toward centralised parties with great electoral prospects, despite candidates having a different social background from them (Chandra 2004, p. 200). Taking India for example, voters belonging to lower castes, namely Dalit people, consider electoral and patronage prospects when voting for parties. Assuming that electoral success is ascertainable for a particular decentralised party, then ethnic or caste representation in leadership becomes a more decisive factor in voters' decision. In centralised parties, however, individualised discretionary powers are lower so the social identity of candidates factors less in voting choice because patronage gains are unlikely. Any benefit that centralised parties offer must accommodate a diverse voter base, adding ethnic- or caste-neutral tones to their redistributive policy agenda (Chandra 2004, p. 171). In brief, state institutions in a patronage-democracy, such as India, establish important rules of party governance that shape electoral strategies and voter choice with concerns to candidates and party leadership.

Critical Assessment

In retrospect, Frymer's and Chandra's respective theoretical approaches to framing party-voter dynamics in multiethnic societies differ in focus. Chiefly, the two authors focalise different aspects and layers of institutions that form electoral incentives. It must be noted that race relations and the evolution of voting rights in both countries are crucial cross-case differences that may compromise any comparison made between the arguments of Frymer and Chandra. Yet, it is their respective attempt to explain the ways institutional structures prompt parties to reach out to or disregard underprivileged voters in polarised societies under a democratic system.

On the one hand, Frymer presupposes the strategic capture of underprivileged group votes by electoral parties competing via two-party systems. As a result, parties become more receptive to the social demands of these groups, while paying careful attention as to not alienate their natural voter base, compromising their electoral prospects. This effort to avoid internal struggles within the voter base also manifests at the party-level, as political candidates with divergent views undermine idealised party cohesiveness. As such, coalitions with minorities appear to be temporary and pressing issues facing underprivileged groups become policy positions rather than actual problems. Frymer references a statement by Henry Lee Moon in 1948 that still rings true today: '[The Black population's] political influence in national elections derives not so much from its numerical strength as from its strategic diffusion in the balance of power and marginal states whose electoral votes are generally considered vital to the winning candidate' (Frymer 1999, p. 95). In assuming that a certain type of party system bears an effect on presumed interdependent party-voter relations, Frymer places emphasis on the design of institutions in shaping electoral processes and, by extension, electoral incentives.

On the other hand, Chandra grounds her argument in the idea that institutional rules determine the capacity of state officials to allocate patronage resources which, alongside electoral prospects, form electoral incentives that influence party and voter strategies. In detail, she assumes that the allocation system of patronage resources determines the electoral success of certain types of parties over other types, namely decentralised and centralised parties. The rules dictating party governance impact party-voter dynamics, as they determine the viability of patron-client relationships between political candidates and voters who share similar social backgrounds. Cases where centralised parties were able to form such relationships include the Congress Party between the 1920s and late 1960s (Chandra 2004, p. 166). The Congress Party, which adhered to Gandhi's vision of Hindu nationalism, found success in the political arena by "build[ing] uniform ethnic coalitions with the same in-group and the same out-group in all constituencies" (Chandra 2004, p. 220). To put this in perspective, Chandra mostly argues that the rules of state institution and party rules delimits individualised powers of resource redistribution.

In conclusion, both Frymer and Chandra believe that electoral incentives prompt parties to reach out to underrepresented groups and minorities. However, they disagree on the defining institutional layers that create those incentives: party system and party governance, respectively. When applied to the Thai case, the notions brought by Frymer and Chandra overlook the possibility of another set of actors, namely the monarchy and the military, shaping electoral processes and outcomes in multiethnic democracies. To clarify, the presence of additional state institutions as monopolising and influential as Thai monarchs and the military heavily distort the relationship between and among parties and voters.

Making Sense of Electoral Dynamics in Thailand

The main objective of this section is to explain the continuity of communication gaps between Thai parties and the electorate, examining factional party competition, unequal clientelist relations and social organisation, and state policies in Thailand since its inception as a country.

Factionalism, Corruption and Uncertainty

In contrast to Frymer's emphasis on party systems impacting electoral incentives, Erik Martinez Kuhonta notes that the instability of Thailand's party system, among other factors, encourages factional wrangling between parties obsessed with financial gain and fighting for royal approval. The multitude of parties that exist solely on the basis of patronage hinders the formation of a consistent voter base and weakens the parties' resolve to follow through with their electoral promises. As Kuhonta indicates, electoral competition in Thailand primarily serves as a 'vehicle for elite interests' because of its unstable party system (Kuhonta 2011, p. 29). Though American parties are far more institutionalised than Thai parties, they are both similar in terms of their lack of the institutional capacity to satisfy the demands of marginalised groups (Frymer 1999, p. 90). Due to the short-lasting nature of party incumbencies, elected Thai officials promote short-sighted policy endeavours which are less likely to face a parliamentary deadlock compared to long-term development projects (Ketudat 1990, p. 59).

From another standpoint, Duncan McCargo brings to the table the idea of network monarchy to explain illiberalism in Thai electoral and policymaking processes. Electoral capture and patronage-democracy notions barely address the illiberal tendencies of governments that significantly impairs voting choice. In particular, McCargo asserts that frequent interventions of the Thai monarch in domestic politics to legitimise elected governments and military juntas breeds instability more than the party system does. Network monarchy embodies royal interventions, 'pragmatic compromises with sleazy politicians, [...] structural violence, and [...] politics of alliance building' (McCargo 2005, p. 505). In essence, political participation in Thailand is a sport reserved for the powerful, those holding the reins of their own branch of society. Political participation then becomes competitive displays of loyalty fishing for the royal stamp. Despite having a constitutional monarchy with a multiparty system, the country remains incredibly anti-democratic due to incessant royal interference trying to reinvigorate the frail legitimacy of the democratic institutions when social order is under threat. A notable example of royal intervention is the appointment of military junta leader Prayuth Chan-o-cha as Prime Minister after the 2014 elections to quell opposing populist movements destabilising the country (Chachavalpongpun 2015, p. 1205). To summarise, McCargo's article on the consequentiality of royal approvals is evident of a total disconnect between the Thai electorate and political parties, engendering relative uncertainty regarding political processes.

Paradoxical Dynamics in Patron-Client Relations

Like factionalistm, clientelism is an important feature present in modern Thai political processes that, as Kuhonta posits, traces back to the 'feudalistic social structure' bequeathed from the *sakdina* system in the Siamese period (Kuhonta 2011, p. 129). In spite of the abolition of *sakdina*, which equates to a juncture between the corvée system in feudal Europe and slavery, its legacy is reflected in today's party-voter dynamics. Present-day relations between Thai parties and the electorate are analogous to those between the landlord class and servants, who were regarded as forced labour tasked with agricultural, domestic, and construction work lasting months (Reynolds 2018, p. 101). Functioning as a 'property rights system', *sakdina* connects social status to one's amount of profitable assets, namely land and servants (Reynolds 2018, p. 44). Contrary to European feudalism, *sakdina* centres both ideologically and geographically around the monarchy, establishing a three-stratum social hierarchy. As the monarch constitutes an immovable fixture on top of this sociopolitical structure, tensions over influence and resources create uneasiness among status-obsessed landowners that foster factional conflict. The ideological foundations of this *sakdina* regime associates power with 'the control over manpower', insofar as encouraging landowners to accrue power and wealth through coercive means (Reynolds 2018, p. 162). In short, some elements of the *sakdina* have permeated modern Thai sociopolitical institutions, allowing the continuation of a pre-existing unequal dynamic between landowners and servants.

Specifically, two contemporary manifestations of the *sakdina* regime include precursory taxation and conscription regimes which institutionalised skewed relations between ruling officials, the people, and the monarchy.

For the purpose of understanding the reinstitution of exploitative and coercive institutions, it is important to consider the state-legitimising endeavours of the Thai elite class during threatening European expansion in Asia in the late 18th century. Efforts to resist colonisation necessitated emulating Western ideals of a modern state that, ironically, repudiated exploitative *sakdina* practices that had ensured centuries of sociopolitical order within the Siamese polities. King Chulalongkorn, the last monarch of Siam and the visionary behind Thai nation building, enacted taxation regimes, while transitioning out of *sakdina*. Notably, the head tax policy of 1902 primarily served to contain the affluence of the landlord class by imposing progressive taxes based on their number of servants and, more subtly, to quell regional sovereignty movements threatening the monarchy (Kuhonta 2011, p. 131).

Another policy artefact converging Thai-Western ideals is the 1905 Conscription Edict mandating compulsory military service for all Thai subjects, forming the basis of the present-day military (Kuhonta 2011, p. 132). In an attempt to create a level playing field remedying vertical inequalities, universal conscription mixes the landowning class and peasants. It also consolidated the supremacy of the monarch and mobilised manpower in a calculating way to protect Thai sovereignty from external and internal threats. In brief, statebuilding policies predating the inception of Thailand were carefully crafted so as not to uproot the ingrained social structures on which Thailand was built.

Given that modern institutions still grew out the roots of *sakdina*, it is no surprise to find resemblances between patterns of governance and social stratification, namely a total disconnection between the Thai

electorate and the elected officials. By revisiting the origins of patronage in Thailand, the incompatibility of Thai political processes to the theoretical frameworks proposed by Frymer and Chandra respectively becomes clear. The alienation of the electorate from government affairs by political officials, including elected candidates, lies in several layers of exclusion. First, a prime example is the ever-present social hierarchy inherited from the *sakdina* regime, predefining a one-sided party-voter relationship that exhibits no interdependence, suggesting the impracticality of Frymer's electoral capture in the Thai case. Second, unlimited discretion of wealthy candidates over the allocation of electoral fortunes to often underprivileged voters weakens Chandra's assumption that mainly patronage prospects weigh in voter choice. In the Thai case, exploitative and coercive fears may also factor in political discourse. Third, Chandra's point on how salient narratives of belonging are in multiethnic democracies (Chandra 2004, p. 206), such as India, overlooks countries like Thailand, where belonging narratives are grounded in allegiance to the nation and, more specifically, the monarchy. Ethnic affiliation in Thailand became more ambiguous through 'intermarriage and assimilation [that produced] a distinct mestizo social stratum' (Anderson 1998, p. 302). Thus, Thai political discourse mainly consists of 'othering' narratives born from the need to alienate those that do not fit the mould carved out by the normative concept of *Thainess*, which embodies Thai qualities.

As mentioned previously, Thainess was transplanted into Western policy models to legitimise but also sustain exploitative and coercive measures, thus allowing the containment of manpower within land area and elite hands. Coupled with antiquated sociopolitical structures, the unstable and unpredictable nature of Thai political institutions under the monarchy and the military introduced electoral incentives that encourage equally short-sighted political enterprises and voter decisions. Shallow party-voter relations explains why '[Thai] parties lack a social base' and, more importantly, points out to the ways Thai citizens display their political allegiance (Kuhonta 2011, p. 30). At times uniting, and other times divisive, narratives of belonging to the Thai nation are used to cunningly justify political purges.

Conceptualising the Normalisation of Political Purges

This third and last section covers three major instances of factional violence repressing prominent public demonstrations that all point to the poor state of democracy in Thailand and almost emotional detachment from the victims of political killings.

Illiberalism and Alienation

Discussed below are three counter-hegemonic movements whose fatal outcomes share a sinister pattern of public displays of loyalty to the Thai nation that are staged by direct and indirect perpetrators of political assassinations. The events are listed in an unchronological but specific order to form a comprehensive argument that progressively touches on the cruel indifference to purely unnecessary bloodshed.

First, simmering Buddhist-Muslim tensions in Southern Thailand ignited legitimacy issues that escalated into approximately 850 state-sanctioned killings between 2004 and 2005 to contain Malay Muslim insurgents. In the early 2000s, the popularity of the newcomer Thai Rak Thai (TRT) party in the capital and northern regions did not extend to southern provinces, except Phang Nga which was in dire need of government assistance after the 2004 tsunami (Nishizaki 2018, p. 14). Though one could mention ethnic and religious underrepresentation in the electoral arena as catalysts for Malay Muslim insurgency tendencies, this is not the case in Southern Thailand; in fact, the TRT formed a coalition with the Malay Muslim party Wadah that instantiated factionalism. Rather, tensions brewed because of a disconnection between TRT and Wadah politicians disillusioned with illiberal pollitics, and an electorate aggravated by Thai-Malay and Buddhist-Muslim inequalities (McCargo 2015, p. 56). The TRT's violent attempts to restore order in the region through extrajudicial killings casted a bad light on the Thai government, displeasing the network of old elites that already disliked the party. In the end, The TRT led purges of insurgent elements in the south and disturbed the Thai sociopolitical structures privileged by a network monarchy, causing its dissolution in 2006 by the Constitutional Court (Sombatpoonsiri 2020).

Second, the 2010 Red Shirt protests in the cosmopolitan capital of Bangkok shook the core foundations of that social structure predicated on the sakdina system, resulting in political assassinations affecting both anti- and pro-establishment activists. In detail, 92 people were killed in those public demonstrations in response to a state-led crackdown on remaining TRT supporters in 2009 (McCargo and Thabchumpon 2014, p. 383). Factionalism seeped into every state institution and instrument, such as the Truth for Reconciliation Commission of Thailand (TRCT). Following the recommendations proposed in the 2011 TRCT, blatant partisan treatment is exemplified by the uneven distribution of financial compensation to victims of the 2010 Red Shirt movement, with a few prominent, elite families receiving more money than a thousand of victims (McCargo and Thabchumpon 2014, p. 401). Also, 'men in black' perpetrating political killings targeting yellow-shirt activists supporting the monarchy were overstated in the TRCT, othering red-shirt activists as enemies (McCargo and Thabchumpon 2014, p. 387). As a matter of fact, growing social polarisation due to illiberal politics which exclude the population hinted at a grim future for Thailand. Senseless violence against civilians to either protect or end the antiquated Thai establishment did not contribute in any way to restoring harmony.

Third, the state-led 1976 Thammasat massacre of more than 90 university students is symptomatic of a rising anti-academia movement seeking to purge any element threatening the balance provided by illiberal Thai institutions (Rojanaphruk 2016). In particular, democratic ideas born out of Thai-based academic institutions are more difficult to discredit as 'un-Thai' compared to European ideas, which have long been a source of contention among the Thai public. There exists a debate that has polarised Thai society since the inception of Thailand, pitting those thinking that the country belongs to the 'people' against those who think that the country belongs to the monarchy, which forms one of the three pillars of Thai society alongside Buddhism and the people (Fong 2009). The

latter conception of Thailand has been adopted by the ruling class to legitimise illiberal institutions that allow it to sustain power. That explains state efforts to silence student grassroots movements that can weaponise uninformed Thai citizens against a visibly uncompetent and despotic government. Despite instigating the Thammasat massacre, the Thai regime resorted to othering Thai students as holding itself accountable would severely undermine its own legitimacy and image.

In retrospect, as electoral and governing patterns alienate Thai voters from a government dominated by detached elites, bitterness lingers in the minds of an unheard population. A perennial climate of political repression and intimidation deters dissidence. When restless yearning for a freer and more equal country finally galvanises the most hopeful ones to step out of the mould, invisible borders abruptly shut them out. Now that they have become outsiders, they are considered enemies of the Thai nation, alien elements that need to be purged.

NATIONAL SELF-PRESERVATION

This final subsection explains the violent instrumentalisation of Thai nationhood by the ruling class and the citizenry to mitigate internal crises fueled by the desire for free and meaningful political participation. Perceived threats to the legitimacy of traditional governing institutions generate violent crackdowns in an attempt to restore a false order of peace, isolating the ruling elites from the population and creating a state of apathy and indifference to political murders.

To start, mainstream electoral discourse in Thailand revolves around the importance of sustaining the three pillars of Thai nationhood, namely the monarchy, Theravada Buddhism, and the people (Chotpradit 2018; Fong 2009). The conception of nationhood forms the basis of Thainess, delimiting what is and is not Thai (Winichakul 1994, p. 4). For example, as national and ethnic signifiers help parties enter and stay relevant in the electoral arena, party competition is characterised by displays of Thainess rather than actual electoral platforms attuned to the needs of constituents (eds. Tanabe & Keyes 2002, 216). In this view, an unattended electorate bears the brunt of antiquated social issues, instilling apathy within those who have learned to be content with their precarious living conditions. Additionally, this obsession with Thainess alienates people who do not support the monarchy or its overinvolvement in domestic politics, those who do not follow Theravada Buddhist and Buddhist teachings, and those who are not considered Thai. This category of Thai people ranges from individuals that do not conform to widely-held beliefs, including pro-democracy interests, and those without a Thai heritage like Karen and Hmong tribes in northwestern regions, Lao groups in the northeast, and Malay and Maniq peoples in the south. And thus, people are conditioned to abandon personal beliefs to avoid 'standing out' and, more importantly, to keep away from any impression of 'standing against' the three pillars of the nation. As adhering to hegemonic beliefs emphasises one's Thainess, self-censorship is prioritised as a means of survival within the polity, reducing political participation to a ritual of proving one's Thainess. Violent responses to counter hegemonic movements exemplifies the pervasiveness of that

ritualistic act in Thai politics. That way, the instrumentalisation of Thainess by detached elites enables them to discard civil society as mere pawns in their electoral games and to justify senseless violence against perceived alien elements.

Likewise, any attempt to change the current order is heavily frowned upon in Thai society due to social conditioning. An excerpt by the most influential monarch in Thai history, the late King Bhumibol Adulyadej, showcases the instrumentalisation of Thainess against counter hegemonic beliefs and movements:

> At a time when our country is being continually threatened with aggression by the enemy of our very freedom and existence as Thais may be destroyed if Thai people fail to realise their patriotism and they're so dirty in resisting the enemy ... Accordingly, the Thai military has the most important role in defence of our country at all times, ready always to carry out its duty to protect the country. (Winichakul 1994, p. 168)

With their rhetoric, the long-established Thai regime and its elite class have nurtured 'cultural violence', impeding grassroots efforts to consolidate democracy and promote social justice (Galtung 1990, p. 295). In effect, political purges are not considered problematic because they maintain the legitimacy of an overpowered Thai regime. In effect, a deeply divided society is left unequipped to dismantle authoritarian institutions, the normative doctrine of Thainess, and that culture of violence. In hindsight, Frymer's electoral capture and Chandra's patronage-democracy fail to consider the omnipresence of entities above the legislature, such as the monarchy and the military, which contribute significantly to the illiberal and patronage practices in modern Thai politics.

CONCLUSION

This piece mainly discussed the root causes of political purges in Thailand, which have yet to be addressed there and conspicuously trap citizens in a climate of fear, forcing a culture of apathy. It aimed to disentangle the intricacies of political processes and outcomes in Thailand in three sections, advancing that elitist networks and factionalism inform the behaviour of parties and voters, reinforcing a disconnect between the electorate and bureaucracies. As a result, counter-hegemonic movements point to political alienation in the country and limited opportunities for government participation in ruling institutions. Communication failures between political parties and civil society translate into a perpetual cycle of illiberal politics breeding inequality and eventually escalating into counter-hegemonic movements and political assassinations.

The first section introduced theoretical arguments from a range of scholars, such as Paul Frymer and Kanchan Chandra, surveying electoral processes, as well as the violent patterns and anti-democratic elements of Thai politics. The subsequent section critically assessed the presented theories in relation to political processes which mostly result in the exclusion and severe repression of citizen participation in the Thai government. Specifically, the anachronistic taxation and conscription policies mentioned have acted to prolong the existence

of an unequal social hierarchy from the Siamese era. In the final section, more in-depth explorations of the illiberalism, factionalism, and patronage politics pervading the Thai political landscape allow further insights into the normalisation of political murders. By outlining some of the mass public demonstrations that were silenced by politically-motivated purges, the article defines the political and emotional disconnect that permeates Thai politics.

Whilst Thai society is stuck in a cycle of desperation and violence, the King is a spectator to his nation's social struggles. The fate of the country is entrusted in the King's hands, rather than a government expressing the general will of the population. And state power will stay in despotic hands as long as the electoral arena remains politically and socially inaccessible for all citizens of Thailand.

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Diverging Forms of Democracy: Memory, Religion and Suppression in Post-Communist Russia and Poland

Nancy Tupling

Eastern Europe's relationship with democracy is complicated. Since the end of the Cold War, there has been an explosion of literature on democracy, state-building, and the liberal international order's role in all of these processes. The paper approaches the divergence of democracy in Poland and Russia through an exploration of the power of memory, the impact of economic policy and the use of informal institutions as mechanisms by which democracy has diverged. In Eastern Europe, the literature demonstrates a quite different story to Western Europe with religion, ethno-nationalism, and informal networks playing a role in what many argue is a divergence from the path of the rest. Despite Poland joining the European Union in 2004, before and after this landmark there have been attempts to damage the integrity of democracy in Poland through the chipping-away of formal institutions. The ethnic-nationalism aspect of Polish identity further diverges them from Western pillars of democracy as it diminishes the role of the civic institutions. For Russia, there has been a purposeful divergence from Western conceptions of democracy, with clear manipulations of both formal and informal institutions, failures in post-Soviet economic policy used by the Putin regime to justify the democratic divergence and how Putin capitalised on the memory of hardship in the Communist era. This essay presents Poland and Russia as diverging from the Western path of democracy, offers some suggestions as to why this has occurred and touches on the future of the international order's power on the European continent.

Russia, Poland, and democracy have a complex relationship. Since 1989 the two nations have followed a different democratic path to that of Western Europe. The diverging forms of democracy produced in post-communist states are closely studied as these state's actions shape the motions of, and belief in, democracy. Firstly, this essay examines what constitutes a non-divergence of democracy and a conception of a 'true' democracy. I then highlight the weakening of the pillars of democracy in both Russian and Polish political fields. Building on this, I then aim to demonstrate how the role of memory politics has resulted in a surge in ethnocentric, nationalist and suspicion-based policy and political behaviour due to the lived experiences of communism. This directly impacted post-communist values and ideas in the two chosen states. From this, I will explore the oft-contested relationship between democracy and capitalism (as it is often argued that this link appears through the emergence of American liberal state building and the other pillars of the international order) and argue that the way in which these states tried to adjust economically to liberal democracy actually resulted in a divergence of democracy through a creation of suspicion and disillusionment surrounding liberal capitalism. Finally, I will examine the weakening of formal institutions in Poland and Russia, which is the most explicit divergence of democracy that is seen on the global stage. I argue this is due to a failure to reform and strengthen institutions by post-communist governments due to a complete lack of resources and weakness of the remaining structures and styles of communism. From this discussion, I will argue that post-communism has produced diverging forms of democracy because of the memories remaining from communism, the lack of strong formal political institutions and resources, as well as the economic demands of becoming a democratic capitalist state, all of which have resulted in a surge of nationalist tendencies and authoritarian-like regimes.

Before analysing why post-communism has produced diverging forms of democracy, it is important to identify what features constitute the existence of the phrase 'diverging forms' compared to the concept of a 'true' liberal democracy. Ekiert and Ziblatt argue that studying the post-1989 transformations of Central and Eastern Europe within a distinctly European democratisation process allows us to view these regions in a more analytical way (Ekiert & Ziblatt 2003). The democracies seen in Western Europe today have emphasised its focus upon the 'liberal consensus' in addition to highlighting the ways in which some Central and Eastern European states fall short of these features or have produced hollow shells of them. Bill and Stanley categorise this consensus into economic, civic, and cultural aspects. The economic aspect is 'characterised by a belief in the superiority of the free market and in the economic rationality of the individual'. The civic aspect emphasises 'free and active participation of individuals in civil society and the political process', while the cultural aspect regards 'openness and cultural plurality' (Bill & Stanley 2020). From this foundational thought on Western democracy and its basis, analyses can be built on in attempts to explain the difference between Western democracy and democracies in Poland and Russia. That is not to say all Western European states follow these 'pillars' strictly, with claims of election fraud rising with the new French voting system and an increase in ethnocentrism in French politics with the rise of Le Pen, for example. Nonetheless, the features of the 'diverging' forms of democracy observed in Poland and Russia can be seen in the form of weakened formal institutions, a lack of cultural plurality in politics and limits on active participation in the political process, resulting in a breakdown of the crucial aspects constituting the Western liberal consensus for democracy.

THE POWER OF MEMORY IN THE POST-COMMUNIST EXPERIENCE

The power of memory in the post-communist

experiences of both Poland and Russia is a clear way by which the communist era informed the post-communist state. As a result, the shared-lived experience of communism, and some of the cultural and national limits it created, have greatly impacted the ideals and values emphasised within their democracies.

For Poland, the most emphasised ideals and values relate to religion and ethnocentric approaches, as well as nationalist tendencies. In the communist era, Poland's history as a nation without a state, observed Szacki (in Brier 2009), which hence 'compelled Poles to pay special attention to moral unity and to reject divisions and conflicts within society as threats to vital national interests.' The civic, cultural, and economic aspects of democracy were all impacted by this focus as Poland became its own state. In addition, there was a clear tension between history and memory 'in trying to account for what happened and formulate a new historical narrative suitable for the democratic present' (Rupnik & Zielonka 2013: pp. 10). For example, in post-communist Poland, the Polska Zjednoczona Partia Robotnicza (Polish United Workers' Party [PZPR]) struggled to maintain support as their focus on class struggle in relation to its power in creating national identity was replaced with a more general national, ethno-religious community. The concept of national interest led to a replacement of the class struggle rhetoric and the PZPR adopted the imagery of a national community (Rupnik & Zielonka 2013, pp. 10). This new paradigm, based on ethnic homogeneity, continues to impact more contemporary Polish democratic processes. At the same time as the adoption of a new paradigm, those who continued with the ideals of socialist patriotism failed to maintain political power. Brier argues that the socialist patriots lacked historical significance with their traditions, which had to be invented, signalling a more long-term symbolic aspect to Polish identity that was heightened once again in the post-communist era (Brier 2009). Moreover, their values and existence couldn't be rationalised in the new Polish paradigm because Polish socialism had been imposed on Poland by the Red Army rather than a natural revolution of the workers. Olsezewski's leaving speech in 1992 summarises the political field in Poland rather well where, 'at stake is something more, a certain image of Poland: what sort of Poland it is to be. To put it another way, whose Poland is it to be?' (Bill & Stanley 2020, pp. 380)

The establishment of this paradigm in post-communist Poland also resulted in the strengthening of ethnocentric and religious identities, thereby weakening the cultural aspect of the Western liberal consensus of democracy as cultural pluralism was limited. After the end of heavy government controls in 1989, radical economic changes were introduced, including the arrival of Western market forces and new social ideas. This was also accompanied by much backlash. A cultural front was formed and the new national community asserted its new role as 'the defender of true European values, "protect[ing] whiteness, Christianity, and traditional gender roles against extra-European migrants and a decadent West"' (Mark *et al.* 2019, p. 267, cited by Bill & Stanley 2020). For example, the position of the Catholic Church was elevated in response to the beginning of Western influence in internal Polish affairs. The Statute on Relationship between Religion and the State guaranteed the Church autonomy from the state and provided a variety of tax and customs exemptions. Eberts (1998) argues that the cultural front against the arrival of Western ideas led to the Church emerging as the highest moral authority and the most powerful institution in the country. Against the West, they attempted to institute their own vision of democracy through direct political engagement. Moreover, cultural pluralism became part of a narrative that accused the first post-communist governments of betraying ordinary Poles for relationships with domestic elites who work with the West. The transition to liberal democracy reopened the debate about how Polish national identity should be defined. Brier (2009) writes how this debate led to conflict between a civic definition and an ethno-religious understanding of Polish nationhood. Korycki (2017) argues that the political support for this narrative was successful also because of their description of communism as anti-Polish: it presented it as equal to Nazism, it made it foreign, and it made it coincidental with Jewishness. It then launched such a discursive 'weapon' against its present-day opponents.

This narrative played into the defeat of trade unionist organisation Solidarity in 1981. Solidarity was a trade union movement that began in the early 1970s amidst growing strikes regarding wages and prices of food. It had ten million followers by 1981, representing most of Poland's workers. However, the narrative of Polish nationalism being rooted in ethno-religious understandings rather than the unity of workers, as well as pressure from the Soviet Union, led to Solidarity being made illegal and martial law being imposed to crush the strikes. Many argue that this kickstarted the divergence of Polish democracy, even in 1989 when Solidarity made a return they could not unite and create a government.

The aftermath of Solidarity was an intensification of the relationship between religion and the nation. In contemporary politics, we can see the rise of the Law and Justice Party (PiS [2001]). They present themselves as defending traditional values, strengthening, and validating a social conservatism in Poland that is suspicious of the West and their liberal democracies. Brier (2009) argues that PiS have fostered a 'national self-assertion against western cultural trends'. The party's leader, Kaczyński describes Poland as an island of freedom, free from the repressive West (Bill & Stanley 2020, pp. 390) This anti-Western rhetoric cannot be separated from their emphasis of Catholicism, as PiS pledged to defend Catholicism from external and internal threats (Guerra 2017). Kaczyński has repeatedly insisted that the Catholic Church is the only legitimate source of moral values in Poland (Bill & Stanley 2020, pp. 382) blue citation suggests that religion legitimises a social order by showing that the system of norms is congruent with a perceived state of affairs. He argues that the relevance of Polish Catholicism lies in its ability to form a universal set of values. Catholicism also grounded a specific worldview centred around a vision of the Polish nation (Brier 2009). Zubrzycki argues that the rites of Poland's Catholic Church are not purely religious, but perpetuate a specific master narrative of Poland's history. Overall, the creation of a new paradigm, the emphasis on religion, traditional values and ethnic identity, and suspicion towards the West, all brought about by the transition into a post-communist era, has

resulted in a divergent form of democracy whereby there is no cultural pluralism and a lack of belief in the superiority of the free market, both of which are significant facets of liberal Western democracy.

The shared experience of Russians during the communist era impacted much of the post-communist behaviours by leaders. Rupnik and Zielonka describe how there was no collective memory of the economic institutions needed for capitalism after their experience under a command economy (Rupnik & Zielonka 2013). Moreover, the shadows of the past followed Yeltsin and his government, which forced them to adapt their methods of achieving their goals. For example, during the communist era, informal institutions and corruption tactics were used to achieve political goals, such as the arrest and killing of Beria, First Deputy Chairman of the Council of Ministers and an influential Politburo member, in order to stop him from gaining more political power after Stalin's death. A democratic state could not conduct themselves in this way whilst following the civic pillar of democracy, thereby restraining the political actors in early post-Soviet Russia from using violence to achieve their goals of political, economic, and state transformation. Even the Communist Party, after a temporary ban, was allowed to reappear on the Russian political scene (Rupnik & Zielonka 2013). Another aspect of post-communist policy impacted by collective memory was, interestingly, that 'although the reason for the collapse of the Soviet Union was disillusionment with the system, this disillusionment was caused not by a desire to live in a Western-type society, but rather by a desire to live in a system that was different from the Stalinist system' (Lukin 2009). Moreover, most respondents to the Harvard project (Lukin 2009), which was a data collection programme asking respondents about their opinions on the Stalinist system versus Western liberal systems, expressed a wish for a new country free from the communists, but one that maintained features of the old system, like state-owned health care. Most people also wanted to retain state control of heavy industry, but not of light industry and agriculture. I argue that the respondents of this survey reflect the power of memory in not only the Stalinist system, as they wanted change from that, but also in how these views on the old system led to the production of certain ideals and standards held against the post-communist leaders. The prominence of these views in Russia led to a divergence from democracy as the promises made by post-communist leaders to ensure certain aspects of the old system remained were broken in their attempts to transition to democracy quickly, as we will see in the following section on the impact of economic policy.

The Impact of Economic Policy on Democratic Transitions in Poland and Russia

Next, I will discuss how the post-communist shift towards democracy produced the current diverging forms we see today, partly due to the economic impact of the attempted transition and why this economic factor led to a different style of democracy. Rupnik and Zielonka (2013) highlight how the relationship between democracy and markets was a popular topic within political and academic debates in the 1990s because democracy in a post-communist era occurred simultaneously with the implementation of capitalism in place of a weak communist command economy. They go on to further describe how these economic adjustments were painful and caused severe crises in the first years of transition.

Since this paradigm shift, more recent economic policies have empowered social groups that were unsatisfied with the immediate post-communist 1989 reforms and policies. For example, the 2019 PiS election campaign focused on a Polish model of the welfare state through conservative redistribution (Bill & Stanley 2020). Within this concept, the Polish nature of the model was emphasised, and the model was presented as an alternative to Western social democratic models. Policies ranged from lowering the retirement age to the elimination of income tax for workers under twenty-five. Through the constant perpetuation of the narrative that PiS is delivering on the interests of the ordinary Poles, unlike the post-Solidarity and post-Communist leaders, PiS have experienced continued success in the political arena with pushing reforms that are less aligned with the Western liberal model. The economic impact of the democratic transition, and the narrative used by political parties to explain why this occurred and offer solutions to it, had directly led to the divergence of Polish democracy to that of the West because dominant Polish political parties have created an othering of the Polish state against the West. Moreover, the confidence of the government in their narrative has led to the weakening of formal institutions, yet another divergence from liberal Western democracy.

In the case of Russia, their diverging form of democracy also had economic aspects linked to it; however, Djankov and Hauck (2016, p. 1) argue that the divergence in democracy and political rights is much larger that the 'divergence in the path towards economic freedom and ease of doing business'. Nonetheless, the post-communist approach to economic policy has contributed to the divergence of democracy because of the way in which democracy and capitalism go hand-in-hand for Western liberal democracy. The change from a command to market-based economy was particularly difficult for Russia because there was no clear plan, no historical legacy to build on and the dire economic circumstances demanded a fast transition. The resultant adoption of 'shock therapy' to rapidly transition to a market economy required the restraining of an already expensive industry sector, as much of the workforce did not have the skills needed. As a result, there was a chronic lack of goods in stores and markets. Yeltsin's decision to remove price controls on most items resulted in uncontrolled inflation (McFaul 2000); however, this removal was seen as a vital step in transitioning into a capitalist democratic state. Severe inflation led to a significant lowering of living standards and wages were rendered worthless, which is the opposite of what a capitalist democratic state promises with its pillars.

By 1998, the ruble had collapsed in value and much of the population faced economic depression. Yeltsin's post-communist reforms also included privatisation. In the eyes of ordinary Russians, these reforms did nothing but benefit those close to the top of the political ladder. Indeed, a small group of 'oligarchs' ended up controlling huge parts of the Russian economy because of their connections (Petrov 2014). One move in particular that pushed the democratic divergence was the way in which

the post-communist oligarchs bought state-owned factories at little cost, stripped them off of valuable assets and capital, and then closed them, leading to mass unemployment. Petrov (2014) argues that the exploitation and subsequent closure of the factories 'played a major role in the public's disengagement with capitalism' as people saw their living standards decrease, social services collapse and corruption running rampant. The direct links between democracy and free market capitalism has resulted in a divergence from the liberal Western democracy model because of the disillusions ordinary Russians had for capitalism.

The Weakening of Formal Institutions as a Divergence of Democracy

The final theme I will cover in answering why post-communism has led to diverging forms of democracy is the role of formal and informal institutions in the weakening of active and free participation in the political process. For the purposes of this essay, I will define formal institutions as organisations, rules and laws created and enforced by the government which are used to constrain government power (i.e. constitutions, laws, courts). Informal institutions, therefore, relate to non-established and usually unwritten customs, traditions and networks. Rupnik and Zielonka (2013) argue that although informal institutions are technically not undemocratic, they are particularly impactful in Central and Eastern Europe 'because of the weakness of formal practices'. More specifically:

> Informal practices and networks gain importance when the state is weak, political institutions are underdeveloped, and the law is full of loopholes and contradictions. As a result, actors without democratic legitimacy secure unjust, disproportional, or even illegal advantages on behalf of particularistic interests (Rupnik & Zielonka 2013, pp. 17)

In the case of Poland, informal institutions and weak formal ones in the post-Communist era have directly contributed to the divergence of Polish democracy. Immediately after the fall of communism, the big task was to reform the mono-centric political institutions. The PZPR dominated the one-party system as well as all key institutions like the judiciary and local government (Brier 2009). The emergence of a new constitution on the path to democracy took until 1997 after the Round Table Talks. However, the power of memory politics, as well as the economic hardships and narratives being formed, led to a divergence with the constitution away from Western democracy. Bill and Stanley (2020) observe that Kaczyński was very explicit in his party's intention to overturn the constitutional settlement arguing that the Polish people did not want revolutionary tribunals. Moreover, Yellow argues this was the role of the Kaczyński brothers, in their promise to trace and eliminate 'secret networks' of anti-patriotic forces (*układ*), that then allowed them to avoid reforming the formal institutions where power was held. When PiS won the election in 2015, they began to chip away at formal institutions whilst taking part in their own informal networks. For example, there was an appointment of 'quasi-judges' in place of 'legally elected judges, the imposition of an illegally-appointed Tribunal president, and the use of legislation on the

functioning of the Constitutional Tribunal to impede [the Tribunal's] capacity to resist these changes' (Bill & Stanley 2020). This began a weakening of other formal institutions as *de facto* constitutional control was removed over the actions of the government. A purge and subsequent control of the judiciary then took place and the government founded a 'new Disciplinary Chamber of the Supreme Court whose members are appointed by the President' (Bill & Stanley 2020, pp. 384). This blatant show of power and weakening of active and free participation in the political process was the result of post-communism as the hardships and suspicion this brought allowed the government to justify these undemocratic actions as helping and protecting ordinary Poles and their values. According to Bill and Stanley (2020), 'measures of the quality of democracy fell to levels not seen since the semi-democratic first years of transition', a clear sign of a divergence from the status quo on democracy.

Similarly, Russia inherited institutional aspects of communism that complicated their democratic transition and initiated its divergence. Urban, Igrunov and Mitrokhin (1997) highlights how the greatest challenge would be 'the ensemble of structures peculiar to state socialism, a specific social formation that had existed in Russia for over seventy years, that the new Russian polity would inherit.' The weakness of the Soviet state led to the post-communist era struggle of democratisation. Post-communism then specifically led to a divergence of democracy because of the way in which these weak institutions were used by post-communist leaders. Djankov and Hauck (2016, p. 6) argue that initially, post-communist Russia pursued a democratic path, but the trend reversed from 1991 and they stagnate as 'near autocracies' and political rights have gotten worse. Hashim (2005) argues that this post-communist trend began as early as the Yeltsin era, whereby the reforms created a politico-economic system lacking in widespread legitimacy. The Yeltsin era was characterised by macroeconomic collapse, administrative impotence and institutional chaos. There was weakening of formal institutions and civil society. Despite the intention of the Yeltsin presidency to transition to democracy through the adoption of electoral democracy after the end of the Soviet Union, the formal institutions that existed from the Soviet era and his own actions did not form a good foundation for this transition. Before coming to power, his aim to seize control of political institutions from below as a means to undermine Gorbachev's power from above was already undermining the civic aspect of liberal democracy, a free and active participation in the political process for all. Seizing control of political institutions does not allow free participation. Moreover, when faced with an economic crisis, Yeltsin, although he did not create a dictatorship to introduce radical reform, did not consolidate a democratic regime. He postponed regional elections scheduled for December 1991 and resisted calls for a new national election (McFaul 2000, p. 3). Additionally, he did not form a political party and delayed the adoption of a new constitution that would introduce further democratic reforms in Russia's transition. Despite all this, he was still presenting himself as a democratic leader, as he was the first to be elected democratically.

As a result of Yeltsin's post-communist reforms, contemporary Russian politics, dominated by Vladimir

Putin, is concerningly undermining Russia's prospects of democratisation. Putin's focus on consolidating power through centralisation changed the Russian state into a non-democratic regime that is incapable of implementing its public policy goals (Hashim 2005, p. 1). His policies aim to wrest authority, like Poland, away from regional leaders and formal institutions, representing a clear divergence from Western liberal democracy. Putin has centralised Russia's federal structure by creating seven 'super-regions' and appointing personal envoys to assert the primacy of the centre over the regions (Hashim 2005, p. 26). The powers of the elected regional governors, furthermore, have been limited through the restructuring of the Federal Assembly. United Russia, the Kremlin-backed party, removed any cultural or political pluralism from the field as all parties and factions are assimilated into it. From this, it is clear that this type of democracy is a divergence from the liberal democratic model previously outlined. This is a result of the post-communist response to the collapse of the Soviet Union, and the behaviours and policies that resulted in further weakening of formal institutions who thereby could not uphold the constitution or continue the democratic transition.

CONCLUSION

Overall, it is clear that post-communism produced diverging forms of democracy due to its failure to recognise and act on certain important issues. In the first section, it was apparent that the power of memory in the political field had a huge impact on Polish politics. The suppression of Polish nationhood and identity during communism played a large role in the behaviours, attitudes and values formed in post-communist and contemporary political discourse. As I showed, these discourses have resulted in a divergence from the ideals of liberal Western democracy. In Russia too, the shared experience of communism resulted in a divergence of democracy, as the post-communist leaders failed to adapt accordingly to the needs of ordinary Russians and instead tried to transition to democracy as quickly as possible, with damaging results. This tied in well to the economic impact of post-communism, whereby Yeltsin's economic policies resulted in rampant

corruption, a reversal of living standards and wages, and the closing of factories resulting in high unemployment, all contributing to disillusionment with Western models of capitalism. The perceived intrinsic link between capitalism and democracy, at least in the traditional liberal democratic framework, meant that the disillusionment with capitalism translated to disillusionment with democracy. Similarly, with Poland, the political narratives spun Western democracy and the free market as damaging to Poland. As a result of post-communist policy, the formal institutions in both Poland and Russia are currently under attack and being politically limited by those in power, showing a divergence from the civic pillar of democracy.

Today, we are seeing democratic fatigue amongst many countries, especially Poland, and perhaps it is not unjustified as Rupnik and Zielonka (2013) argue 'at present the EU and its common currency is a factor more of instability than of harmony and the EU responses to the [European sovereign debt crisis] seem to be guided more by the logic of accountancy than by that of democracy'. The rise in popularity for 'Polexit', combined with growing tensions between Western powers and Russia, may lead one to think that something has to give. This democratic fatigue is a result, I argue, of an accumulation of continuous disappointment that Polish and Russian people have about their countries' attempts to democratise (according to the Western framework) as well as the treatment by the West of their nations. This article has aimed to outline the reasons for the divergence of democracy in a post-communist context for both Russia and Poland, contributing to the literature on post-communism specifically. In short, post-communism has produced diverging forms of democracy because of the memories remaining from communism, the lack of strong formal political institutions and resources as well as the significant economic costs of rapidly transitioning into a capitalist state, all of which have resulted in a surge of nationalist tendencies and authoritarian-like regimes coming into power.

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Assigning Responsibility for the Downfall of Salvador Allende (1970–1973)

Isha Bhasin

This paper seeks to do justice to Salvador Allende's legacy in Chile, and the domestic and geopolitical challenges faced in the attempt to instil ideas and leadership that, although novel at the time, have been accepted with broad consensus today. Despite the downfall of Allende, it offers as an understanding of the reasons that his ideas continue to remain ubiquitous in Chilean public participation and policy. Through extensive analysis of Allende's economic policy and the inner workings of a developing country locked under neoclassical ideology, the paper deconstructs simplistic perceptions regarding Chilean history to engage more critically with the bulwarks faced by states that sought to change an unfair status quo.

The election and downfall of Salvador Allende, the President of Chile, serves as an exemplification of the struggle of several Latin-American leaders, who have tried to change the status quo only to be met with the traditional coup formula that sought to protect the interests of national elites and foreign capital.

This paper adopts a systemic approach to explore the multiplicity of conditions that brought Allende to power and the role of internal factors, namely economic adversity, the oligarchy, party factionalism, institutional decay, and the military in his subsequent removal. Although these domestic troubles were exacerbated by a hostile American foreign policy, the goal of this paper is to assess the challenges faced by Chile within the context of broader structural changes in the international system.

Conditions before Allende

Before Allende's election, the Chilean government was led by the Christian Democratic Party (CDP) candidate, President Eduardo Frei, and it was the conditions created by Frei's policies that paved the way for Allende's electoral victory.

In 1964, increased political participation by Chile's working class encouraged President Frei to adopt a developmental reformist strategy by implementing ambitious reforms, which resulted in the partial nationalisation of copper and the redistribution of land amongst peasants (ed. Hudson 1994; Zeitlin & Petras 1970). However, Frei's policies continued to protect the interests of oligarchs and American corporations by offering generous terms to companies, in exchange for American donations to Frei's political campaigns and increased foreign aid to Chile (ed. Hudson 1994; Zeitlin & Petras 1970).

Although Frei's reforms were effective in reducing income inequality, the economy suffered, as inflation rose by 30% and growth stagnated with Chile largely dependent on copper and thus vulnerable to changes in copper prices (Caputo & Saravia 2018). The subsequent adversities indicated that Frei's reformist approach was failing, and greater socio-economic transformation was needed.

Frei's unpopularity was exacerbated by the rise of the Chilean Left, represented by the Popular Action Front (FRAP). Unlike other Latin American countries which had a relatively disintegrated working class, the Chilean working class began to organise and unify under able leadership in the 1930s (Schlotterbeck 2020). Over time, the FRAP penetrated workers' bases in industrial cities to consolidate its electoral base for the 1970 presidential election (ed. Hudson 1994).

These factors culminated in Allende's election by a narrow plurality of 36.2% as a candidate of a left-wing coalition known as Unidad Popular (UP) (Prothro & Chaparro 1974). Consequently, Allende committed himself to Chile's 'transition to socialism', to the disapproval of Chilean industrialists, the US government and multinational corporations (Goldberg 1975).

Allende's Policies and Popularity

Allende's policies paved the way for the 'Chilean road to socialism' under a developmental programme that aimed to restructure the society and economy to redistribute national resources for the welfare of the Chilean people.

To achieve this, Allende sought to implement constitutional reforms by proposing to replace the opposition-controlled bicameral Parliament with a unicameral People's Assembly, which would direct national planning and limit the power of the opposition (Espinosa 2021). Furthermore, Allende aimed to achieve Chile's 'economic sovereignty' by nationalising mining, copper, and banking industries to create a 'Social Property Area' through the state expropriation of private enterprises (Espinosa 2021). This would direct capital towards the needs of the market, aid state-regulated economic diversification and ensure redistribution of credit (Espinosa 2021). By 1973, roughly, 35,000 enterprises and 39% of national production were under state control (Espinosa 2021).

In 1971, Allende expanded Frei's agrarian reforms to safeguard peasants from monopolists and ensure that the credit, supply, and marketing of agricultural products remained in their hands (Winn & Kay 1974). These reforms were supplemented by policies that extended social benefits like healthcare and education to peasant communities in the Chilean countryside (Winn & Kay 1974).

While these policies consolidated workers' support, they were implemented at the cost of American corporations and the oligarchy, leading them to the conclusion

that only Allende's removal could ensure their survival.

Failure of Economic Policy

Although Allende's policies had been immensely successful during the first year of his presidency, they began to run into roadblocks by 1972.

Allende's socialism was already a concern for the US due to Cold War tensions and the stakes of American corporations in Chile. While the US was already intervening in Chile to prevent his election, the impact of Allende's nationalisation of Chilean copper increased pressure from American corporations for a stronger response. This is because the nationalisation of copper terminated the ownership of large American corporations like Anaconda and Kennecott over these resources, which constituted over 20% of their profits annually (Fortin 1975). Moreover, Allende invoked Law No. 92 to nullify compensations to these companies on the grounds that excess profits were extracted previously (Faundez 1978). This provoked the US to respond with a credit blockade to make the Chilean economy 'scream' (Fox 2013). By 1972, American banks ceased short-term credits, rejected Chilean loan applications, terminated aid, and demanded that Chile pay for imports with cash upfront leading to losses in trade finance (Pseudoerasmus 2015; Sigmund 1974).

However, it was not just American manipulation but also the lack of foresight and internal mismanagement that increased Chile's dependence on foreign credit and surplus production, leading to the failure of Allende's economic policies.

Allende adopted Keynesian measures to accelerate growth, like increasing public spending and credit issuance by charging them to foreign reserves and taxes (Espinosa 2021). This resulted in interim economic growth of Gross Domestic Product (GDP) and real wages growing by 9% and 13.8% respectively in 1971 (Meller 2000; Braun-Llano *et al.* 2000). However, financing public spending through foreign reserves was unsustainable until Chile increased production, diversified its economy, or improved access to foreign credit (Espinosa 2021).

Unfortunately, state expropriation of important sectors like copper had decreased production due to inefficient management and thus the surplus needed for investment was lost (Rosenstein-Rodan 1974). Worse still, Allende's plans to diversify the Chilean economy were weakened by the US blockade since Chile lacked the credit to purchase machinery (also manufactured in the US) to transition from the production of primary to intermediate goods required for diversification in production (Rosenstein-Rodan 1974).

Increased public spending had also created other problems. To consolidate worker support, Allende had increased wages and pinned down prices, which, in turn, inflated domestic demand. However, by 1972, the economy had failed to diversify, and the American credit blockade prevented domestic producers from accessing the credit needed to expand production, leading to severe shortages and increased reliance on imports, which Chile could not afford (Pike 1998).

Lastly, Allende's agrarian reforms, though effective in protecting peasants from monopolists, were undermined by inefficiency and extremism. By 1973, 60% of agricultural land had been expropriated, with over 2000 illegal occupations by left-wing extremists

supported by UP members, causing capital losses worth almost 130% of GDP (Larraín & Meller 1990).

Consequently, a black market emerged, shortages became frequent, inflation rose by over 500%, wages fell by 38% and foreign reserves fell from US$344 million in 1970 to US$30 million by 1972 (Meller 2000; Braun-Llano *et al.* 2000; Farnsworth, Feinberg & Leenson 1973).

Role of the Oligarchy

Economic mismanagement was exacerbated through frivolous intervention by Chile's elite, who stood to lose substantially in the formation of Allende's Chile. Chile's oligarchy, known as the 'Import-Export Coalition', was organised through a structure of business associations, who enjoyed a monopoly over mineral trade and was represented politically by Partido Nacional (PN) and CDP (Stallings & Zimbalist 1975; Guardiola-Rivera 2013, p. 102).

The oligarchy's opposition against Allende and the proletariat stemmed from historical entitlement, and the fear of losing the socio-economic benefits they received from the status quo that Allende sought to change (Guardiola-Rivera 2013, p. 92). Consequently, the oligarchy, closely linked to foreign capital and dominant in sectors nationalised by Allende, initiated his destabilisation.

Politically, the oligarchy had extended support to the conservative candidate Jorge Alessandri in the 1970 presidential election against Allende. Evidence indicated that 93% of the industrialists supported Alessandri, whereas only 4% favoured Allende (Prothro & Chaparro 1974). This stark contrast is reflective of the class and political polarisation plaguing Chile during Allende's eventual presidency.

Socially, oligarchs, supported by American funding, exploited national media outlets to spread anti-Allende propaganda. For instance, Agustín Edwards, a resolute conservative and the owner of Chile's most popular newspaper, *El Mercurio*, took advantage of his position to create fear regarding Allende's presidency (Frank 1967, p. 93). In 1964, *El Mercurio* reported that Allende's election would result in the 'dictatorship of the proletariat' and the imposition of 'hunger and misery' (Frank 1967, p. 93).

However, none of these hypothetical fears had become a reality. The first year of Allende's presidency was one of an economic boom, reduced poverty, and improved quality of life, especially for the poor (Espinosa 2021). Nonetheless, matters for the elites worsened, as the workers, propelled by leftist ideas, took matters into their own hands. By 1971, workers' takeover of factories exceeded 500 businesses while peasants seized over 900 farms (Rojas 1976).

Thereafter, the oligarchy decided to 'back Allende into a corner' by opposing every reform his government implemented, sowing chaos amongst the middle-class and countering state expropriation with violence (Rojas 1976). For instance, to inhibit the formation of a state-funded transport company ordered by Allende, Leon Vilarin, owner of the Chilean Truck Owners Association, enforced a blockade to prevent the movement of resources as a 'sign of protest' (Rojas 1976). Furthermore, to create dissatisfaction against Allende's economic policies, elites began to organise investment strikes and hoard essential goods, like milk

and ham, worsening shortages in the country (Rojas 1976).

Although Allende's economic mismanagement was partially responsible for the resultant austerity, it was the oligarchic machinations, strengthened by American support, that aggravated existing problems, leading to the Pots and Pans Demonstrations in 1971 and the October Strike in 1972 (Rojas 1976). Incidentally, civic unrest was largely created, organised, and financed by the oligarchy.

Internal Factionalism

The oligarchic opposition and economic inefficiency were effectively used by Allende's domestic opposition, which sought to take advantage of his vulnerabilities. This is because Allende's electoral victory in 1970 was made possible by a coalition of six parties, including the Socialist Party and the Communist Party.

However, these parties represented conflicting interests and collided constantly when deciding the economic approach of the UP. This is reflected in the UP's policies concerning the 'Social Property Area' (Stallings & Zimbalist 1975). The communists demanded that a balance be struck between state control and privatisation by limiting the number of businesses the state expropriated to ensure that the oligarchy did not perceive the state as a threat (Stallings & Zimbalist 1975).

Subsequently, they were willing to grant concessions to certain oligarchs by guaranteeing protection of their business interests in exchange for political support (Stallings & Zimbalist 1975). They hoped that this trade-off would prevent unnecessary pushback by the oligarchy against Allende's economic reforms (Stallings & Zimbalist 1975).

Contrarily, the socialists, encouraged by Trotskyist ideals, demanded a radical restructuring of the economy and supported workers' takeovers of businesses to fuel the 'revolution from below' (Guardiola-Rivera 2013, p. 67). They refused to protect the oligarchy and believed that political power could only be consolidated via a violent revolution that depended on workers' mobilisation (Stallings & Zimbalist 1975; Guardiola-Rivera 2013, p. 68).

The communists and socialists also failed to reach a consensus regarding a unanimous political strategy with other parties in the coalition, most importantly the CDP, which had joined the UP in 1970.

Allende had come to power with a slim majority of 36.2% and lacked the necessary support in Congress to fulfil the promises he made during his campaign (Faundez 1980). Consequently, the communists encouraged cooperation with the CDP to secure a working majority, as they believed this would create a durable political environment and allow the government to pass essential reforms like nationalisation (Faundez 1980).

Nevertheless, the socialists were opposed to any collaboration with the CDP (Faundez 1980). They believed that if the UP singlehandedly implemented its economic programme, it would push the CDP further to the right, causing CDP voters to turn to the next plausible alternative—the Allende-led UP coalition (Faundez 1980). Ironically, by 1971, the CDP *did* shift to the right, but it took its voters with it as the Left failed to provide a coherent and reliable alternative (Faundez 1980).

Allende himself tried to represent and reconcile the ideals of these two factions within the UP. Whilst he believed in Chile's 'transition to socialism' through the emancipation of the poor, he favoured peaceful and democratic means to realise this vision. However, the constant conflict within the UP hampered the materialisation of his vision.

The UP's self-contradictory strategy played to the advantage of the right-wing opposition in Congress led by PN. Once economic problems began to surface, the opposition, strengthened by oligarchic and American support, adopted a strategy to undermine Allende by organising strikes and rejecting UP's proposal to increase wages, which would have undermined inflation and eased shortages (Stallings & Zimbalist 1975). By 1973, the opposition introduced a congressional resolution, accusing Allende of totalitarianism and demanding his resignation.

Institutional Decay

The conflict between the opposition and the UP worsened due to the deterioration of Chilean institutions, like the Congress, which provided mechanisms for debate and decision-making to encourage compromise between different political interests.

Initially, the President and his party could bargain with the opposition in Congress to reach a consensus regarding public policies to prevent deadlocks and ensure efficient governance (Goldberg 1975). It was this internal bargaining that resulted in the congressional ratification of Allende's presidency.

However, by 1971, bargaining sessions in Congress were suspended due to the opposition's refusal to negotiate with UP (Goldberg 1975). The opposition also began to abuse their legislative majority to disable Allende from implementing the reforms that won him the presidency (Goldberg 1975). By 1972, the opposition had impeached seven cabinet ministers of the UP government on ambiguous charges and rejected several UP proposals.

In the absence of bargaining, the government made provisions to refer conflicts to third parties like the courts and the army, which were not democratically elected (Goldberg 1975). Subsequently, the army, albeit initially separated from politics, became increasingly involved in political decision-making (Goldberg 1975). Nonetheless, the politicisation of the military would not have worked against Allende had the military itself not been rigidly divided.

Role of the Military

To bring matters to a head, the Chilean military, actively involved in politics by 1971, was invariably divided into two factions.

One faction, led by General Prats, staunchly supported Allende and his vision for Chile's 'geo-economic sovereignty' from foreign interests and the oligarchy (Guardiola-Rivera 2013, p. 123). By 1972, General Prats was promoted to the position of Minister of Interior (Guardiola-Rivera 2013, p. 218). However, Prats publicly declared that the military would not compromise democracy and was involved only to the extent of investigating the unrest of October 1972 (Guardiola-Rivera 2013). During the 1973 election, it was reported that 30% of officers supported Allende due to his respect for the Constitution, whereas only 15% supported military intervention (Guardiola-Rivera 2013, p. 236).

By 1973, with increasing civil unrest, a protest was 'staged' outside General Prats' residence on the pretext of an incident wherein the General had opened fire on the street (Guardiola-Rivera 2013, p. 270). This led Allende, who was opposed to violence, to replace Prats with General Pinochet, whose political inclinations were unknown at the time (Guardiola-Rivera 2013).

In the background, the anti-Allende faction within the military, supported by US dollars and led by Admiral Carvajal, was working towards executing a coup. Evidence indicates that Allende was conscious of the prospects of a coup and the Chilean intelligence services had prepared 'Operation Silence' to subvert it (Guardiola-Rivera 2013). Ironically, General Pinochet spearheaded the Operation and, since his intentions were unknown, he was presumed to be a constitutionalist, but it was later discovered that he had been in close correspondence with Admiral Carvajal (Guardiola-Rivera 2013).

As civil unrest in Chile gained momentum, the opposition passed a congressional resolution demanding military intervention (Pike 1998). By September 1973, it became clear which side General Pinochet stood on as the army, led by Pinochet and supported by the US, moved to bomb the Presidential Palace (Guardiola-Rivera 2013).

AMERICAN DISAPPROVAL AND THE GLOBAL CONTEXT

As civil unrest ensued, the United States had moved extensively to create inroads to destabilise Chile and undermine Allende's popularity.

The US had a history of intervening in Chile to ensure that political and economic developments within the country favoured American interests. When Allende came to power with ideologies antithetical to the American preference, the US intervened extensively in Chile to expedite his removal.

Politically, Allende came to power when Cold War tensions were at their peak and the American focus was on Latin America, following the consolidation of Castro's Cuba, a communist state publicly hostile to American influence. Allende's relations with communist leaders defiant to the US, like Fidel Castro, led the US to fear the prospects of his presidency in Chile (Muir & Angell 2008). These fears were realised when Allende came to power while preaching socialism, implemented policies that nationalised key industries and brought the Left to Chile's political forefront.

Economically, Allende's presidency collided with the US-led neoliberal experiment, wherein primary economies were integrating into the global market dominated by free-market ideology, under the leadership of the US (Lambie 2006). Allende's vision was not only averse to neoliberal ideology, but also to American leadership of this neoliberal experiment.

Ideologically, Allende's socialism, which extended state control over private businesses to redistribute wealth, went against neo-liberal ideology that emphasised market forces as the primary director of economic policy with the minimal role of the state. Moreover, Allende's policies, like nationalisation, sought to reclaim Chilean resources from American corporations and invest them in national development. Therefore, Allende's socialism did not only go against neoliberal ideology, but also rejected the prospect of Chile following a US-led economic model (Lambie 2006).

Most importantly, I believe that Allende became a credible threat for the US primarily because his presidency could show Latin American countries a path different from the one the US wanted them to follow, away from a US-led neoliberal economic model. Subsequently, the US sought to destabilise Allende by assassinating Chilean general Schneider, enforcing a credit blockade, financing civil unrest, and extending covert support for a coup that would eventually lead to Allende's demise (eds. Kornbluh & Bock 2020). Thereafter, General Pinochet executed the US-led neoliberal experiment in Chile.

CONCLUSION

Conclusively, I would argue that Allende had an exceptional vision for Chile and wanted nothing more than what Western democracies had already promised their citizens: a life of dignity governed by democratic rights, self-sufficiency and freedom from poverty. He was a social democrat who favoured a peaceful and structural transition of the country to address inequality and deprivation amongst his countrymen through democratic means (Fox 2013).

While Allende had his shortcomings, the constellation of powers, combined after decades of imperialism and oligarchic rule, shaped the actions and thinking of the Chilean 'system' in such a way that they failed to converge at one point. With the winds already against his favour, the lack of foresight in Allende's economic policies and domestic political strategy further undermined his vision of a new Chile. Furthermore, the decline in Chilean institutions, indicated by military involvement in politics, sabotaged the integrity Allende envisioned under his governance.

Although he failed to realise his vision, it would be inaccurate to claim that he failed as a President, because he *did* succeed in invoking a social and democratic consciousness that has encouraged Chileans to demand change even today, as witnessed in the Chilean revolution of 2019.

Consequently, the resulting collision of interest, impaired by external forces, paved the way for a military dictatorship that would prolong and exacerbate the suffering that Allende hoped to eliminate.

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Colonial Legacies: Canada's Oppression of Indigenous Women

Sarah Zugehoer

This paper examines the role of the Canadian state in the legalised and politicised oppression of Indigenous women. Under the Indian Act of 1876, Indigenous women became victims of a series of federal policies that have directly and indirectly negatively impacted their livelihood, both as subjects of the state and within their own communities. Indigenous women have been forced to fight for the removal of the unjust policies that were implemented by the Canadian state through the Indian Act, while also continuing to address the gendered oppression they still face as an effect. This will be examined through Charles Tilly's concept of durable inequality and its implications within the Indian Act and Bill C-31, residential schools and the 'Sixties Scoop', and the Missing and Murdered Indigenous Women and Girls epidemic. The use of exploitation, opportunity hoarding, emulation, and adaptation within policy and state initiatives demonstrates how the Canadian state embedded the gendered oppression of Indigenous women into its political and legal framework. In the process, the state effectively established a durable inequality through gendered oppression.

Indigenous women in the Canadian state experience disproportionately high levels of state oppression due to many historical legal and political frameworks that continue to function today in various forms as a state outset of cultural genocide and assimilation. By examining Bill C-31 and the Indian Act, the 'Sixties Scoop' and residential schools, and the Missing and Murdered Indigenous Women and Girls (MMIWG) epidemic, this essay will tie state-sanctioned oppression of Indigenous women to Charles Tilly's concept of durable inequality in order to explain this phenomenon. As Tilly argues, durable inequality explains the persistence of social inequalities in various societies, defining it as an inequality that persists along main lines such as class, gender, and race. His analysis is procedural, providing an explanatory framework for the current oppression of Indigenous women by the Canadian state, which highlights categorical distinctions and organisational histories, allowing an empirical and theoretical discourse for the effects of settler colonialism on its colonised population. Tilly draws from socialist theorists like Marx and Weber to make the claim that resource control is the driving factor that influences all societal beliefs and is a process that can be understood through exploitation, opportunity hoarding, emulation,

and adaptation. These forms of resource control are apparent in the historical and current analysis of oppression against Indigenous women by the state.

Mary Ellen Turpel-Lafond in 'Patriarchy and Paternalism: The Legacy of the Canadian State for First Nations Women' finds the 'theoretical literature on the state both anti-feminist in its abstract conceptualism, and offensive in that it is constructed through [...] a male gaze' (Turpel-Lafond 1997, p. 65). This claim firmly establishes Tilly's concept of categorical inequality in that the relation between interior and exterior categorical differences applies to our understanding of the inequalities experienced by Indigenous women. Interior categories are defined as belonging to 'a particular organisation's internally visible structure' (Tilly 1998, p. 75), which is, in this case, citizen versus state. Exterior categories are then understood to be the installation of 'systematic differences in activities, rewards, power, and prospects' (Tilly 1998, p. 75) within an organisation that does not have an origin; in other words, 'they come from outside' (Tilly 1998, p. 75). Exterior categories are thus defined in the context of this analysis as female versus male. Tilly argues that when exterior and interior categories are matched, as they are in the case of oppression against Indigenous

women, inequality is strengthened both within and outside of the organisation, which is the Canadian state. Within the state, we can see this as the imposition of sexist policies that oppress Indigenous women like the Indian Act and more broadly as the establishment of patriarchal norms by settler-colonialism.

The proto-contact years of Canada's relations with Indigenous peoples provides a base context for the explanation of Indigenous female oppression today. The term 'Indian', while based on a geographical miscalculation in the 15th century, was coined and politically entrenched by the newly-founded Canadian government in the 1800s as an administrative classification which created a singular racial category. Turpel-Lafond notes that the political borders of Canada actually hold many distinct Indigenous peoples whose cultures and practices differ greatly from one territory to the next. The term "Indian" thus boxes Indigenous peoples into a 'monolithic or homogeneous "race"', allowing for Indigenous peoples to become racialised minorities in the eyes of the state (Turpel-Lafond 1997, p. 66). Important to the understanding of the birth of Indigenous inequality in the state is that within many of the distinctly different Indigenous groups, the relation between men and women, while not equal in a Western-feminist sense, was equally valued. Men and women often had their respective roles in many of these societies, yet the difference between Indigeneity—which broadly refers to all aspects of Indigenous identity as it relates to culture, gender, land, politics, and tradition—and Western patriarchy is that despite respective roles, female roles held a much lesser value in Western society. In much of the written knowledge collected by settlers upon the time of contact in North America, nearly all encounters between Indigenous peoples and Europeans were recorded by men (Barman 2011, p. 92). Gendered assumptions brought from Europe to North America highly influenced their depictions of Indigenous life, recording 'Indigenous men in terms of their physicality and Indigenous women in terms of their sexuality' (Barman 2011, p. 92). This is one of the first historical instances of the influence of patriarchy upon Indigenous women, as it 'gave men sexual freedom denied to women' (Barman 2011, p. 92). While these accounts are written through a colonial lens, they also provide the interpreted observation of Indigenous women exercising agency within their community, and not as subordinate to men (Barman 2011, p. 93). Furthermore, in traditional Iroquois societies, women served as the ceremonial centre of Indigenous politics, the Council of Matrons acting as the executive body that could determine policy, highlighting female centrality in Indigenous political structures (Stewart-Harawira 2017, p. 135). Through the process of colonisation, the importance of Indigenous women in their communities was undermined and in some cases, eradicated. The emergence of patriarchal norms into Indigenous societies has meticulously targeted its women through various political forms as an attempt to conquer Indigenous nations, making Indigenous women the entry point for the colonial effort of cultural genocide and assimilation.

THE INDIAN ACT AND BILL C-31

First introduced in 1876, the Indian Act politically defined Indigenous identity by a blood quantum, which functioned as a sex-discriminatory legal disability for Indigenous women for various reasons. During the time period when the Indian Act was ratified, Indigenous families became subject to nuclear units as opposed to their original communal units by the Euro-Canadian foreign economic system in order to control land ownership by providing rights to the paternal figure (Sterritt 2007, p. 7). Through implementing a hierarchical rank over gender duties, traditional and domestic female roles in Indigenous communities were considered inferior to those of the men by settlers, when Indigenous communities themselves often considered these tasks as complementary (Tsosie 2011, p. 32). By understanding Indigenous women as economically inferior to their male counterparts, their access to the European understanding of land ownership and economic claims was seriously damaged. This divergence from the matrilineal economic system that existed prior to contact propelled a patriarchal vision that was both political and religious, promoting the systemic discrimination of Indigenous women as dependents rather than providers. The disenfranchisement of the matriarchy through the new socio-economic status of Indigenous women purposefully pushed for the maintenance of inequality which continues to be prevalent today.

By 1869, sex-based discrimination was implemented into the act through provisions of membership and political rights in the Gradual Enfranchisement Act, which set out to specifically oppress Indigenous women. While the act was based on sex-discrimination, Section 6 was the most oppressive, ordering the 'removal of Indian status from Native women who married a non-Native man, and forced Native women to become members of their husband's Indian band upon marriage' (Sterritt 2007, p. 9). The act removed all inheritance rights from Indigenous women upon marriage while enfranchising those rights to the male husband who could maintain his Indian status and also pass it along to his non-Indigenous wife if he were to 'marry out' (Sterritt 2007, p. 9). This detrimentally affected the political role of women in band council and other traditional forms of Indigenous governance which were in many cases historically matrilineal with a crucial dependence on the political involvement of Indigenous women. Matrilineal politics were outlawed and replaced with municipal-style elected band governance systems, officially legally and politically excluding Indigenous women from their respective government systems, crucially denying them the right to participate in any political decisions, including reserve land-surrender decisions (Sterritt 2007, p. 9). Indigenous women were denied the right to vote or run for band counsel or member positions, barring them from any right to political participation or representation within the Canadian state.

Under Section 12(1)(b) of the Gradual Enfranchisement Act under the Indian Act, Indigenous women who were not able to obtain status after marrying out of their communities were issued identity cards 'that demarcated that they had access to full rights as enfranchised women' (Sterritt 2007, p. 10). Those women who had lost their status through marriage became subject to a process of disenfranchisement which essentially repudiated Indigenous women from their communities and their cultures while also removing their right to live on reserve and forcing the loss of any property inheritance

or ownership (Sterritt 2007, p. 10). The institutionalisation of the exterior gender category within Indigenous law and politics as defined by Tilly demonstrates how the Canadian government bridged both the interior and exterior identity categories of Indigenous women by creating 'widely recognized names for the boundaries and actors, enacting defining rituals, and representing the categories by symbolically explicit devices' (Tilly 1998, p. 80). Exterior categories therefore become interior 'as they move from bare scripts to sites of local knowledge and improvisation' (Tilly 1998, p. 80). The organisational work of the Canadian government in their assimilation attempt mapped exterior categories to interior categories in order to maintain a degree of inequality. Indigenous women could then be targeted for oppression both as a subject of the state and as a woman, demonstrating the exploitation of intersectionality in maintaining inequality by the state. Important also to the political creation of their inequality in the Canadian state was that despite the loss of status, they were not granted Canadian citizenship, demonstrating the 'racism, sexism and a hardening anti-Indian sentiment' of the Canadian state (Sterritt 2007, p. 11). From the implementation of the Gradual Enfranchisement Act in 1876 up until the amendments of the Indian Act in 1985, 'over 25,000 Indians lost their Indian status, and between 1955 and 1985, 16,980 people lost their status, 72% of whom were women' (Sterritt 2007, p. 11). These numbers only account for those who lost their status, and do not include the thousands of children born from that 72%. Amendments to this discriminatory policy were not officially or substantially made until 1985 with Bill C-31, and even then, sex-discrimination was still prevalent.

In 1981, Sandra Lovelace, a woman who had lost her status to Section 12(1)(b) of the Gradual Enfranchisement Act took a legal case to the United Nations where she argued that 'Section 12(1)(b) was in violation of Article 27 of the International Covenant on Civil and Political Rights' (Sterritt 2007, p. 13). By 1982, Lovelace won her case, with the UN determining that this section of the Indian Act was unlawful as it denied Lovelace and thousands of other Indigenous women their right to culture and community, forcing the Canadian government to amend the Indian Act. This amendment came in the form of Bill C-31 which was passed in 1985. Three fundamental principles of the bill were announced by Department Minister of Indian Affairs David Crombie as (Sterritt 2007, p. 13):

1. Removing gender discrimination;
2. Restoring status and membership rights to eligible individuals and;
3. Recognizing band control over membership.

Bill C-31 did not, however, truly achieve any of these outsets. Indian status was now divided into either 6(1) or 6(2) status. The following formula briefly explains Canada's new status-control policy (Sterritt 2007, p. 14):

$$6(1) + 6(1) = 6(1)$$
$$6(1) + 6(2) = 6(1)$$
$$6(2) + 6(2) = 6(1)$$
$$6(1) + \text{non-Indian} = 6(2)$$
$$6(2) + \text{non-Indian} = \text{non-Indian}$$

By June of 1995, 'the amended act permitted for the reinstatement of 95,429 persons, 57% of whom were women', but it also denied the reinstatement of 106,000 people (Sterritt 2007, p. 16). While still harboring residual sex discrimination, the new bill still relies on a blood quantum, but with less legal and sex-based technicalities and now recognised as 'status percentage' rather than 'blood quantum' (Moss 1997, p. 81). Yet, as Wendy Moss points out in 'The Canadian State and Indian Women', the practice of defining Indigenous peoples in 'quasi-racial terms is an exercise rife with controversy and arbitrariness' as 'applying a universal measure to individuals of a certain race or racial descent but of diverse cultural and political backgrounds, cannot help but result in distortions of collective and individual identity' (Moss 1997, p. 83). There is no other population in Canada aside from Indigenous women that is subject to such high amounts of legal and political red tape concerning their personal lives.

While status reinstatement was well underway, the Canadian government could not reverse the patriarchal norms that now soak band politics. Regardless of any political movement within Indigenous-settler relations after the 1985 amendment, including the failed constitutional debates of the Meech Lake and Charlottetown Accords, Indigenous women were still carefully excluded from Indigenous political mobilisation as 'there is little new law pertaining to Aboriginal women's rights or to a requirement for gendered policy analysis in the development of Aboriginal and treaty rights, or equality rights and social processes' (Green 2017, p. 149). There has also been no 'sustained effort by any government to grapple with the extraordinarily high rates of male violence against Aboriginal women' (Green 2017, p. 149). This ignorance is not a coincidence; the Canadian government was not wrong to assume that by targeting Indigenous women in the assimilation effort, they could weaken political mobilisation within Indigenous communities. An issue that the post-1985 amendments faced was the continued control of Indigenous governance almost exclusively by Indigenous men. In the wake of these amendments, several bands in Canada attempted an illegal effort to prevent the women who had lost their status pre-1985 from being reinstated into their bands (Green 2017, p. 151). They argued that 'Aboriginal tradition legitimated the exclusion of women where they married anyone other than a band member and that this tradition was itself protected by the Constitution's recognition of Aboriginal and treaty rights' (Green 2017, p. 151). They were able to argue this because the application of contemporary treaties and intergovernmental agreements pertaining to the concept of 'self-governance' do not take a gendered view of the decolonisation effort (Green 2017, p. 151). The implementation of patriarchal norms into band politics by the Canadian state demonstrates their use of categorical inequality mechanisms through providing access to opportunity hoarding to the non-elite population, which is in this case, Indigenous men. Tilly explains that when a categorical network of non-elites 'acquire access to a resource that is valuable, renewable, subject to monopoly, supportive of network activities, and enhanced by the network's modus operandi, network members regularly hoard their access to the resource, creating beliefs and practices that sustain their control' (Tilly 1998, p. 91). Tilly argues that this

compliments and aids the exploitation of a categorical identity because it 'separates beneficiaries from others, while unequal relations across the boundary connect them' (Tilly 1998, p. 91). This forces any true Indigenous women's political mobilisation to begin at a predominantly grassroots level, especially when many of the men in their communities still subscribe to the advantages of the patriarchy, granted to them through colonisation. This makes the decolonisation effort more difficult than it already is and promotes a trajectory of continued oppression against Indigenous women.

The Indian Act and its amendments have been a key effort directly tied to the marginalisation and high poverty rates of Indigenous women in Canada today. By 2002, 42.7% of Indigenous women in Canada were living in poverty, which is a highly disproportionate rate compared to the rest of Canadian women, nearing almost double the percentage of non-Indigenous women (Sterritt 2007, p. 4). These issues have been recognised by the United Nations Committee on Economic Social and Cultural Rights as an outcome of gender discrimination in the Indian Act, issues of status, band membership, and the political-legal issues of matrimonial real property on reserve lands (Sterritt 2007, p. 4). The poverty issue within the Indigenous women population can be traced to Section 20 of the Indian Act which established that 'an Indian is not lawfully in possession of reserve land without an allotment by the band council as approved by the minister' (Sterritt 2007, p. 17). A Certificate of Possession maintained this system and also included that the right to hold reserve land and occupy that land could be legally terminated if an individual does not or cannot hold band membership (Sterritt 2007, p. 17). This is important for several reasons: Certificates of Possession have been historically granted to men at a rate much higher than women due heavily to their dislocation under the pre-1985 Indian Act, and the legislative protections for the fair division of assets do not apply to Indigenous women who live off-reserve in the same way that they do to those women who live on-reserve (Sterritt 2007, p. 18). Provincial laws govern the fair division of assets in the event of divorce, but their jurisdiction does not apply to reserves or the Indian Act. Furthermore, many bands still control marriage decisions on reserves, and with limited access to Certificates of Possession as well as male control over most aspects of band governance, Indigenous women lack matrimonial property rights which puts them and their children at risk of various forms of abuse (Sterritt 2007, p. 18). Categorically organised opportunity hoarding becomes evident in the case of gendered Indigenous opportunity through Tilly's example of property rights. While his example uses ethnic distinctions, the same can be said for gender distinctions within Indigenous property rights. Tilly claims that state-enforced access to property rights on the basis of an interior category such as gender, which in the case of the Canadian state and Indigenous land claims is provided predominantly to the male, creates the circumstances under which 'opportunity hoarding edges easily over into exploitation' (Tilly 1998, p. 194). This kind of incorporation of categorical distinctions into policy 'reinforces existing structures of power and inequality' (Tilly 1998, p. 197). Gender inequality within Canadian policy allows for a power imbalance within the groups it governs, and promotes an array of issues

within Indigenous communities, including domestic abuse. Abusive situations are also a large contributor to the poverty rate for Indigenous women, yet these issues are a direct outcome of government initiatives to assimilate Indigenous peoples into the Canadian state through residential schools and the child welfare system.

RESIDENTIAL SCHOOLS AND THE SIXTIES SCOOP
Gender discrimination directed against Indigenous women by settler-colonials was a state initiative 'because the legislators recognized that if they could assimilate women, First Nations peoples would be most easily and effectively assimilated' (Turpel-Lafond 1997, p. 69). The Canadian state systemically undermined the family structures of Indigenous communities not only through gender discrimination in the Indian Act and the imposition of male-dominance in their governance systems, but also through forced education in denominational residential schools and the removal of Indigenous children from their communities by child welfare (Turpel-Lafond 1997, p. 70). Residential schools were implemented by the Canadian government in partnership with the Catholic Church as a key element of the state's assimilation program. Indigenous children were taken from their homes and placed in residential schools across the country, oftentimes for a number of years, notably depriving Indigenous mothers of 'their parental roles of raising and educating children and transmitting language, culture and knowledge to them' (Turpel-Lafond 1997, p. 70). In these schools, Indigenous children would essentially be taught how to live as white people in the Canadian state, forcing them to learn a new language, new customs and traditions, and to follow the Catholic religion. Indigenous children experienced extreme physical, psychological, and sexual abuse in these schools, which has been the main contributor to the high levels of substance abuse, violence, and suicide in Indigenous communities today. Residential schools compare to Tilly's concept of emulation. Indigenous communities can be understood as whole organisations which possess their own organisational segments, similar to many other cultures and groups. Residential schools and their promotion of Catholicism serve as a 'duplication of major organisational segments or even whole organisations, including unequal categorical relations, from one location to another transfers the effects of accumulated adaptations; their familiarity makes them seem natural in the new setting' (Tilly 1998, p. 96). Emulation was the predominant goal of the residential school system in its assimilation effort by copying 'established, categorically based organisational models and/or the transplanting of existing social relations from one setting to another' (Tilly 1998, p. 174) in order to create a sense of colonial nationalism among young Indigenous peoples. Furthermore, Tilly argues that the state-led nationalism effort allowed for the homogenisation of a nation's citizens, 'thereby establishing an unprecedented justification for imposing a single group's definitions of origins, language, and social practices by means of public institutions' (Tilly 1998, p. 177). Public institutions like residential schools and child welfare have directly targeted and promoted the inequality experienced by Indigenous women, and while residential schools were equally detrimental to both Indigenous men and women, its legacy has held a very different narrative for Indigenous women than

it has men.

The Sixties Scoop was a government-led assimilationist program that refers to the intervention of Canada's child welfare services in Indigenous communities and their 'removal and subsequent adoption or fostering of Indigenous children in non-Indigenous homes' (Stevenson 2020, p. 135). This event originated in Saskatchewan whose Métis children were removed from their homes by child welfare as a social welfare experiment in the late 1940s and 1950s under the Co-operative Commonwealth Federation government of Tommy Douglas (Stevenson 2020, p. 135). This experiment would come to serve as a template for the widespread removal of Indigenous children from their families across Canada in the 1960s, eventually coming to be known as the 'Sixties Scoop'. Indigenous children began to overwhelm the Ministry of Social Welfare as 41.9% of all children in foster care in 1969 were Indigenous (Stevenson 2020, p. 137). Recognising that many of these children would not be returned to their communities, social workers would place these children in white adoptive homes, leading to an explosion in the trend of transracial adoption of Indigenous children as a logical solution to the burden it placed on the social welfare system, as well as a solution to what the Canadian government saw as 'the Indian Problem' (Stevenson 2020, p. 138). The connection between state-sanctioned oppression against Indigenous women and the influx of Indigenous children in the child-welfare system is not coincidental. Gendered elimination legislation in the Indian Act, gendered and racialised poverty, and the forced dislocation and urbanisation of Indigenous women were all state initiatives that justified the state's removal of Indigenous children from their homes and families. Today, there are more Indigenous children in Canadian foster care and group homes than the total number of children to ever attend residential schools.

A critical contributor to the disproportionate levels of Indigenous children in Canada's child welfare system is the over-incarceration of Indigenous women. In January of 2016, the federal Correctional Investigator reported that Indigenous women account for over 35% of the female inmate population in federal prison, despite Canada's Indigenous population sitting at 4.3% (Eberts 2017, p. 77). Within this statistic, it is important to note that women who face criminal charges are much more likely to lose their children to child welfare authorities (Eberts 2017, p. 78). Incarceration rates of Indigenous women serve as another instance of the concretisation of categorical inequality imposed by the state, and these statistics do not stand on their own. Every effort of assimilation by the Canadian government including the Indian Act, Bill C-31, forced poverty, residential schools, and incarceration rates work together to strengthen inequality. This is evident under the federal Correctional Investigator report which observed that half of Indigenous women offenders 'reported attending or having family members who had attended residential school' while '48% of the file sample had been removed from the family home as children' (Eberts 2017, p. 77). The Native Women's Association of Canada performed their own research into this colonial legacy, finding the 'involvement with a child welfare system as an underlying factor contributing to the violence experienced by MMIWG (Missing and Murdered Indigenous Women and Girls)' (Bourgeois 2017, p. 264). Important also

to the understanding of the intergenerational trauma experienced by Indigenous women is that within this report, nearly all of the women reported experiencing sexual and physical abuse or trauma prior to their criminal offences (Eberts 2017, p. 77). This is the legacy of residential schools, the Indian Act, and the Sixties Scoop; all state stratagems of oppression enacted upon Indigenous peoples and specifically Indigenous women, and it has led to a violent epidemic that is specifically targeted against Indigenous women.

MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS (MMIWG)

Perhaps the greatest current threat to Indigenous women is the Missing and Murdered Indigenous Women and Girls epidemic. To first understand the importance and historical depth of this issue, it is important to note that Indigenous peoples experience what many define as 'a culture of violence.' This refers to 'the image of a dominant Canadian culture that tolerates and even sanctions state violence against First Nations peoples' (Turpel-Lafond 1997, p. 72). The MMIWG epidemic serves as the most current and long-standing example of state-sanctioned gendered oppression against a minority group. The Indian Act has been, by far, the most influential piece of Canadian legislation in the violence experienced by Indigenous women. It has allowed for Indigenous women to become 'legal nullities, placed them outside the rule of law and the protection and benefit of the law and taken them from their families' (Eberts 2017, p. 69). This form of state oppression has created an environment for high levels of racialised and gendered violence by both Indigenous and non-Indigenous men unto Indigenous women.

Mary Eberts in 'Being an Indigenous Woman is a "High-Risk Lifestyle"' argues that the Indian Act and all of its offshoots function 'to make Indigenous women a population of prey' (Eberts 2017, p. 69). The colonial narrative that has historically painted Indigenous women as unfit mothers and wives, and which has demonised and fetishised these women through art and politics, insinuates a wide misconception that Indigenous women willingly live this 'high-risk lifestyle' as their urbanisation and dislocation has pushed many to poverty and crime. This denial of basic civil rights means that 'Indigenous women are assaulted, raped and murdered with scant protection from law or law enforcement' (Eberts 2017, p. 71). In Canada, Indigenous women are five times more likely to die of violence, more likely to be killed by a stranger, and seven times more likely to be murdered by a serial killer than non-Indigenous women (Eberts 2017, p. 72). Between 1997 and 2000, homicide rates for Indigenous women were nearly seven times higher than any other female ethnic group in Canada, with less than half of their cases solved (Eberts 2017, p. 72). Indigenous women make up for only 4% of Canada's female population, yet they account for 16% of female homicide victims, and 12% of Canada's missing women (Eberts 2017, p. 73). In 2014, the Royal Canadian Mounted Police (RCMP) released a statistical investigation for the first time in history regarding crime against Indigenous women, which drew from federal, provincial, and municipal police forces across Canada. These statistics showed that in the past thirty years, approximately 1,200 Indigenous women have gone missing or been murdered (Eberts 2017, p.

72). Out of this number, approximately 1,000 of these women were murder victims, over half of them were under age 31, and many were mothers (Eberts 2017, p. 72). By 2015, an official national inquiry into MMIWG began, examining the state's role in the violence and the true calibre of the issue. Notably, the Final Report called for the need for more responsive, transparent, and accountable policing which was especially targeted against the RCMP. Critiques of the government institutions within the report demonstrate how the ignorance and promotion of inequality through political and legal processes have allowed for the continuation of this issue still today. Through the Indian Act, residential schools, and many other government initiatives, it becomes clear that the state-sanctioned inequality and oppression of Indigenous women has led to a high degree of gendered violence.

In Robyn Bourgeois' 'Perpetual State of Violence: An Indigenous Feminist Anti-Oppression Inquiry into MMIWG', she argues that 'dominant systems of oppression work in interlocking ways to secure an elite on the backs and bodies of other human beings that this elite has deemed less worthy' (Bourgeois 2017, p. 256). Tilly examines this concept as well, claiming that once an elite is threatened as the Canadian government is by a sovereign Indigenous state, they will attempt to 'create racial divisions, to redefine racial boundaries, or to racialize boundaries that already exist as a way of reducing an insubordinate population's power' (Tilly 2009, p. 93). This applies to the interconnectedness of the interior and exterior categorical inequalities of Indigenous women where instead of creating division and oppression solely along racial lines, this issue takes an intersectional approach which includes both race and gender. Tilly's concept of adaptation is evident within this framework as Indigenous male violence done unto Indigenous women 'keeps systems of categorical inequality in place despite playing little part in their creation' (Tilly 1998, p. 97). This issue stems from the imposition of patriarchal norms into Indigenous lifestyle predominantly through the Indian Act which limited the safety and social security of Indigenous women both in their communities and in the state (Bourgeois 2017, p. 261). While Indigenous communities still experienced some gendered conflict prior to contact, it was not nearly to the extent that it is today. Violence against Indigenous women is not just done by white men; Indigenous men are also a part of the issue. Indigenous women experience the highest rate of domestic, spousal violence in Canada,

which directly contributes to the extreme homicide rates among Indigenous women (Heidinger 2021). Through adaptation, Tilly argues that 'in coping with unequal situations, victims themselves improvise routines that involve them in the reproduction of inequality' (Tilly 1998, p. 98). The imposition of patriarchal governance and lineage through various state initiatives has caused the instrumentalisation of violence against Indigenous women done by Indigenous men, and more broadly, the state. This leaves Indigenous women in a vulnerable position where their inequalities become so entrenched within state politics and their own communities that equity is nearly impossible to reach.

CONCLUSION

The political process of gaining equity within a colonial state has been a long-fought process that has occurred on an international scale as well as in Canada. In Manuela Lavinas Picq's 'Sovereignties Within', she argues that 'Indigeneity is a necessary tool for recognising the diversity of political configurations different from Western state-centrism' (Picq 2018, p. 176). Because Indigenous women possess a gendered, political claim to self-determination, the intersectional nature of their discrimination and oppression is not easily addressed as Indigenous politics are situated both within and outside of the state. Both the state and the international system understand sovereignty and reconciliation through a Eurocentric lens, which becomes problematic for Indigenous women's politics as it can be 'marginalized as unreliable and systematically excluded from legitimate processes of knowledge production' (Picq 2018, p. 176). Indigenous politics are often based on epistemological understandings of nationhood and identity, which differs greatly from the Western approach, allowing states like Canada to establish durable inequalities through many state initiatives which are inherently political in nature. Through the use of exploitation, opportunity hoarding, emulation, and adaptation as drawn upon by Charles Tilly, the Canadian state has successfully entrenched the political, economic, and social inequality of Indigenous women into the state. This has been done through the Indian Act and Bill C-31, residential school and the Sixties Scoop, and these state initiatives' creation of effectual violence against Indigenous women. Through this historical understanding and the works of Charles Tilly, it becomes abundantly clear that Indigenous women are victims of oppression and inequality because of the Canadian state's assimilationist policies.

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Revisiting *jus ad bellum*: Implications of the Conceptual Connection between War and Political Community

Jack Yu-Jie Chou

War has a conceptual connection with political community. The concepts of community and 'the political' entail an inherent right to war as the ultimate right to self-determination: a right to designate its own enemy and to preserve its own existence. Yet this notion is neglected by the tradition of Just War Theory. Under Just War Theory, *jus ad bellum* is understood as the law to war, rather than the right to war, because war is perceived as merely a convulsion that must be contained. As a result, political communities' genuine right to war is deprived, and their paramount autonomy denied; further, to overlook that every political community is entitled to wage its own war may lead to a contradiction between its own purpose of containing violence and its consequences. Having the conceptual connection in mind, *jus ad bellum* as right leads to a right-based theory of just war: as long as the belligerents are both political communities, they are legitimate authorities and possess the right to engage in any war they deem as just or necessary with each other; that is, a war should be presumed as just. Thereby, the test of legitimate authority coincides with one of political community, and it is the test of self-help: a political community can only prove its existence by its willingness to fight for its paramount autonomy, namely its sovereignty. And therefore, the right-based theory covers not only existing states, but all other nations that seek their own independence and are willing to fight for it. Political communities are entitled to a right to war simply by their existence. They fight for liberty, but not an abstract and general one — they fight for their own liberty.

War hovers over our species. It has been the recurring theme of our history, and considering recent developments of global affairs, it still will be. At the time of writing, Europe is deep within the ominous shadow of armed conflict between Ukraine and Russia. Meanwhile, when British Prime Minister Boris Johnson commented before the incident that, 'if Ukraine is endangered, the shock will echo around the world, and those echo … will be heard in Taiwan', he was referring to the everlasting yet escalating tension between Taiwan and China (Milliken 2022). All these brinks of violence show that our current world might not be further away from warfare than it was during the Cold War, or on the eve of the last world war.

These constant possibilities of confrontation thus stir a philosophical inquiry: is war morally justified, and if so, why? For centuries answers have been attempted, and among them there is a broad stream of theories with common traits: they are qualified responses, claiming that war is justified *sometimes*—that it is justified only when some given criteria are satisfied (Lazar 2020). This stream is known as Just War Theory, which, in this essay, refers to a group of theories that aims to morally justify war through sets of criteria. Traditionally, Just War Theory's criteria are categorised into two sets: *jus ad bellum* ('law to war'), which regulates *whether* a war should be fought, and *jus in bello* ('law in war'), which regulates *how* a war should be fought (Walzer 2015, p. 21). So, for instance, *whether the war has a just cause*, which is one of the *ad bellum* criteria, would be an important issue under Just War Theory in deciding whether a war between Ukraine and Russia is justified.

Yet apart from being simply another Just War Theory exercise case, the war in Eastern Europe has a further implication: it shows that the more conventional form of war between sovereign states has not been eradicated, notwithstanding that some 'new forms' might have been drawing our attention since the last world war: to name a few, 'guerrilla warfare', the 'war on terror', or even the 'war on drugs'. These instances, among others, show that the term 'war' now has the potential to describe hostile actions of almost any group against anyone else, or if used metaphorically, against anything; while the use of force between Ukraine and Russia can more readily be called a 'war', so can, say, a campaign to eliminate street gangs be phrased as such.

This extended usage of 'war' poses a difficulty to Just War Theory, in particular regarding another ad bellum criterion: *whether the belligerents are legitimate authorities to wage war*. This is one of the battlegrounds for the 'traditionalist'/'revisionist' debate within the Just War Theory stream: whether only states can be legitimate authorities to fight a just war. In a nutshell, revisionists attempt to rebut the traditionalists' statist view. And on this very notion, considering the extended usage of 'war' in our daily life and especially how we talk about the contemporary 'wars' against terrorism, the statist stance of the traditionalists may have lost its appeal to not only the revisionists but also policy-makers out of convenience. For instance, in order for the Bush administration to justify its actions against the terrorists, which is not a state and thus not a legitimate authority under the traditionalist view, as a 'war on terror', it simply claimed that 'the nature of war' had changed (Crawford 2003, pp. 8–10).

Yet it is exactly the recent outburst of conventional warfare between two sovereign states that invites us to revisit 'the nature of war', and to understand that the concept of war is more than a phenomenon of bloodshed. What I am referring to is a conceptual connection between war and political community—a connection that is easily overlooked or reduced by not only our common usage of the term 'war', but also by Just War Theory itself. This issue regarding the nature of war ought to be the starting point of discussion, otherwise we face the danger of dealing with the justification of something without ascertaining that very thing.

War, as argued in this essay, is the centrepiece in

the concepts of state, self-determination, and most importantly, the political. The existence of war is not merely an incidental phenomenon of human conflicts; rather, it is the key of anything political: following Carl Schmitt's claim that the nature of the political is the friend/enemy demarcation (Schmitt 2007, p. 26), the potential threat to each belligerent's existence is ultimately provided by war, which thereby makes war the essential indicator of this demarcation. Therefore, when a community, that is, a collective of persons that has incorporated itself into one personality, claims to be political, it claims a particular quality of its inherent right to self-determination: a right to war, and the goal of such a war is to protect its paramount autonomy, that is, its sovereignty over itself.

And thus, this liberty-right to war requires more attention, as it is the true marker of a political community's existence. But Just War Theory sees nothing of this: under Just War Theory, *jus ad bellum* is always the *law* to war, rather than the *right* to war. Just War Theory only views war as a destructive convulsion that must be contained, yet it neglects how war is conceptually intertwined with political community: while the right to war is the latter's inherent right, the true test of political community also depends on whether it is willing to fight for its paramount autonomy. This failure of Just War Theory does not only deny entirely and directly a community's right to self-determination, but may also lead to a contradiction between its purpose, namely to contain violence, and its consequences.

This is the reason why *jus ad bellum* ought to be rethought: considering the conceptual connection of war, *jus ad bellum* should be released from Just War Theory and understood as the *right* to war, which is an inherent right of a political community. Bearing this notion in mind, this essay aims to revive the importance of legitimate authority with a right-based theory of just war: as war is justified by each community's right to self-determination, the question of legitimate authority becomes *who constitutes a political community?* Yet this key question does not determine whether a war is just or not, but rather whether the conflict is war at all—contrary to Just War Theory, the right-based theory argues that war must be just, as the political community must decide for itself: who is its enemy?

In Part A of this essay, I criticise the two problems of Just War Theory: first, *jus ad bellum* should be understood as the *right* to war instead of the *law* to war, yet the criterial Just War Theory is inconsistent with this understanding; secondly, because of the criterial just/unjust distinction, there is latently an intrinsic contradiction within Just War Theory between its purpose and its consequences: it may enhance violence instead of containing it.

Following the criticism, I propose a right-based theory of just war in Part B: as long as the belligerents are both political communities, they are legitimate authorities and possess the right to engage in any war they deem as just or necessary with each other; that is, a war between legitimate authorities should be presumed as just. Furthermore, I argue that a communitarian argument better answers the issue of legitimate authority, which indicates that not only states but also non-state political communities claiming sovereignty can be legitimate authorities; the true test of legitimate authority is the same as that of political community: whether it

is willing to fight for its paramount autonomy. I also consider an objection, that the proposed theory also fails to contain violence; I respond that the proposed theory manages to contain violence from two particular aspects: the balance of power and application of *jus in bello*.

A. Criticism of Just War Theory
My criticism of Just War Theory can be divided into two problems: a theoretical one and a consequential one. The theoretical problem is that Just War Theory by its criteria denies the right to self-determination of the belligerents, who are political communities. The consequential problem is that, by making the justification of war criterial, Just War Theory suffers the danger of resulting in a contradiction between its purpose, namely to contain violence, and its consequences.

An immediate rebuttal may be that, while individuals enjoy autonomy and yet their harmful acts against others are still limited, why can the belligerents not be treated analogously on the issue of war? This can be responded not only by the state of nature in the international sphere, but more importantly by pointing out a matter that is neglected by both this analogy and Just War Theory, which has thereby led to the two problems: unlike violence and the individual, there is a conceptual connection between war and political community that guarantees the latter a right to war.

A.1 The Community and the Political
One should note that 'community' should not be understood in a loose sense as whatever group with whatever similarities. Here, 'community' refers to a collective of persons that has incorporated itself into one personality. Only by such incorporation can a community 'self-determine': it must have its own person status with its own will, otherwise there is no 'self' to determine and be determined. Moreover, Rousseau rightly noted that upon the hypothetical formation of collective will, individuals must renounce their natural rights completely to the community and place themselves under its will, otherwise there would be no community at all—as natural rights depend on each individual's strength, if anyone retains certain rights while others do not, there would be no equality among the members, as there is no judge in the state of nature; without the fundamental equality of status, the group of persons would be 'inoperative or tyrannical', instead of a community (Rousseau 1913, Chapter 6). Yet renouncement of all natural rights is not equivalent to authoritarianism; rather, in exchange of natural rights, members of the community receive civil rights. These notions show that the key characteristic of community is its production of law according to its will, which is not restrictive but creative in terms of the members' civil right, and the obedience of its members to the law. This characteristic explains why states, compared with churches[1] or labour unions, are more likely to be qualified as communities in the modern day.

Yet when calling a community political, there is an extra layer of meaning attached to it. Following Schmitt's notorious yet profound claim that the nature of 'the political' is the public distinction between friend and enemy (Schmitt 2007, p. 26), a political community is a community that has the ability and willingness to designate others who pose a potential threat to its

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[1] Is the Catholic Church a community? One might raise this question, as the Church has been enacting its own law, that is, Canon Law, which is abided by its members. I would argue that the Catholic Church was more readily a community when Christendom existed, that is, when the Church truly had a say about one's rights and liberties. However, in modern times the undeniable fact is that the state largely monopolises the enactment of law, while the Church in many jurisdictions has even been forced to invoke the state-granted freedom of religion to somehow practise its doctrines. Thus, without the Vatican City wall, the Catholic Church is not really much of a community, in the sense employed here.

existence as its enemy. Meanwhile, war or its possibility, with the potential of mutual killing between communities and thereby threatening their existence, demonstrates the gist of this distinction; that is, war or its possibility is the leading presupposition of all political ideas (Schmitt 2007, p. 34). With this political element, the connection between war and political community is clear: a political community is a community who is willing to distinguish itself from others through the friend/enemy demarcation and the potential of mutual killing; in other words, a community who claims a right to war.[2] When scrutinising Just War Theory in the following, this is the connection that shall be considered.

A.2 The Theoretical Problem

Just War Theory construes *jus ad bellum* as a set of principles, which must be satisfied for a war being justified (Lazar 2020, Part 2.5). In this sense, the Latin term of *jus* is understood as law and *jus ad bellum* as the legitimacy to war (Steinhoff 2007, p. 2). This understanding of *jus ad bellum* demonstrates that Just War Theory is criterial: whether a war is just is decided by whether the criteria are met.

Meanwhile, there can be another understanding of *jus*, that is, as *right* (Fellmeth & Horwitz 2009). This duality of right/law can also be seen in the German term of *Recht* and the French term of *droit*. Thereby, *jus ad bellum* can also be understood as the right to war. In this sense, the possessor of this right has the liberty to decide whether and to whom it should wage war.

The importance of *jus ad bellum* as right is that, as Schmitt noted, the right to war is the essence of a community's political existence (Schmitt 2007, pp. 45 & 49). As mentioned, a political community is one who claims a right to war, yet war is not linked with the political element only: a political community's liberty to decide whether and to whom it should wage war is an essential quality of its inherent right to self-determination, which is derived from the mere fact of its existence. The right to self-determination is the autonomy regarding its form of existence, and war is the means to retrieve or safeguard its paramount autonomy, namely its sovereignty over itself. And therefore, *jus ad bellum*, understood as the right to war, ought to be an inherent liberty-right of a political community.

One might argue that the two understandings might be reconcilable: once the criteria under *jus ad bellum* as law is satisfied, *jus ad bellum* as right will be entitled to the belligerent. Yet by this claim, the 'right' is no longer the essential autonomy possessed by political communities to designate enemies, but only a very limited choice to react. This 'right', subject to a criterial theory, eventually replaces a community's discretionary power with some previously determined norms. As a result, the decision, which should have been made holistically, fragments into a checklist and the community loses the right to decide by itself (Johnson 2013, pp. 23–24), from the perspective of an existentially affected participant, whether according to each and every extreme concrete situation another community should be considered as a threat to its own existence, that is, an enemy (Schmitt 2007, p. 49).

Jus ad bellum as a right of discretion, which is the gist of a community's political existence and its right to self-determine, cannot be fettered: the community is either independent or not, determined by whether its

right to war is limited. This right cannot be substituted by a set of principles, nor to be delegated to some third parties, be it another state, an international organisation, or an international court, otherwise the community ceases to exist either politically or independently. Thus, the two understandings of *jus ad bellum* are mutually exclusive, and if the right to war is, as argued, truly a political community's inherent right, the understanding of *jus ad bellum* as law must be rejected.

Therefore, since Just War Theory is based on the understanding of *jus ad bellum* as law, it should be rejected as well on a theoretical basis: such a theory denies the political existence of a community and takes away its discretion regarding self-preservation, which is inconsistent with the understanding of *jus ad bellum* as right.

An apt reflection of the theoretical problem can be seen with the long-debated issue of Article 9 of the Japanese Constitution, which 'renounce[s] war as a sovereign right of the nation' and provides that '[t]he right of belligerency of the state will not be recognised.' This is an unequivocal instance of an explicitly denied *jus ad bellum*, and despite its intention of rendering the Constitution a 'pacifist' one (Matsui 2010, pp. 234–235), it does encroach on Japan's right to self-determination to a considerable extent: while *jus ad bellum* is rightly noted as a 'sovereign right of the nation', to treat it as merely ancillary to the sovereign right and to sever it is to deny the very existence of the nation as a political community, and, ultimately, to hollow out the state's sovereignty and the Japanese nation's autonomy to itself. Without recognising, or deliberately rejecting the conceptual connection between war and political community, Article 9 aims to re-establish a pacifist nation; yet as an effect of the castration, there is no nation to start with.

A.3 The Consequential Problem[3]

Just War Theory seeks to contain the use of force by distinguishing between just and unjust wars (Atack 2005, p. 61). Taking the current conflict between Ukraine and Russia as an example, numerous denouncements of Russia's military attack can be seen of employing the Just War Theory rhetoric: to name a few, 'unwarranted aggression' as per Canadian Prime Minister Justin Trudeau (2022), 'illegal and unprovoked actions' as per Australian Prime Minister Scott Morrison (2022), and 'assault … without provocation, without justification, without necessity' as per the United States President Joe Biden (White House 2022). Many of these statements have a clear reference to international law, yet the shared underlying rationale is one of Just War Theory, which has been largely codified into international law since the enactment of Additional Protocol I of the Geneva Conventions (Lazar 2020, Part 1). The common implication of these comments is that Russia's attack does not satisfy *ad bellum* criteria, and therefore the war itself is unjust and should not have taken place. Unfortunately, as the facts turn out to be, Russia is far from deterred by these legal or moral arguments.

Yet even setting aside the feebleness of Just War Theory's enforcement in geopolitics, Just War Theory still suffers a problem, that is, a latent yet internal contradiction between its purpose and its consequences, which is caused exactly by the just/unjust distinction. Booth argued that the just/unjust distinction inevitably leads to a moralised situation of 'right against evil'

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[2] Even if the Catholic Church can be deemed as a community, it has nevertheless lost all of its political quality. This is not only referring to the secularisation the Church faced after the emergence of modern states, but more specifically to the point that the Church is no longer willing to claim a right to war for itself.

[3] A methodological note should be made here. The issue of justice has historically had an affinity to the concept of right. This can be seen, again, from the Latin term of jus and its multiple layers of meanings: for instance, at the time of Thomas Aquinas, it primarily meant 'the just thing itself'; afterwards, for Hugo Grotius, its meaning was 'that which is just', while it could also mean 'a moral quality of the person enabling him to have or to do something justly' (Finnis, 1980, pp. 206-207). The point is, a right-based perspective is sounder than a mere calculation of consequential utility when considering an issue of justice: a deprivation of benefits is not unjust unless it is wrongly done. However, as intended here, it would be another matter to point out the detrimental consequences of a theory if the results are the very thing that theory avows to avoid or solve. In that case, such an argument is not utilitarian, but to point out the theory's intrinsic contradiction.

(Booth 2000, pp. 315–316). Yet this notion of just war is not merely rhetorical or psychological; Brown noted that the notion can be traced back to its medieval Christian roots (Brown 2007, p. 64), when just wars were means against the Antichrist. This context is no longer present—yet, Just War Theory is still derived from this theological conception, such that in both its theoretical framework and origin, the idea of *justus hostis* – a just enemy – is rejected, since the enemy must be condemnable (Schmitt 2003, p. 171).

Furthermore, Just War Theory is also discriminatory in the sense that it divides parties into legitimate and illegitimate belligerents in the same war (Schmitt 2003, p. 122). This is the unavoidable result of claiming that some wars can be just while others are not: in such just wars one of the belligerents may claim justice being on its side (since the relevant criteria are satisfied); contrarily, the other belligerent becomes an aggressor—a 'war criminal' (Walzer 2015, p. 51), because it compelled the justified party to self-defence.[4]

As a result of this criterial theory, war becomes not a contained dispute among belligerents, that is, to push back the enemy to the point that it no longer threatens one's existence and autonomy, but a means to realise justice and ethics where the 'evil' deserves to be annihilated (Coates 1997, p. 26), the illegitimate belligerent becomes an absolute enemy of morality (Schmitt 2004, p. 67), and unlimited escalation of the use of force is justified (Booth 2000, pp. 314–315). Such a theory of 'ethical wars' hence cannot contain violence but would enhance it instead (Zehfuss 2018, pp. 180–186). Therefore, on a consequential basis, Just War Theory should be rejected as well, not because of its difficulty of enforcement, but because of an intrinsic contradiction between its premise and results.

This consequential problem was a particular concern during the 'war on terror' waged by the United States. The Bush administration strongly emphasised the moral quality of Just War Theory by claiming that, '[w]e are in a conflict between good and evil, and America will call evil by its name', and as the purpose of war had transformed from simply self-preservation or self-defence to a crusade of goodness, it incurred the worry that the 'just' party might be misled and consider all its actions authorised and excused (Crawford 2003, pp. 15–16). Of course, this is not to suggest that the incidents of torture by the United States army in either Iraq or Guantanamo can be directly attributed to the consequential problem. However, it is a true danger that, as the connection between war and political community is neglected, war becomes an instrument of 'good', and by waving a sword of justice granted by Just War Theory, the 'crusaders' may refuse to deem their opponents as potential interlocutors, but merely 'evils' that deserve to be diminished by any means.

B. Proposing a Right-based Theory

Following my criticism of Just War Theory, I propose a theory that justifies war on the basis of the inherent right of political community: as long as the belligerents both exist as political communities, they are legitimate authorities and possess the right to engage in any war they deem as just or necessary with each other. This is not suggesting that justice has no application in warfare, but that war between legitimate authorities should be presumed as just. That is to say that *jus ad bellum* only

has conditions rather than criteria, which should be assessed by the belligerent itself as long as it is a legitimate authority; and if either belligerent is not a legitimate authority, it only renders the conflict not a war, rather than an unjust war. Calhoun rightly noted that under a criterial theory of just war, any criterion will inevitably collapse into the legitimate authority's own interpretation (Calhoun 2001, p. 50); yet this should not merely be a descriptive remark but, as argued, a normative one due to the right to self-determination of a political community.

Under the understanding of *jus ad bellum* as the inherent right of political community, the question of legitimate authority becomes *who constitutes a political community?* This position revives the importance of legitimate authority, as it has been almost ignored by contemporary discourse (Fabre 2008, p. 963); yet in the right-based theory, it is not a criterion to distinguish just wars from unjust ones, but the essential condition to differentiate warfare from a mere use of force. It is clearly unsound to suppose that theories of war can or should be applied to all cases of violence. For instance, Coates noted that a terrorist attack may simply be an act of criminals instead of combatants because it is not a use of force between legitimate authorities (Coates 1997, pp. 123–124); Hehir (2001) further pointed out that the 'highly discriminating task' of containing terrorists should not be done by 'an indiscriminating tool' such as war, which grants the criminals the identity of combatant.

B.1 The 'Traditionalist'/'Revisionist' Debate on Legitimate Authority

As mentioned, states, compared to churches or labour unions, are more likely to be qualified as political communities. Indeed, the requirement of legitimate authority traditionally confers the right to war exclusively on states (Fabre 2008, p. 964). For traditionalists, the key is that the state has sovereignty and hence a monopoly on violence within its territory, as the citizens had surrendered their rights to it. The state with this monopoly must deny the political quality of its internal groups, that is, deny their self-claimed right to war, so that 'private wars' waged by private groups out of their private reasons are banned, and anarchy is prevented from demolishing the state's sovereignty (Coates 1997, pp. 124–125).

Revisionists criticise this traditionalist position: they claim that states may sometimes fail to be legitimate authorities, and it is possible for a non-state agent to be one (Schwenkenbecher 2013, p. 162). Yet this partially correct conclusion is drawn from an incorrect starting point: revisionists claim that the right to war is justified by the protection of individual rights (Lazar 2020, Part 3.3), which implies that not only states but non-political groups and even individuals can legitimately possess the right (Fabre 2008, p. 968). This is to mistakenly perceive the right to war, which is a community's right to self-determination and self-preservation, as an accumulation of the individuals' right to self-defence. The idea that pre-state individual rights would persist after establishment of state, with its Lockean undertone (Fabre 2008, p. 965), is erroneous. This can be seen not only by the mere claim that natural rights have been renounced in exchange for civil rights, but by the qualitative difference between the two, which is, again, most clearly noted

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[4]   Cf. the concept of 'war crime' under a more classical sense, as noted in Part B.4.

by Rousseau (Rousseau 1913, Chapter 8): an individual's natural right is 'an unlimited right to everything he tries to get, which is bound only by the strength of the individual', while civil rights entail the creation of law; in terms of property, possession is natural, while proprietorship is civil. In other words, despite the shared name of 'rights', natural rights and civil rights are qualitatively different, and only the latter, which is a 'right' in the true sense, exists after the establishment of community.

Thus, an individual's right to self-defence and the community's respective rights to self-preserve are, at most, analogous only. Even if the community's right is somehow formed by collecting the individual's pre-community 'right', the latter would have been extinguished by the process, and be qualitatively different from the individual's post-community right, which is subject to the community. More importantly, a political community's right to war is not to preserve any individual's particular existence but its own. This crucial point can be reminded by the two necessary yet lethal implications of war, namely for individuals to kill and to sacrifice (Schmitt 2007, p. 46): when a community wages war, it is for the community's existence, and to achieve that existence the community may have its members extinguish the existence of other individuals, or of themselves. If, as revisionists argue, the right to war is justified by the protection of the individual, this notion can hardly be justified. Therefore, the revisionist critique must be rejected.

B.2 A Communitarian Argument

Instead of the revisionist attempt, I argue that the traditionalist position should be revised by a communitarian notion of self-determination and sovereignty. Scholars have long noted the connection between sovereignty and the right to war (Cox 2018, pp. 111–112): originally, it was the prince who as the sovereign possessed the right to war (Schwartz 2018, p. 131). After Rousseau reshaped the concept of sovereignty by seeing the collective people as the sovereign (Philpott 2020, Part 2), the sovereign and the subject became different images of the same entity (Rousseau 1913, Chapter 6). Through this shift in paradigm, sovereignty as the supreme authority within a territory is no longer derived externally from, say, divine mandate, but internally from the community's own autonomy to decide for itself (Schmitt 2008, pp. 264–267), and the right to war is no longer a right for the superior to command their subjects to fight but a right for the community to self-determine and self-preserve.

This rationale is all very well as long as the community is congruent with the state. For a state to be a self-determining community and hence to claim the right to war, its unity is essential; that is, it must remain as *one community* having *one will* to determine for itself. And to achieve unity, the people within a state must be homogeneous in some sense, be it ethnic, historical, religious, or national, actually or virtually, so that it can subjectively perceive itself as a unitary community, and its right to self-determination can thus coincide with the state's sovereignty.

However, if a part of the people refuses the possibility of recognising the remaining part as their fellowmen, the state fails to be a unitary community. This is most clearly indicated when that part of people aims to claim its own sovereignty and seeks secession. In such a case,

more than one political community exists within the state's territory: one controls the state apparatus and the other seeks independence. Accordingly, the state cannot claim its sovereignty over the entire people anymore by relying on the notion of one deciding for itself—such a claim over the now heterogeneous seceding community would then be 'other-determining'. Thus, this state's sovereignty is limited to the community controlling the state, and its monopoly on violence is hence limited from denying the other community's right to war. At this point, while the former community, being a state already, owns a right to war, the latter community, which does not have its own state yet, should also possess the right.

The seceding community's right to war is not merely a derivation from its right to self-determination but a keystone to realise its self-determination. That is, the right to self-determination and the right to war are inherently connected: for the former to have practical sense, it must also contain a right to act; yet unlike other rights whose enforcements may rely on the state, the community seeking self-determination cannot rely on the state to enforce the right since the state is often the very party who declines to do so. Here, the notion of 'self-help', which is embodied exactly in the form of *jus ad bellum*, is not merely a task or qualification, but truly a right that is necessarily linked to the community's right to self-determination.

Therefore, the communitarian argument here suggests that although the state is most commonly a legitimate authority to possess the right to war, a non-state political community that claims sovereignty for itself should also possess the right. This notion explains the differences noticed by Mill and Walzer between 'national liberation' cases and 'civil war' cases (Mill 2006, pp. 261–262; Walzer 2015, pp. 90–97).[5] In former cases, where a separate community seeks its own sovereignty, both belligerents have the right to war; in latter cases, where fractions of the same community seek sovereignty over the entire people, neither belligerent is a legitimate authority to truly wage a war against each other.

B.3 A True Test of Legitimate Authority

The question of legitimate authority is, however, still not quite solved: even if it is recognised that a political community is one that claims a right to war, and a community is characterised by enacting laws that are obeyed by its members, the issue still remains rather unclear: who constitutes a political community? The notion that a community must enjoy some form of homogeneity is not helpful either, as it is adequate as long as the homogeneity is subjectively perceived by the members. The crux of any test of legitimate authority should be the *objective* agreement of a community's shared right by its members; consequently, a starting point for such a test should be congruent or consistent with a political community's inherent right to war.

Whether a community is political cannot be decided by anyone external. As a matter of existence, it would be absurd if an outsider has a say on whether the political quality of a community should be present or not. Thus, the decision on whether the community is political, just like the deliberation of a belligerent when exercising its *jus ad bellum*, cannot be delegated to a third party such as the United Nations, nor can it be

5   It should be noted that both Mill and Walzer were considering non-intervention when differentiating these cases, which is not the main concern of this essay; for now, it is only to point out that the two types of cases are substantially different under the right-based theory, and it should not be inferred that Mill's or Walzer's further conclusions on the matter of non-intervention are necessarily agreed upon here.

indicated simply by the recognition of other established communities. Instead, the decision ultimately belongs to the community itself. Meanwhile, a mere appeal to homogeneity is not sufficient; considering the political element, namely a claim to the right to war, the true test of political community is hence that, as Mill nicely put it, whether 'they, or a sufficient portion of them to prevail in the contest, are willing to brave labour and danger for their liberation' (Mill 2006, p. 262). In other words, the true test of legitimate authority is whether it is willing to fight for its paramount autonomy.

The test has two implications: first, when it comes to separatism, whether the seceding group is truly a political community and hence possesses the right to war is after all a question of whether the group is genuinely willing to fight together for its own sovereignty. So, for instance, the Kurds in Western Asia can readily be deemed as a political community, for it seeks to obtain its own sovereignty, and it has been willing to actually fight for it; therefore, the Kurds should be entitled to a right to war, as the right is a necessity for it to achieve autonomy when its original states deny its self-determination, which has in fact been denied by all the states of Turkey, Iraq, Iran, and Syria. At first sight, some doubts may be casted upon this point as certain acts of the Kurdish nationalist movements, such as alleged attacks on civilians committed by the Kurdistan Worker's Party (PKK), have been accused by the Turkish government as acts of terror (Masullo & O'Connor 2020, pp. 77 & 86). Yet, upon closer scrutiny, this would be more of an issue of *jus in bello* which, as noted below, concerns 'a different level of agency' (Steinhoff 2019, p. 314); in other words, if anything is unjust, it would be the alleged acts of PKK as the combatants, but not the war itself, which is waged by the Kurdish people as the belligerent.

Secondly, as war is an expression of the political community, the test of legitimate authority also reveals whether an action is truly a war willed by the community or a coerced mobilisation imposed by a tyrant. Thus, for instance, before drawing the conclusion that Russia's attack on Ukraine is a political community exercising its *jus ad bellum*, one might need to first pay some attention to the anti-war protests occurring in Russia: by 24 February, more than a thousand protestors have been arrested by the Russian government, while more have taken to the streets and squares of Russian cities to protest against the war (Nechepurenko & Bilefsky 2022). Indeed, the current protests are far less decisive than, say, the Russian army mutiny in 1917, and it may be too early to tell how the domestic protests will develop or impact the situation; yet they are undeniably hints that, at least, cast doubts on entitling the attack on Ukraine the status of 'war'—a term that, under the right-based theory, implies justification from the political community's right to self-determination.

B.4 Considering An Objection Regarding Consequence

At this point, one might raise an objection echoing Just War Theory's consequential problem: although the right-based theory is consistent with the understanding of *jus ad bellum* as right, consequentially it still fails to contain violence since communities now have the unfettered autonomy to wage wars. As a response, the right-based theory manages to contain violence from two aspects: the balance of power and the application of *jus in bello*.

First, as demonstrated by multiple countries' response on the Ukraine-Russia incident, they do not simply rely on the appeal to Just War Theory and moral arguments to restrain and halt Russia's actions. Instead, many of them have chosen to side with Ukraine by imposing sanctions against Russia and shipping military aid to Ukraine (Al Jazeera 2022), while other options are still on the table. These facts suggest that, from a perspective of pure efficacy, the pragmatic approach of forming alliances should at least have more immediate assistance to deterrence; and under the right-based theory, the approach would remain the primary means to contain violence. In addition, the right-based theory implies that, since war is presumed as just and belligerents are equally legitimate, other states may freely choose to form alliances with either side or to remain neutral without bearing moral blame (Schmitt 2003, pp. 142–143; 2011, pp. 53–74); this mechanism contains violence even more pragmatically through a balance of power. In particular, smaller states would be more likely to avoid or survive invasions if they focus on forming alliances with other states, instead of relying on the slim hope that intruders would be deterred by moral criticisms.

Secondly, on the one hand, it is to be reminded that the *ad bellum* criteria of Just War Theory are directed towards the belligerents, namely the states; the reason is noted in the Ministries Case at Nuremberg: 'no man may be condemned for fighting in what he believes is the dense of his native land, even though his belief be mistaken' (May 2018, p. 228). Yet as Lauterpacht (1950, p. 40) commented on the Nuremberg trials, 'there is cogency in the view that unless responsibility is imputed and attached to persons of flesh and blood, it rests with no one.' Thus, even if *jus ad bellum* is rethought as suggested by the right-based theory, it still fails to ascribe responsibility to individuals, thus limiting the containment of violence in practice, with detrimental consequences.

On the other hand, brutal acts in war can still be limited through application of *jus in bello* against individuals. Although appearing as the counterpart of *jus ad bellum* under Just War Theory, under a closer scrutiny they are conceptually different: *jus in bello* concerns the particulars in a war instead of the war itself as a whole (Steinhoff 2019, p. 314). Here, *jus in bello*, in the sense of classical European international law before World War I, regulates not belligerents but their members, and the concept of a 'war crime' is applicable only in breach of *jus in bello* but not *ad bellum* since both belligerents are *justus hostis* of each other (Schmitt 2003, pp. 260–262). This concept of *jus in bello* is thus consistent with the notion of wars being presumed as just: while the war itself and the belligerents are just, it is the particular conducts by their members that are culpable and deemed as criminal. Through these aspects, the right-based theory can still contain violence without denying the inherent rights of political communities'.

C. Conclusion

War is inferno, and efforts to avoid warfare are definitely relatable, especially after witnessing atrocities of ruined towns and torn families. Yet war is eternal—at least as eternal as the political quality of our species; this is the unavoidable truth of how war is conceptually connected

with political community. To overlook this connection, as Just War Theory does, is in effect to disregard the political existence and autonomy of the community, which leaves us adrift in a vacuum without our people, and without our nation. In that vacuum, what Just War Theory has filled with is instead the notion of 'just war against evil', which leads to a latent danger of enhancing violence rather than containing it.

The main theme of this essay is an invitation to revisit the concept of *jus ad bellum*. Just War Theory construes *jus ad bellum* as the *law* to war; this is an understanding that neglects the conceptual connection: although the violence from war ought to be contained, a right to wage war must at the same time be recognised as an inherent right of the political community. This notion is related to both the concepts of community and of the political: while being as a community entitles itself an inherent right to self-determination, the political element indicates that there should be the ability and willingness to designate others as its enemy, that is, one that threatens its existence. Both concepts point to a liberty to decide whether and to whom it should wage war—*jus ad bellum* as the right to war.

Considering the conceptual connection, the necessary conclusion is a right-based theory that justifies all wars on the basis of a political community's right to self-determination. That is, as long as the belligerents are political communities, the war they wage must be deemed as an exercise of their inherent right to war; the *ad bellum* criteria in Just War Theory are still important conditions to consider, yet they should be accessed by the belligerents themselves. In other words, when it comes to the existential matter of designating an enemy, discretion cannot be delegated to third parties or some given sets of norms; instead, it must be decided by the community itself.

Therefore, under the right-based theory, the question of legitimate authority becomes a question of *who constitutes a political community*. Like the decision of whether to wage war, the question cannot be determined externally. Instead, the true test of political community, and hence the true test of legitimate authority is whether the community is willing to fight together for its own paramount autonomy, namely sovereignty. This is applicable not only to safeguarding sovereignty by communities that already are states, but also to obtaining denied sovereignty by communities that are seeking independence.

At the time of writing, the unfortunate event of warfare initiated by Russian attacks has trampled Ukraine, while the Ukrainian people have fought for themselves courageously. Yet, under the right-based theory, if Russia as a political community genuinely determines that Ukraine poses a threat to its existence, whether because of joining NATO or other reasons, its right to war must not be denied. And thus, if the war is truly willed by the political community of Russian people, it must be presumed as just. However, as noted, from time to time a tyrant might hide behind the façade of the people and coerce a mobilisation; in this case, the test of legitimate authority still stands: if the tyrant insists on doing so, they risk provoking protests, mutinies, or even revolutions that could pierce their façade and end the attack; at that point, in hindsight the earlier action cannot be deemed as exercising the inherent right to war—as the events turn out, the community is not willing to fight.

Yet, even though the war itself must be presumed as just, this is not at all to suggest that Ukraine's military response is unjustified, nor is the aid from its allies. Quite the contrary: under the right-based theory, the justification of Ukraine's resistance does not come from a sufficed set of criteria; instead, it comes from the mere fact of a united political community deciding to fight together for its autonomy, without considering whether it will win or not—the fighting Ukraine is an apt case to demonstrate the conceptual connection between war and political community: it has the right to war, simply because it exists. And although the right-based theory urges us to gaze upon the dark verity of war, it also seeks to shed light on all the communities seeking liberation and freedom from foreign yoke: Ukraine, Taiwan, Kurdistan, Catalonia, Hong Kong, and all the others. We are entitled to fight for our liberty.

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Peace: A Violent Ideal

Locryn Geake

In this article I argue that peace is a necessarily violent ideal when examined through the framework of just war, wars of necessity, and nonviolence. After offering definitions of peace, violence, and ideals, I move to interpret claims made in the war for peace discourse and theories of nonviolence. First, I argue that when the conditions for wars of necessity and just war are met, they are connected through their reliance on necessity and the end of choice in authorising violence and war for peace. Second, I argue against the claim that nonviolence is a practical means of achieving peace, maintaining that it is an unrealistic method to securing peace and that it fails to separate violence from peace when concerning individual action because violence against the self is implicitly contained within nonviolence. I then introduce the paradox that the moral basis of both just war and wars of necessity means they can be entertained as nonviolence. In closing, I reinforce the conceptual inseparability of violence and peace, and note that to achieve the absence of war we must sometimes wage war.

If we are to discern whether peace is a violent ideal, the answer must invariably rest on three smaller inquiries, namely: what is peace? What is an ideal? And what is violence? To that end, the first section of this essay will be dedicated to clarifying and examining the scope of these terms. I will then move to review literature written on the topic, elucidating and critiquing arguments made in Murad Idris' *War for Peace: Genealogies of a Violent Ideal in Western and Islamic Thought*, Judith Butler's *The Force of Nonviolence: An Ethico-Political Bind*, and Gandhi's *Hind Swaraj*. In exploring the arguments made in previous literature, I seek to further my argument that when examined through the framework that nonviolence, just war and wars of necessity provides, peace is a necessarily violent ideal.

In defining peace, it may be helpful to engage with the Oxford English Dictionary's definition that peace in the Hobbesian sense means 'freedom from civil unrest or disorder; public order and security' (Oxford English Dictionary 2021). This definition captures two crucial elements: freedom from harmful situations, and security. Whilst peace is a nebulous term to which one can ascribe multiple meanings, there are two notions that are important for our discussion: the absence of war, and the contradictory nature of peace. The latter notion, a paradox, means that whilst peace in ideal terms should be absolute, peace's relationality and its lack of independence as a concept means that peace must be understood as an end to be constantly strived for and revised. The former notion, the absence of war, is self-explanatory. Thus, peace should be a situation characterised by freedom from unrest and disorder, security and the absence of war. Yet, it is a situation that is constantly in motion, changing and requiring vigilance in order to uphold it.

Next, if we are to understand whether peace is an ideal, we must grasp the meaning of an ideal. I would argue the defining feature of an ideal is its aspect or pursuit of perfectibility. As Mills asserts in his analysis of ideal theory, an ideal can be understood as both 'ideal-as-normative' and 'ideal-as-model' (Mills 2005). On the former, ideal-as-normative can be accepted as 'those normative/prescriptive/evaluative issues as against factual/descriptive issues … [which] involves the appeal to values and ideals (not set in reality)' (Mills 2005). In contrast, an ideal-as-model is concerned with 'imagining some phenomenon of the natural or social world, (named) P' (Mills 2005). An ideal-as-model is 'a representation of P (set in reality), purporting to be descriptive of P's essential nature and its basic dynamics' (Mills 2005). We are not concerned with an ideal-as-normative, because if peace is just an ideal-as-normative (detracted from reality) then by nature it cannot be a violent ideal because the abstraction of the ideal is precisely that, an abstraction. Rather, an ideal will be understood as an ideal-as-model, because that is the

plane where peace can be understood as an ideal and contested as a violent ideal.

Lastly, before thinking about violence's meaning according to definitions such as Foucault's or Arendt's and Fanon's, it may be useful to think briefly about the epistemology of violence. In other words, what do I think about violence? I think violence requires intentionality, motion, and oneself, another person/group/object to be hurt. For Foucault, 'violence is the physical exercise of a completely unbalanced force' (Foucault 2006). Stemming from Foucault's idea of violence being a physical exercise, Arendt's view that violence is distinguished by its 'instrumental character' (Arendt 1993) is of the utmost importance. Consequently, Arendt's violence serves as a means to an end and as 'a means of coercion' (Arendt 1993). Lastly, by drawing on Fanon's interpretation of violence at the individual level as a 'cleansing force' (Fanon 1974), one can attribute a certain correctional or purifying quality to violence. Thus, we have an informed definition of violence from which to proceed, that violence is an intentional, instrumental physical exercise designed to cause harm, a definition that nonetheless leaves open the idea that violence could be used to ascertain peace. There is also the aspect of the necessity of violence in achieving peace that I have introduced in my response to the question. By this, I mean that because of peace's relationship to violence, and violence's failure to abandon the equation even in the context of nonviolence, it is a logical consequence that violence be necessary to achieving peace as an ideal-as-model. I will now turn to interpret arguments made in the literature surrounding war for peace.

WARS OF NECESSITY AND JUST WAR

In Murad Idris's *War for Peace: Genealogies of a Violent Ideal in Western and Islamic Thought*, by situating peace against war, its conceptual rival, Idris entertains peace's many facets. Idris's argument is that peace is distinguished by 'three consistent discursive structures, the parasitical, provincial, and polemical' (March 2020). Acknowledging these structures within peace, we can see how the 'belief in peace as a basic desire … occludes how readily its invocations dehumanise enemies, sanitize violence, and silence dissent' (Idris 2019). The parasitical aspect of peace Idris seeks to clarify shows us that peace involves 'insinuates' or other notions (Idris 2019). Insinuates include those concepts we have already touched upon above, namely the presence of order, security, friendship or the rule of law. In tracing insinuates from Plato's Laws—the ideas of friendship and the rule of law coupled with security, all located within the Polis—through to Kant's Perpetual Peace vis-à-vis republicanism and pacific federation, Idris shows that recognising insinuates 'makes possible various forms of violence; their conjoinment with peace sanitizes this violence, and perpetuates the myth that one can attain all good things without violence, or with a good conscience' (March 2020). The provincial facet of peace speaks to the otherisation peace contains within it. In idealising peace, certain people 'cast themselves as superior, advanced, cultured, or civilised' (March 2020). This is how one can 'construct areas as zones of peace from the perspective of the theorisers, and zones that need to be pacified which inevitably allows for legitimate violence, or just war, in the name of pacification' (Afsaruddin 2020). The final feature of peace Idris

delineates is its polemical nature, that peace requires the construction of enemies who must be punished for obstinate views regarding peace. Idris believes the polemical nature of peace is so important because it legitimises and authorises war for the sake of peace. For Idris's conception of peace to prevail, there must be 'readily identifiable enemies who refuse to capitulate to the peaceful hegemon' (Afsaruddin 2020).

By focusing on two of Idris's readings of writers in the war for peace discourse, and by introducing Saint Augustine in the just war vein, we can see peace comprised of these discursive structures. By analysing two theories of war for peace within the frameworks of Christian tradition, wars of necessity and just war theory, I will critique Idris's argument that just war theory does not deny the decision to go to war. In doing so, I will further my argument that when the conditions for just war and wars of necessity are met, conditions meaning when we are faced with an enemy that rejects peace or responds to no alternative, peace must necessarily be violent when examined from both a war of necessity and just war theoretical position. To start with Erasmus' conception of necessary war, the Christian, in keeping with both the provincial and polemical facets of peace, is 'invoked as the natural subject of peace where the Turk is valued as a potential convert, a candidate for peace' (Idris 2019). For Erasmus, necessity is both the origin of just war and of Christian peace. The parasitical insinuates of peace are the 'negation of enmity and the negation of political theological difference, peace becomes both peace-unity and peace-friendship' (Idris 2019). The idea of necessity we are interested in exposes itself as Erasmus reckons one can condemn war at the same time as waging it, denying responsibility for waging war by situating responsibility on necessity. For Erasmus, it is that one must decide, in a certain situation, whether to kill, or as what will become clear, whether necessity has decided to kill. To war against the Turk is lawful when it concerns 'the peace of Christendom' (a form of peace-unity) and when 'after everything else has been tried, it cannot be avoided' (Idris 2019). War for Erasmus is the last resort, dictated by necessity. It is not so much a human decision to go to war, it is necessity that makes the decision. This means it is the enemy's responsibility for one to wage war out of necessity, it is that 'war as necessity represents the end of choice' (Idris 2019). Thus, Idris' reading of Erasmus provides us with one form of a response to the question posed, that peace must necessarily be violent because in the case of wars of necessity, necessity dictates we must enact violence and war for the sake of peace.

One aspect of Idris's argument I wish to take issue with is his assertion that the difference between Erasmus' idea of wars of necessity and just war theory lies in the fact that wars of necessity deny the decision to war. I think it is correct to assert that just war according to Aquinas and Augustine is similarly premised out of necessity. Idris does not dedicate a discussion to Augustine in his approach to war for peace, an omission that I think fails to address arguably the original and most important just war theorist. Just war for Augustine is a correctional and punitive effort nonetheless born out of necessity. Augustine views the 'punitive model of war as contributing to the restoration of a moral order' (Langan 1984). As Langan notes, this 'restoration of the moral order is crucial for Augustine and

just war theory, as it is the pursuit to restore this order that permits violent action' (Langan 1984). This same crucial idea is seen in Aquinas' contention that 'war can be for the sake of the enemy, that in waging war we aim to see the (moral) transformation of this enemy' (Idris 2019). In his letter to Boniface in 418 CE, Augustine invokes the idea of wars of necessity to achieve peace, because 'violence is appropriate in dealing with rebels who reject peace' (Langan 1984). For Augustine, 'it is obvious that peace is the end sought for by war. For every man seeks peace by waging war, but no man seeks war by making peace' (Langan 1984). This is again a sentiment echoed later by Aquinas, that 'even war itself is for the sake of peace, and not the converse' (Aquinas 2007). However, Augustine is the first to note the concordant relationship between peace and war, that 'there cannot be war without some kind of peace, because war supposes the existence of some natures to wage it, and these natures cannot exist without peace of one kind or another' (Langan 1984). What one should take away from Augustine's statement here is that 'his concept of peace includes war' (Langan 1984). Augustine in his search for authorising violence remarks 'let it be necessity, not choice, that kills your warring enemy' (Augustine 1955). For Augustine, violent action should not be the result of one's own freedom to choose, but a result stemming from both 'divine and human authorisation' (Langan 1984). Divine authorisation is derived from the Christian notion that violent action is permitted when violence is 'the lesser of two evils in a situation of restricted choice among unattractive options' (Langan 1984). Augustine then finds human authorisation through law, arguing that one can 'obey a law enacted for the protection of its citizens when it commands that an enemy force be met by the same kind of force' (Langan 1984). Thus, I would contend that whilst Idris's reading of wars of necessity for Erasmus is correct, Augustine's just war similarly posits the end of choice and determines that necessity dictates acts of violence and just war for the sake of peace.

Nonviolence

Perhaps in entirely the opposite vein, Judith Butler's *The Force of Nonviolence: An Ethico-Political Bind* is an effort to show nonviolence as a 'social and political practice undertaken in concert' with other human beings (Butler 2020). Butler's premise that 'the power of nonviolence…is found in the modes of resistance to a form of violence that regularly hides its true name' seeks to explicate the idea that nonviolence does not have to mean the complete absence of violence (Butler 2020), more that nonviolence as a practice 'exposes and resists the infrastructures of justified violence' (Kennedy 2020). I present a brief reconstruction and engagement with Butler's argument, followed by my critique that in abandoning the instrumentalist view of violence and by placing equal grievability upon a pedestal, my argument that peace as an ideal-as-model must necessarily mean violence is reinforced. Butler's argument for nonviolence starts from the rejection of violence as instrumental. Instead we should view violence ambivalently, acknowledging violence's 'oscillations between expressions of violence and exercises in power and authority' (Trecka 2020). From this paradigm, Butler argues that we discover the reach of violence; indeed, it is from this and a thorough examination of Melanie Klein (1882–1960)

that she asserts one of her most important claims, that violence 'done to another is at once a violence done to the self, but only if the relation between them defines them both quite fundamentally' (Butler 2020). The insinuation from this understanding is a profound way of looking at the effect of violence not on individual actors, but on the social ties between actors. Butler's main concern is that violence destroys these social ties, and that nonviolence seeks to create new social ties. Butler then introduces two concepts that I believe are the book's strongest elements, in response to her question 'whose lives are to be safeguarded?' (Butler 2020). Her two concepts 'vulnerability and grievability' stem from Butler's ideas on the self, and our interdependency regarding one another (Butler 2020). Her key contribution in this sense is her assertion that vulnerability should not be understood as you or me being individually vulnerable, but that one is 'vulnerable to the social structure upon which one depends' (Butler 2020). This is a relational understanding of vulnerability. From vulnerability, Butler introduces the idea that those who are made vulnerable are designated by a system as being 'without grievability' (Butler 2020). Butler's equal grievability argues that all people deserve life regardless of social standing or other variables; it is an understanding of life that is premised on 'responses to its end rather than upon its inherent value' (Reznik 2021). The worth of each life is then bound to all our lives by a relationship. It is true that, in applying the concept of equal grievability to phenomena like war and violence in the pursuit of peace, it would have 'implications for how we think' (Butler 2020). Yet as I will argue shortly, I believe the concept of equal grievability should further the argument for peace as necessarily violent. I will now take issue with multiple parts of Butler's argument and theory, showing that even when applying nonviolence, peace must still be a violent ideal.

Whilst Butler's argument is founded upon a view of violence that transcends physicality and individuality, it seems to me this is an abstraction away from the common form of violence, a violence characterised precisely by its physicality. Her impulse to form an alternative view of violence, whilst useful for re-thinking social relations and the effects of violence, proves wholly unrealistic when we apply it to achieving peace as an ideal-as-model. The problem can be put down to the fact that peace is an end. When Butler discards the 'restrictive view of violence' where violence seeks a prescribed end (in this case peace), nonviolence fails to have an end as such (Butler 2020), other than an unrealistic end where all recognise violence against others as detrimental to the self and so violence ceases to exist. Thus, whilst nonviolence has a brilliant ability to diagnose the problem, Butler's nonviolence offers little in the way of a programmatic approach to achieving peace as an end. Indeed, Butler herself acknowledges that violence may be 'tactically necessary in order to defeat structural or systemic violence, or to dismantle a violent regime' (Butler 2020). Second, I would assert that her concept of equal grievability can further the argument for the use of violence for peace when viewed from a utilitarian perspective. By this, I mean viewing Butler's equal grievability in a majoritarian sense through John Stuart Mill's definition of utilitarianism, that 'actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness'

(Mill 2009). If we apply Butler's theory of equal grievability to instances where a person or group is enacting violence against others, what should our recourse be but to use violence in order to quell that violence which is damaging and ending the life of others we should be valuing equally? Surely, if we are to properly value the lives of everyone equally, we must make a judgement that we must use limited violence in order to uphold overall or utilitarian equal grievability. So, it should be that whilst I value all life equally, I cannot bring myself to let one person or group damage the lives of so many others. I must therefore value the equal grievability of others over that person or group that has forfeited their equal grievability and suffer the consequence of violence done to the self in the process. Thus, whilst *The Force of Nonviolence* is successful in reconstructing the social being and drawing attention to our relationality, I believe it does not help in a realistic search for peace. We must operate within the confines of a violent reality and therefore achieve a peace that must still necessarily be predicated on violence.

Violent Nonviolence

If Butler's work represents a progression from Idris' writing, Gandhi's *Hind Swaraj* situates itself further afield as an argument for nonviolence. I will argue here that nonviolence to achieve peace as an ideal-as-model according to Gandhi's conception is, like Butler's proposition, a fundamentally unrealistic one. Yet Gandhi still offers us what could be termed moral amnesty regarding the use of violence in self-defence or perhaps in the pursuit of peace in his wider work. To consider this, one must first attend to Gandhi's conception of self-rule, then his analysis of the relationship between means and ends to understand why violence should be inexcusable. On the former, Gandhi's second mode of self-rule constitutes an 'internal principle of action' (Gandhi 1997), a moral transformation of a human being that encourages a new individual ethic. This self-rule is critical for understanding Gandhian nonviolence because of the relationship self-rule has to Gandhi's concept of *satyagraha*. For Gandhi, *satyagraha* is 'love-force, soul-force or, more popularly but less accurately, passive resistance' (Gandhi 1997). It is an idea that must be understood within Gandhi's framework of means and ends. For Gandhi, if we 'reap exactly as we sow' (Gandhi 1997), then by using 'body-force' like the English in their colonial expansion, we will receive violent ends because the means we have used were violent (Gandhi 1997). Thus, according to Gandhi, if we are to achieve moral and nonviolent ends such as peace, we must employ moral and nonviolent means, the means of *satyagraha*. The means of passive resistance are ultimately 'methods of securing rights by personal suffering; it is the reverse of resistance by arms' (Gandhi 1997), a sacrificing of the self-employing persuasion rather than coercion. Perhaps on an individual level, Gandhian nonviolence or passive resistance would work towards peace; however, if we try to translate this practice into achieving wider peace as a nonviolent ideal in practice, it becomes infeasible. Before turning to how Gandhi offers us the opportunity to use violence in search of peace, one should first entertain the realist perspective of Mantena, that Gandhian nonviolence is a 'plausible practical political orientation' (Mantena 2012).

Whilst elements of her argument are persuasive, I maintain the view that despite there being a 'theoretical coherence' to nonviolence as a means to peace (Mantena 2012), nonviolence remains a costly, impractical and unrealistic method to securing peace as an ideal-as-model. For Mantena, it is Gandhi's 'means orientation to politics that recognises how extensive coercion throughout politics and society forces people to become power seekers, either as emulators or for protection' (Mantena 2012). In order to erode the legitimacy of the coercer, Mantena identifies Gandhi's 'acts of withdrawal of consent as pivotal in achieving Indian independence and peace' (Mantena 2012). The issue with nonviolence as a means to peace is fundamentally one of scale. On the notion of cost introduced above, I believe there is an appeasement threshold at which nonviolence fails to give returns for the peace that is secured. Orwell alludes to this idea when discussing nonviolence as a response to the advance of the Third Reich across Europe in his *Reflections on Gandhi*. Orwell notes an interview conducted with Gandhi in 1938 where Gandhi held the problematic view that the Jews should have 'committed collective suicide to arouse the world and the people of Germany to Hitler's violence' (Orwell 2000). It is true that 'if you are not prepared to take life, you must often be prepared for lives to be lost in some other way' (Orwell 2000), yet nonviolence still represents a total disregard for human life, for what peace is there if none are left to enjoy it? On nonviolence's impractical and unrealistic nature, it is that not only is widespread *satyagraha* difficult to organise, but it is wholly unrealistic to expect human beings, even at the localised scale that Gandhi sought, to suffer and not defend themselves. However, perhaps there is an even larger problem with nonviolence. In using *satyagraha* to achieve the end of peace, it is still a violent ideal. This is because through nonviolence you must invite acts of violence against yourself. Violence does not disappear because it is not you that is enacting such violence. Thus, despite nonviolence perhaps being a coherent realist orientation towards politics, nonviolence still fails to dispel violence against the self. Furthermore, if you were to achieve peace as an ideal-as-model even by nonviolent means, peace would still be a violent ideal, yet there is still an endorsement of violence to be found in Gandhi's writing.

Ostensibly, Gandhi's analysis of violence stems from his understanding that 'there is violence at the root of every act of living' (Gandhi 1929). Since we cannot rid ourselves completely of violence, we must turn to nonviolence. Yet there are two elements within his analysis of violence that permit violence—'justifiable' and 'excusable violence' (Rajmohan 1996). The former, justifiable violence, is closely related to Gandhi's views on morality. It is that 'whilst all immoral acts are called violence, not all violence is immoral' (Rajmohan 1996). Gandhi wants us to question 'is my action inspired by egoistic attachment?' (Gandhi 1926) In other words, is the violent action I am about to undertake self-serving or selfless? If it is selfless and 'there is no such attachment, then there is no violence' precisely because it is a moral act (Gandhi 1926). I would like to invoke the idea of just war again here, and in doing so relate it to the fact that Gandhi's 'essence of violence is that there must be a violent intention behind a thought, word or act, that is, an intention to do harm to the opponent

so called' (Gandhi 1936). If it becomes necessary to 'cause suffering to anyone in order to make someone else happy, to do so dispassionately and unselfishly can be nonviolence' (Gandhi 1924). Thus, we can entertain just war and wars of necessity for peace as nonviolence because they arise out of good moral intentions, yet they are simultaneously violent because they nonetheless involve the physical act of violence. Similarly, Gandhi's idea of excusable violence can be linked with the Christian notion of doing the lesser of two evils if the 'only alternative to violence involves committing a greater evil' (Rajmohan 1996). Whilst violence in this sense remains evil, it is better to use violence than to act in a cowardly manner. In the case of British occupation, Gandhi held that 'it is better for her (India) to attain her freedom from the present misrule even by violence than that she should helplessly submit to a continuing rape of her belongings and her honour' (Gandhi 1967). Thus, although his position on violence here concerns freedom from colonial rule, justified and excusable violence are hallmarks of Gandhian nonviolence that can be used to argue that peace as an ideal-as-model can necessarily be violent.

CONCLUSION

Fundamentally, the conclusion we reach is a complex and paradoxical one. From our definitions given at the outset, supported by our analysis of Idris's, Butler's and Gandhi's works, it can be concluded that when the conditions for just war and wars of necessity are met,

peace is a violent ideal. It is also true that when nonviolence is employed as a means to peace, as an ideal-as-model, peace is a necessarily violent one. However, when the conditions for just and necessary war are not met, peace can be sought through nonviolent means. Yet when the conditions are met, the war that is just or necessary will always be violent. It must be violent because in order to reach peace as an end through just war and wars of necessity, some violence will have to be committed if we are forced to be violent by our enemies, or if we are faced with the end of choice which forces us to commit violence if it is the lesser of two evils. In searching for peace, as Gandhi states, we must also avoid cowardice and appeasement. In cases like these, it may be moral to use violence towards seeking peace as an end, because justifiable and excusable violence authorises paradoxical nonviolent violence to achieve that peaceful end. However, the greater paradoxes that have been inferred is that, stemming from the absence of war from our definition of peace, it must at times be necessary to wage war to achieve the absence of war. Even if one was to use nonviolence as a means to peace, they will always fail to dispel violence against the self. It matters greatly that peace is a violent ideal because, to invoke the words of Isaiah Berlin, if you honestly seek peace, you must 'harden your heart' and be prepared to use violence to attain peace. Ultimately, peace as an ideal-as-model must be a violent one when examined through the framework of nonviolence, just war and wars of necessity.

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Setting the Agenda for Civil Society:
Civic Republicans, the 'Bowling Alone' Hypothesis, and the Quest for Civil Virtue

Tyler Jager

Contemporary disciples of civic republicanism celebrate Quentin Skinner's 1998 essay, Liberty Before Liberalism, for tracing a novel history of their intellectual tradition. Yet many underappreciate Skinner's anxiety that civic virtue in a free republic might be too fragile to maintain. If the tendency to follow the common good comes so unnaturally to the human psyche, how can a civic republic cultivate it? In this essay, I identify two diverging strategies with which twentieth- and twenty-first-century civic republicans have developed to address the maintenance of civic virtue. One view, drawing from Niccolò Machiavelli, places the burden of cultivating civic virtue primarily upon state-owned institutions. Another view, espoused by modern republican theorists like Hannah Arendt and empiricist Robert Putnam, place this burden primarily upon independent civil society. I first suggest that civil society alone is an insufficient means of virtue-cultivation, since its diverging orientations invite too grave a risk of factionalism. Instead, I propose that civil society's orientation toward civic virtue is inseparable from the republican state's agenda-setting power. I draw on the policy feedback literature in American political science to argue that government programs create their own constituencies and offer several examples of public programs that set a 'civic agenda' for grassroots political participation. Civic virtue, I suggest, is best maintained when citizens encounter public administrative programs that bring individuals together in service of the common good.

I. Civic Republicans and the Cultivation of Civic Virtue

In his seminal 1998 essay *Liberty before Liberalism*, the British historian Quentin Skinner offered a novel conception of civic republicanism's intellectual history. Skinner placed civic republicans firmly within the neo-Roman tradition, tracing their political thought through James Harrington in seventeenth-century Britain, and previously, through Niccolò Machiavelli in *Discourses on Livy*. Unlike classical liberalism, the precepts of which prioritised limited government and the protection of individual freedoms, neo-Roman civic republicanism championed 'free states … defined by their capacity for government', wherein state actions are directed by the aggregated will of the majority (Skinner 1998, p. 26). The theory's twentieth-century disciples, among them Hannah Arendt, Philip Pettit, and J. G. A. Pocock, departed from the liberal, atomised view of individuals and their duties in the liberal state. They argued that individual possession of liberty must be, as Skinner puts it, 'embedded within an account of what it means for a civil association to be free' (1998, p. 23).

However, Skinner added one critical and overlooked caveat to this theory, in a long footnote to the first chapter of *Liberty before Liberalism*: to maintain a 'free state' oriented along a civic republican framework, Skinner says, 'there must be a willingness on the part of the people … to devote their time and energy to acting for the common good' (1998, p. 32). Ordinary citizens must practice civic virtue to maintain the republic, yet as Skinner elaborates, '*virtú* is rarely encountered as a natural quality: most people prefer to follow their own interests rather than the common good' (1998, p. 33). If the tendency to follow the common good comes so unnaturally to the human psyche, how can a civic republic cultivate it? The question ought to concern civic republicans, if they agree with Skinner that upholding the common good is necessary for a free state's survival.

In this essay, I argue for a synthesis between two different strategies that twentieth- and twenty-first-century civic republicans have deployed to cultivate and sustain civic virtue. I begin by concurring with the view of republican theorists like Hannah Arendt, and empirical political scientists like Robert Putnam, that robust civil society is a *necessary* component of civic virtue's development and maintenance in individuals. However, I depart from Arendt and Putnam in their conclusion that civil society is a *sufficient* means of virtue-cultivation. This conclusion is unsatisfactory, I suggest, because it does not sufficiently address the concern first posed by Machiavelli: that civil society, unchecked, risks factionalism, and that its aims are too easily captured by private and exclusionary interests. I argue instead that civil society's orientation toward civic virtue is inseparable from the republican state's agenda-setting power. Drawing on the work of Paul Pierson, Suzanne Mettler and other social scientists who have argued that government programs create their own constituencies, I offer several examples of public programs that set the agenda for grassroots political participation, such as the Tennessee Valley Authority, the G.I. Bill, and the modern US refugee resettlement program, and orient individuals toward 'common good' civic behaviour. Civic virtue, I contend, is best maintained through the contestation of citizens' experiences of public administrative programs that bring individuals together, in labour or service for a 'common good'.

I also place voluntary associations and civic republicanism in dialogue with the work of political scientist Robert Putnam. His seminal book, *Bowling Alone: the Collapse and Revival of American Community* (2000), posited that civic engagement in the United States declined from 1970 to the book's publication in 2000. In this category of 'civic engagement', Putnam includes political and civic participation, religious observances, connections in the workplace, and informal social connections — all of which comprise 'social capital.' (For the purposes of this essay, I will approach Putnam's civil society on his own definitional terms.) Yet Putnam does not adequately address the degree to which civil society can be used—and often *is* used—for illiberal, exclusive

purposes.[1] As critics of liberalism such as Charles Mills and Iris Marion Young might argue, the 'Affluent Society' period of the 1950s and 1960s that Putnam reveres as the golden age of American civil society was instead dominated by illiberal civil society, whose existence depended on the exclusion of Black Americans, women, and other oppressed groups. Civil society is fraught with other exclusionary problems. Participation in voluntary civil society is a privilege for those with surplus labour, and requires trade-offs in terms of using labour for other ends. I find that these concerns are best addressed through the interplay between civil society and the administrative state—a state that can maintain the vitality of civil society oriented toward a republican conception of civic virtue. Instead of regarding voluntary civil society as a constant with a set of immovable characteristics, as Putnam does, I argue that civil society and its orientations toward specific conceptions of public good are highly variable, and responsive to the push and pull of the republican state.

The finding that civil society's behaviour is malleable implies that its exclusionary tendencies are far from inevitable. To the contrary, the maintenance of civic virtue by civil society remains an attainable goal—but only after social agendas emerge from encounters with the administrative, republican state.

II. Civic Virtue and the Republican Ideal Led Astray

What is the civic republican tradition, and what is its relationship to an even more slippery concept, civic virtue? Political theorists of the twentieth and twenty-first centuries who are deemed 'civic republicans' represent a diverse cohort: thinkers such as Skinner, Pocock, Pettit and Arendt have all been attached to the civic republican label. They claim the threads of a tradition that runs through the work of James Harrington, and other political opponents of Thomas Hobbes, in seventeenth-century England; Machiavelli, in sixteenth-century Florence, particularly in *Discourses on Livy*; and Tacitus, Polybius, and Cicero, the classical Roman civic republicans.

Albeit with important differences of opinion, civic republicans share general views on the nature of justice, freedom, and sovereignty that distinguish them from classical liberals. First, civic republicans diverge from the classical liberal view that natural liberty predates the formation of governed human society and the social contract; in other words, civic republicans do not begin with a 'state of nature' genealogy of the social contract, and do not take seriously the condition of perfect freedom in isolation from others. According to classical liberal logic, the goal of governed human society is to bring the individual as close as possible to this state of natural liberty. Instead, civic republicans argue that 'freedom presupposes society', and that any notion of freedom has to draw its source from the laws and norms of society (Pettit 2014, p. 24). From this principle, Philip Pettit derives the republican framework of 'freedom as non-domination', in opposition to the liberal framework of 'freedom as non-interference'. Rather than treating freedom as free rein over one's life, as liberals do, the republican conception of freedom emphasises safeguards against the domination of a citizen's liberties by others.

Second, civic republicans connect an individual's

freedom to the freedom of entire communities. For instance, Skinner traces the idea of a 'free commonwealth' to the 'ancient metaphor of the body politic', which neo-Roman republicans treat 'as seriously as possible' (1998, pp. 20–24). Third, a state or political community may only qualify as free if 'the laws that govern it' are 'enacted with the consent of all its citizens' (1998, p. 27)— a will of the people, most often represented as majority consent. This view of majority consent, Skinner contends, draws an important contrast with the classical liberal view of consent according to John Locke. While civic republicans would agree with Locke that consent is necessary for the original legitimation of government, they go a step further by claiming that each law thereafter requires the newly expressed consent of the governed.

One critical ingredient is still missing from this view of the free state: the civic republican state, not without its vulnerabilities, is unsustainable without *civic virtue*. The central role that virtue plays in maintaining the self-governing republic is acknowledged in the work of Pettit, Arendt and Skinner alike, as well as in other civic republican texts, including James Madison's contributions to the Federalist Papers. In his discussion of Machiavellian republicanism, Pettit notes that the preservation of a 'mixed' constitution that Machiavelli champions—one where power is diffused among all sects of society—requires ordinary citizens who are 'able and willing to assert their free status in relation to any authorities' (2014, p. 8). Without 'a contestatory citizenry', Pettit argues, the mixed constitution was bound to fail as a political project. In his Tanner Lecture, 'The Paradoxes of Political Liberty', and his own writings on Machiavelli, Skinner expands on the idea of *virtù* to which he devoted his critical footnote in *Liberty Before Liberalism*. In Skinner's interpretation, Machiavelli regarded civic virtue as 'the willingness to do whatever may be necessary for civic glory or greatness, whether the actions involved happen to be intrinsically good or evil in character' (Skinner 1981, p. 54). In more concrete terms, civic virtue denoted two particular 'capacities': first, 'the courage and determination to defend our community' against conquest; and second, the possession of civic qualities 'to play an active and effective role in public life' (Skinner 1984, p. 242).

For Skinner and Machiavelli, the presence of civic virtue among both leaders and citizens was a prerequisite for civic greatness: it inspired similar virtuous behaviour in others and staved off corruption and decline. Though she does not make use of the same term, Arendt recognises the importance of a 'contestatory citizenry' dedicated to the common good when she draws a distinction between the 'Rousseauian-Kantian solution of obligation' in the social contract versus her own view of the matter (Arendt 1972, p. 85). For Arendt, consent to the spirit of the laws is not about an individual's acquiescence to the rule of law from an internal point of view, but instead consent 'in the sense of active support and continuing participation in all matters of the public interest' (1972, p. 86). The civic republicans are in agreement: the more citizens existed who would place the common good over their own selfish interests, the more likely that the free republic was to attain and to maintain political liberty.

While civic republicans often refer to the common good in diverging theoretical terms, I will depend upon

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[1]   As I discuss later in the essay, Putnam frames this issue as one of 'bridging' vs. 'bonding' social capital, but he offers few solutions to reconcile their two competing goals. *See*, e.g., 'The Dark Side of Social Capital' in Bowling Alone, pp. 350–363.

John Rawls' definition of the common good as 'general conditions … that are approximately advantageous to everyone' for the purposes of this essay (Rawls 1999). Here, I follow Skinner, who also uses this definition, to evaluate his argument about civic republicanism on its own terms (1984, p. 244). For Skinner, the maintenance of individual civic virtue is a step toward realising the common good: in other words, the common good is the predicted outcome of a public that practices civic virtue.

It is worth noting that while the common good can be a shared *aim* of public institutions, and the cultivation of civic virtue a shared *function*, the precise form of those institutions remains undefined. The common good could be captured by a Rawlsian distribution of resources, an active and equal system of civic life and political representation, or a Roman-inspired project of mass public works, excluding none—all are coherent with the principles of civic republicanism. More relevant to the republican project and to my aims in this essay than a concrete blueprint is a general pathway by which a republic might attain the common good. By staying relatively agnostic about the precise form of common-good institutions, the civic republicans manage to avoid a teleological conception of the free state. Instead, they emphasise the state's establishment and maintenance, and the corresponding maintenance of civic virtue among citizens. For instance, according to Arendt and Pettit, a 'common good' outcome is one achieved through the active contestation of public interests. They harbour few illusions that citizens could form a political consensus around a common good; rather, the political will to implement a version of the common good is satisfied by the combination of cultivated civic virtue and majority consent.[2] Ultimately, I concur with the civic republicans, and concede that a more complete blueprint of common-good institutions lies beyond the scope of this paper. However, I will defend the core definition of the common good as one without exclusion, and one concurrent with the aims of a civically-virtuous citizens. I can then show that cultivating civic virtue via the interplay of civil society and public programming is a more robust and likely pathway toward realising the common good.

Having established the importance of cultivating civic virtue oriented toward the common good, the civic republicans come against a critical dilemma: what guarantees exist such that members of a free republic will remember their virtuous behaviour, placing priority on the common good and upholding the liberty of the free state and one another? As Skinner reports (paraphrasing Machiavelli), 'we can hardly expect the generality of citizens to display much natural *virtù*,' (1981, p. 58) and their abdication of virtue results in two threats with the potential to cripple the republic. First, the people might stay idle, declining the invitation of active citizenship and thereby letting corruption and collapse flourish. Alternatively, though, factions among the people might deliberately sabotage the republic. In this more insidious scenario, the saboteurs would remain active in civic life, swearing fealty to the common good—only to strengthen their individual, corrupted private interests. This scenario posed an even greater danger to the republic in Machiavelli's and Skinner's view, because the sectarians in question could build popular support from other citizens. Even as many citizens seek out to emulate sincere civic virtue, false

idols of the common good are likely to lead them astray. The difficulty of reconciling a commitment to civic virtue with the doubtful prospect that people would willingly uphold it or the common good serves as the titular paradox in Skinner's Tanner Lecture, and has since consumed generations of civic republicans.

III. Who Sets the Agenda? Two Theories of Maintaining Virtue

United in agreement about the difficulty of maintaining civic virtue, civic republicans of the twentieth century diverge in their proposed solutions, particularly among those championed by Skinner and Machiavelli on one end, and Arendt and the contemporary political scientist Robert Putnam on the other. In this section, I aim to show that the key point of contention between their proposals is the question of who ought to direct the sorts of institutions that can maintain civic virtue. Skinner and Machiavelli emphasise state control over communal institutions, such as religion, political factions and the rule of law, while Arendt and Putnam draw on the traditions of Alexis de Tocqueville to emphasise non-state control of civic life: that is, the crucial role played by civil society. The thrust of my argument in later sections rests along this plane of controversy, synthesising aspects of both camps.

To devise a solution to the dangers of declining civic virtue, Skinner again chooses to echo Machiavelli. In their shared view, the logic of individual 'enlightened self-interest'—a self-interest oriented toward the common good—is often so complex as to evade rational discussion, when the benefits of 'natural self-interest' seem so falsely obvious (1984, pp. 244–247). Instead, Skinner and his republican interlocutors place their faith in the coercive power of the law. In the social contract theories of Hobbes and Locke, the law preserves individual liberty by preventing others from interfering with our political rights. By contrast, Machiavellian republicans view the law as a means to coerce *ourselves*, forcing us 'into discharging the full range of our civic duties, and thereby to ensure that the free state on which our liberty depends is itself free of servitude' (1984, p. 245). Skinner goes on to note the Roman use of state religious institutions to induce self-interested individuals in fighting for their community, a strategy that also impressed Machiavelli (1981, pp. 61–64). State control over religious practices allowed virtuous leaders to arouse terror of divine retribution among Romans who would otherwise stray from the common good. Machiavelli provides a memorable example in *Discourses on Livy*. After Hannibal defeated their army at Cannae, Scipio forced Roman citizens to swear an oath—not to the state, but to the Roman gods—never to abandon their native land. When national loyalty did not suffice to keep citizens at home, they 'were kept by the oath they were forced to take', a compulsion that 'arose from nothing other than the religion that Numa had introduced to the city' (Machiavelli 2008, p. 51). According to Skinner's reading, the coercive civic virtue maintained by both laws and by religion follows a similar logic. To uphold civic virtue and the common good among citizens, the republican state and its leaders must capture and control civic institutions such as the legal and the religious sectors. State ownership of institutions was necessary for the effective inducement of civic virtue, since private institutional

ownership posed too great a risk for capture by private interests. Machiavelli's distrust of the Catholic Church and the Medici, both private institutions in religion and politics respectively, reflected this preference: these private institutions weakened the common or communal good because they represented private, selfish interests, uplifting the interests of factions and corrupting the civic republic.[3]

While Arendt shares Skinner's and Machiavelli's concerns about the maintenance of civic virtue, she proposes a different solution, one derived from the traditions of a different political thinker: Alexis de Tocqueville, and his admiration for American civil society. In her essay 'Civil Disobedience', Arendt aims to critique the view of civil disobedience promoted most famously by Henry David Thoreau, in which citizens disobey laws only as far as they are directed to do so by their individual moral compass. For Arendt, Thoreau's defence of a conscience that 'hinges on interest in the self' is wholly 'unpolitical', for two reasons: first, such a defence is entirely subjective, and makes no distinction between a well-founded conscience and a weak one; and second, that 'conscience … presupposes not only that man possesses the innate faculty of telling right from wrong, but also that man is interested in himself, for the obligation arises from interest alone' ([1972], pp. 64–65). Here, Arendt is clear that she does not mean interest in the sense of self-serving interest, but in the sense of a 'habit of thinking, of reflecting on what one is doing': being not only 'a good man', but a 'good citizen' ([1972], pp. 64–65).[4] Self-reflective citizenship of this sort is so rare to find in ordinary citizens, because it is a 'rather profitless enterprise' — one on which a genuine politics of civil disobedience could never depend. In her own way, Arendt articulates the same dilemma that so agonised Skinner and Machiavelli: to uphold good citizenship, the average person needed more deliberate prodding than a mere appeal to individual conscience.

For inspiration to resolve the dilemma, Arendt turns to the civil disobedients themselves, and here she breaks with Machiavelli and Skinner on the avenue most likely to cultivate civic virtue. Whereas Machiavelli finds civic virtue alive and well in the foundations of a free state's rule of law, Arendt anticipates danger. Writing in 1972, she saw an American world of 'disastrously overburdened courts' and an 'overloaded prison system', a world where drug trafficking, mugging and burglary targeted innocents with impunity ([1972], p. 74). The problem, in her view, was not merely a lack of enforcement, although *criminal* disobedience was a certain consequence of impunity. But the impunity itself was an indication of eroding civic trust in legal institutions, regardless of their enforcement, and therefore a decline of the law's public authority. This decline of legitimate authority was the source of *civil* disobedience: it arises when 'a significant number of citizens have become convinced that the normal channels of change no longer function, and grievances will not be heard or acted upon,' or when government 'persists in modes of action whose legality and constitutionality are open to grave doubt'— in other words, when the law loses its public authority ([1972], p. 74). At this moment, the legal order of the free state is subject to a dramatic transformation. The source of public authority is transferred from the written law to the civil disobedients themselves, who publicly and purposefully flout the law to call into question

its authority on behalf of a group. Arendt asserts that group-based civil disobedience is the expression of a legitimate legal opinion, sometimes expressed with enough authority to challenge a Supreme Court decision, as she recounts in the case of the Fourteenth Amendment.

Once Arendt connects the civil disobedients and their aims to Tocquevillian civil society, she shows her true colours. Tocqueville's famous observation that 'America is, among the countries of the world, the one where they have taken the most advantage of association' rings wholly true for Arendt ([Tocqueville 2000], pp. 181–186). Civil society, the formation of voluntary associations among citizens without the involvement of government, was the method Tocqueville identified by which 'sentiments and ideas renew themselves, the heart is enlarged, and the human mind is developed' in a democratic society ([2000], p. 491). In one respect, by equating civil disobedience with civil society, Arendt misapplies Tocqueville, who maintained that the sorts of associations to which he referred 'have an object that is in no way political' ([2000], p. 489). Yet on this conclusion she is resolute:

> It is my contention that civil disobedients are nothing but the latest form of voluntary association, and that they are thus quite in tune with the oldest traditions of the country. What could better describe them than Tocqueville's words "the citizens who form the minority associate in order, first, to show their numerical strength and so to diminish the moral power of the majority"? ([1972], p. 96)

For those readers who place her firmly in the civic republican camp, Arendt's conclusion diverges from the Machiavellian vision of the republic to a surprising extent: occasionally, good citizens seeking to uphold official duties to the state must engage in *extralegal* action to preserve it. Arendt's insight here is that the corruption of civic virtue can often begin in the state itself, and the 'moral power' (to use Tocqueville's term) to oppose such corruption could be cultivated in voluntary associations. What we risk by neglecting civil society is the ability to moderate our own civic virtue from outside the state.

Arendt's argument that civil society is fertile soil for cultivating civic virtue has a score of disciples in contemporary social science who have expanded further on the idea. The twentieth-century concept of 'social capital', which is often attributed to political scientist Robert Putnam, coheres nicely with Arendt's conception of civil society. As Putnam articulates in two books—*Making Democracy Work*, and *Bowling Alone*, the latter of which I will focus for the purposes of this essay—social capital refers to the social connections and networks that build reciprocity and trust among individuals ([Putnam 2000], p. 19). In *Bowling Alone*, Putnam uses the theory of Tocquevillian civil society to lend significance to his argument about social capital, connecting its value (and the consequences of its absence) to the finding that 'by virtually every conceivable measure, social capital has eroded steadily and sometimes dramatically over the past two generations' ([2000], p. 287). Putnam traces the decline of social capital from roughly 1970 to 2000 within a broad range of civic institutions, the membership and civic vitality of which have begun to unravel:

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3   For Machiavelli's distrust of the Catholic Church, *see* Skinner, *Machiavelli*, pp. 63-64. For his distrust of the Medici factions, *see Machiavelli*, pp. 71-74.

4   *See also* Arendt's discussion of Abraham Lincoln's and Henry David Thoreau's differing reasons for opposing slavery, p. 61.

from traditionally political actions and participation to community-based civic organisations such as the PTA, workplace associations such as unions and professional societies, religious institutions and places of worship, and even informal association among neighbours and friends. Just as Tocqueville and Arendt recognized, Putnam too argues that the outcomes of social capital and lack thereof can make all the difference in the world. In one striking meta-statistic, dying is two to five times more likely for individuals without social connections or community ties (2000, p. 327). With regard to politics, Putnam sides with Arendt that voluntary associations play a powerful role in democratic society because they allow individual citizens to contest official accounts of public interest and to propose their own. All the more significant for my argument, he directly connects the importance of social capital for American democracy with the cultivation of civic virtue. Voluntary associations serve as 'occasions for learning civic virtues' and sites of civic skill building, forming the training and habits necessary for effective membership in a democratic society, such as running a meeting or debating a public issue with civility (2000, pp. 338–340). Arendt operates in the same vein when she praises civil society as a uniquely American remedy for 'the unreliability of men', and pulls a favourite line from Tocqueville: that by enjoying a 'dangerous' freedom to associate, 'Americans [can] *learn* the art of rendering the dangers of freedom less formidable [*emphasis mine*]' (1972, p. 97).

The line drawn between this view of virtue-cultivation and that of the Machiavellian camp could not be starker. The very same institutions that Machiavelli feared would corrupt civic virtue and the common good are the sites where Arendt and Putnam place their greatest hopes for achieving the common good and maintaining civic virtue. This divergence between the two camps of the civic republicans is not a new observation; Michael Walzer focuses precisely on the distinction in a 1990 lecture on the subject, arguing that the celebration of civil society presents a challenge for republican theory that he cannot resolve:

> Here is the paradox of the civil society argument. Citizenship is one of many roles that members play, but the state itself is unlike all the other associations. It both frames civil society and occupies space within it. It fixes the boundary conditions and the basic rules of all associational activity (including political activity). It compels association members to think about the common good, beyond their own conceptions of the good life … a democratic state, which is continuous with the other associations, has at the same time a greater say about their quality and vitality. It serves, or doesn't serve, the needs of the associational networks as these are worked out by men and women who are simultaneously members and citizens (Walzer 1990, pp. 8–9).

Here, Walzer is grappling with a conclusion very similar to Arendt's in the last section of 'Civil Disobedience'—that 'if "civil disobedience is here to stay" … the question of its compatibility with the law is of prime importance' (1972, p. 82). Arendt could have applied a similar line of reasoning to civil society more broadly, from the civic republican perspective. While, as Skinner noted, the original, neo-Roman republicans left no moral space in their theory for a civil society beyond the people and the state, civil society in the *modern* republican state is here to stay—even despite the reports of its decline or its discontinuity with republican thought. Could Machiavelli's fears about private association in society, then, be more a byproduct of the degree to which voluntary associations were viable in early modern Florence, and less of a concern for contemporary republicans? If Arendt and Putnam are correct, when voluntary civil society flourishes, the outcome can only be beneficial—even necessary—to the republican vision's survival. Whether or not this claim is a valid one is somewhat downstream of the need for a better theory about civil society among the civic republicans. To test whether the arguments of civil society-oriented republicans hold water, I suggest we ought to compare them against their loudest and most persuasive opponents. In the following section, I assume these conclusions about civil society as a given—that civil society is here to stay, and a republican theory must contend with it—and address perhaps the greatest challenge to Putnam's and Arendt's praise of civil society, coming from a wide range of republican, liberal and oppositional thinkers. As we shall shortly see, the embrace of civil society by the civic republicans has a dark side, and its unconditional celebration could present a lethal danger to the civic republic.

IV. 'EXCLUSIONARY INTERESTS' AND CIVIL SOCIETY'S DARK SIDE

One of the most dramatic emergences of American voluntary associations in the past two decades is that of the Tea Party movement, and other grassroots movements of the American far right (Skocpol & Williamson 2012). By the 1990s, Putnam had already noticed the tendency for grassroots conservative movements, particularly religious evangelicals, to maintain civic energy in a way that bucked the overall trend of his book (2000, pp. 161–162). The Tea Party represented some continuity with those movements, and yet it has proven to be an entirely different kind of beast. As Vanessa Williams, Theda Skocpol and John Coggin write, the Tea Party came into force after the Republicans' demoralising and near-total defeat in the 2008 general United States elections. Tea Parties began as 'small, loosely interrelated networks, assembled at the initiative of local and regional organisers, who often use online organising tools' (Williamson *et al.* 2011). While Tea Party groups' rise is often attributed to external donor groups, their funding is just as likely to come from small contributions of local members (Skocpol & Williamson 2012). It would also be a mistake to attribute their rise entirely to the Republican Party: in the 2010 midterm elections, a surge of Tea Party candidates ran against mainstream, RNC-endorsed candidates in Republican primaries and won, and have rarely sought affiliation with the GOP institutional apparatus (2012, p. 36). In interviews with Tea Party activists, Skocpol and Williamson find that a feeling of moral deservingness is fundamental to their beliefs, a sense that the material and moral desert owed to 'hardworking taxpayers' has been unjustly redistributed to the 'nonworking' or 'freeloading' population, a group that invariably includes immigrants and young people (2012, pp. 32–35). The authors conclude that this trend is inseparable from racial resentment, from the

evidence of Tea Partiers' resistance to affirmative action, their feeling that ethnic minorities seek 'handouts' from social spending, and their deep anxiety provoked by the first Black president of the United States. The perception that nonwhite 'others' are 'getting ahead' while more righteous 'workers' are left behind is too high a political price for the Tea Partiers to bear.

The problem that voluntary civil society presents for a Machiavellian, civic republic is well illustrated by the rise and ideology of the Tea Party. For proponents of civil society like Putnam and Arendt, the Tea Party ought to be a prime example of grassroots civic engagement and association: small, community-centric networks that publicly contest the fiscal and legal authority, and overreach of the federal state. Yet Tea Party groups maintain their internal cohesion with the glue of resentment for unnamed outsiders—other citizens who are less deserving of success than them. Their contention is *not* that the state and its institutions had abandoned some commitment to the common good, but that through taxation, social spending, and immigration, the American state took from some private, hardworking citizens and gave to undeserving others. Insofar as the common good is one aligned to the advantage of everyone, the Tea Party has very little interest in the common good. The tendency of groups like the Tea Party to adopt 'private interests' on the basis of weakening others in the republic was precisely the thrust of Machiavelli's fears about non-state, private institutions: whether located in politics, religion or association, private institutions would never be willing to subordinate their interests to the common good. Indeed, the development of private 'factions' in American democracy was a famous concern for the authors of the Federalist Papers, who drew inspiration from classical republican thought; Madison's Federalist 10 is a guide to mitigating the effects of a private group that works against the rights of other citizens or 'the permanent and aggregate interests of the country'.[5]

The proliferation of voluntary associations devoted to intolerant or factionalist aims extends far beyond the Tea Party. Among the most prominent critics of Bowling Alone are those who perceive that Putnam is too starry-eyed about the 1950s and 1960s, a period of American history when social capital supposedly peaked, and neglects the contemporary cases where social capital is alive and well for the purposes of division. In a widely-read 2001 article, Simone Chambers and Jeffrey Kopstein apply the civil society argument to an unorthodox set of cases: Louis Farrakhan's Nation of Islam, the rise of Nazism in Weimar Europe, and Benjamin Smith, a member of the World Church of the Creator, whose racially-motivated shooting rampage in 1999 killed three and injured ten people (Chambers & Kopstein 2001). These groups exhibit strong social capital because of whom they exclude, and attract members who wish to target groups of others. Charles Mills' critique of contemporary liberalism, and his oppositional treatment of social contract theory, operate under similar logic. For Mills, the 'Racial Contract' is a contract made between one subgroup of individuals to relegate the remaining subgroups to 'nonwhite' status—cementing community among those who 'become white' precisely through the act of subordinating the others, robbing them of material wealth and enforcing their legal status as sub-persons (Mills 1999, p. 11). Mills

would vehemently disagree with Putnam's diagnosis of mid-century America's civic life. White Americans in this period maintained an illusion of national community that was, in reality, a form of subordination.

Putnam is well aware of his critics, and yet his response to those concerned by civil society's capacity to divide and exclude is somewhat unsatisfactory. He attempts to frame the distinction between 'inclusive' and 'exclusive' civil society as one of 'bridging' (building lines of connection across cleavages) versus 'bonding' (creating strong in-group loyalty) strategies, and maintains that bonding still serves an important role for communities such as women's rights groups or historically Black religious institutions (2000, p. 22). However, as Putnam himself acknowledges, sharp boundaries between these strategies are impossible to identify—a civil society that 'bonds' in one way, 'bridges' in another—and so his new framework for civil society gets no closer to a means of distinguishing exclusionary civil society from the type that might cultivate civic virtue and the common good (2000, pp. 23–24).

Other proponents of voluntary associations have no more answers to the danger that exclusive civil society poses for the republican project than Putnam does. Arendt, for one, does not separate her admiration for the aimed *ends* of the 'civil disobedients' in her essay—namely, opposition to Vietnam and support for civil rights—from her admiration of civil disobedience as a *process*. She does not appear to consider that the voluntary associations she once showered with praise may one day advance goals that undermine the common good. By failing to clarify or reconcile civil society's dangers, those in the Tocquevillian camp expose themselves to the classical arguments of other civic republicans against private factions and their corrosive effect on the common good. As stated previously, however, the Machiavellian civic republicans do not provide a legitimate framework for incorporating civil society into republican thought either, beyond thwarting private interests wherever they appear.

In this final section, I propose a third solution to the incorporation of a virtue-oriented civil society into republican thought. I accept that civil society at its best can at least amplify civic virtue and the common good; yet thinking about civil society as a phenomenon completely distinct from republican state, I contend, misses the point of the republican enterprise. Instead, the administrative state can play an active role in promoting a civil society oriented toward civic virtue. In so doing, the interplay of the administrative state and civil society forges a pathway toward the common good, one that is more likely to actually reach it.

V. An Agenda of Virtue: Civil Society and the Administrative State

Buried in Putnam's discussion of the possible causal reasons for community disengagement is a curious finding: among OECD countries, 'social trust and group membership are, if anything, *positively* correlated with the size of government' (2000, p. 281). Putnam is careful not to draw any conclusions from this simple association—perhaps both expenditure and social capital are affected by some confounding factor—but the finding is sufficient to cast doubt on the claim that big government and the growth of the welfare state caused civic disengagement. In other places, however,

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5   James Madison, 'Federalist 10: The Same Subject Continued: The Union as a Safeguard Against Domestic Faction and Insurrection,' November 1787, accessible online at Library of Congress: https://guides.loc.gov/federalist-papers/text-1-10#s-lg-box-wrapper-25493273.

one can identify a subtle trend in Putnam's work that coheres with his argument, and connects citizens' growing disinterest in public activities, particularly in politics, with government's growing disinterest in citizens. In his chapter on political participation, Putnam notes that '"cooperative" forms of behaviour, like serving on committees, have declined more rapidly than "expressive" forms of behaviour, like writing letters … collaborative forms of political involvement engage broader public interests, whereas expressive forms are more individualistic and correspond to more narrowly defined interests' (2000, p. 44). He connects the decline of 'collaborative forms' with 'the absence of large, compelling collective projects.' These projects are 'more formal and less voluntary', and more likely to lead to cooperative forms of behaviour (2000, p. 47).

What Putnam leaves implied is that the decline of large, collective projects and the redirection of civic energy into *more* voluntary and *less* formal associations comprise a sort of positive feedback loop. For the simple reason that they are large and collective, projects of the kind that Putnam describes are less likely to be implemented by the small and local voluntary associations he celebrates. That voluntary associations will have fewer resources for social projects is reflective of the assertion to which all civic republicans subscribe: left to their own devices, ordinary citizens will rarely place public interest above the common good, or at least not enough of them will. Participating in voluntary civic life requires moral conviction, not legal compulsion, and in the absence of coercion, voluntary projects will never reach the potential of legally decreed ones—that is, unless one's view of human nature is so rosy as to expect universal compliance with both moral duties and judicial laws. In Skinner's words, that is why the civic republicans would rather that the people were 'forced to be free'—to toe the line of civic virtue, and resist the worst tendencies of their own nature. Expecting the people to practice civic virtue without the assistance of the state, Skinner argues, is a naïve goal, bound to fail from the very beginning. Rather, the institutions of the state direct the construction of collective projects, from armies to religions to public works, and by helping to build them, the people learn to value civic virtue oriented toward the common good.

There is a period of US history that reflects this desire for state-oriented, large, collective projects, one that well captures the 'large, compelling collective projects' that Putnam celebrates—yet it goes virtually unmentioned within the pages of *Bowling Alone*. At the height of the Great Depression, the Works Progress Administration (WPA) provided jobs for tens of millions, and directed them toward projects that aimed to revitalise civic life. WPA programs may have single-handedly saved the American arts and theatre industries, setting the agenda for a new trend in American art that emphasised community over individualism.[6] The Tennessee Valley Authority, a federal corporation created in 1933 and perhaps America's most famous regional development project, was founded on the concept of grassroots participation in programs that 'assured development would be done by the people, not for them' (Ekbladh 2002). Given their experience and participation in this dramatic increase of state investment into civic life, is it such a surprise that voters who came of age before the New Deal and World War II, many of whom participated

in these collective projects, are more civically engaged?

The line of reasoning I draw from this example is very simple, and supported by a range of evidence from contemporary social science: an administrative state that is oriented toward the common good will be as much a cause of civic flourishing as it is an effect. As Paul Pierson and other scholars of so-called 'policy feedback loops' have illustrated, public policies can influence political behaviour, weaken or strengthen particular groups, and create resources and incentives that encourage more or less political action on the part of citizens (Pierson 1993). While Pierson's primary area of interest is Anglo-American welfare states, from which he develops the idea that welfare policies create their own constituencies, other political scientists have applied similar logic to the influence of policies on civic engagement and political participation. In a study of the 1944 G.I. Bill, 'one of the most generous and inclusive social entitlements that the federal government has ever funded or administered,' Suzanne Mettler finds that World War II veterans who benefitted from the program exhibited greater political participation and membership in civil organisations afterward. Ex-soldiers, particularly those from low socioeconomic status, became engaged democratic citizens, due to greater enhancement of civic capacities and a new predisposition toward reciprocity (Mettler 2002).

One final example of a program that exemplifies the synthesis model in action, which speaks in particular to concerns about 'exclusionary interests', is the United States Refugee Admissions Program.[7] Founded in 1980, the USRAP is the most ambitious refugee resettlement project of modern history; before 2016, the program facilitated the annual arrival of up to 200,000 people, making America the world's leader in third-country resettlement, responsible for 69 percent of resettled refugees globally.[8] It is the sort of program that could not exist without either the support of the federal government—as the republican state still retains final authority over who is admitted to its political community—or voluntary civil society, which forges ties between strangers within a democratic community when previously none existed.

Upon arriving in the United States, refugees are greeted at airports not by government or security officials, but resettlement caseworkers, who are affiliated with one of the nine voluntary agencies—'civil societies'—that are contracted by the Department of State to handle resettlement. These civil societies in turn employ volunteers, and although they are strangers to the new arrivals, they are also neighbours—and connect new arrivals to the institutions and services that are designed for the common interest of all. After five years, refugees receive citizenship, and represent an entirely new cadre of citizens who may possess a new definition of the common good, transforming the meaning of membership by virtue of their role as political actors. Should they choose to champion an alternative definition of the common good in the public sphere, they will have the civic tools to do so, which have been cultivated since the moment they arrive—having the direct experience of involvement with civil society, and the republican state that supported it, in their civic toolkit.

The finding that policy feedback can influence political engagement represents a potential synthesis for competing republican theories of civic virtue. In one

6   *See* Jane De Hart Mathews, 'Arts and the People: The New Deal Quest for a Cultural Democracy,' *Journal of American History* 62, no.2 (1975): 316–339.

7   The U.S. refugee resettlement program is not without deep practical flaws—in part due to under-funding, and in part due to a misplaced emphasis on self-sufficiency rather than on mutual dignity and respect. At the same time, when evaluated on the basis of its legal and theoretical ambitions, the USRAP is a singular feat of public administration, one that defies easy analogies to other programs.

8   U.S. Annual Refugee Resettlement Ceilings and Number of Refugees Admitted, 1980–present, Migration Policy Institute, https://www.migrationpolicy.org/programs/data-hub/charts/us-annual-refugee-resettlement-ceilings-and-number-refugees-admitted-united#:~:text=Actual%20admissions%20for%20those%20years,annual%20ceiling%2C%20both%20at%2030%2C000.

sense, policy feedback could be used as another means by which the republican state can 'force' individuals to practice virtuous behaviour. While the programs described above are not on their face coercive—they are designed to provide services rather than compel individual choices and behaviours—their existence is maintained through taxation: the coercion of private interests and treasuries into one public interest. But neither are these programs absolutist, and in this sense, they differ from Machiavelli's conception of state-owned 'virtue factories.' Instead, they induce voluntary participation in civil society among beneficiaries, sometimes without intending to do so. They induce individuals within the republican state to work or serve in concert with one another, achieving the sorts of large, collective projects that voluntary associations never could—and then leave individuals to pursue their own forms of association, now with the enriched knowledge of democratic experience. In this way, public programs that induce mass participation 'set the agenda' for civil society, and the manner in which public programs are conducted leaves participants with a certain vision of what a civil society ought to look like.

My description of this 'synthesis'—of inducing civic virtue via the administrative state's agenda-setting for civil society—may appear to leave one concern unresolved: the threat that exclusion and division pose to civic virtue and the common good. How can republicans be certain that the exclusionary risks present in civil society are less present when civil society's direction is set by the republican state? After all, exclusive policies were at work in the examples above, particularly during the New Deal, where many social protection and jobs programs excluded women and Black Americans. Still, I argue there are two main reasons that the synthesis model's ability to combat exclusion improves upon the models of state- or civil-society-based civic engagement. First, the *interplay* of administrative state programs and civil society preserves the independence of each, permitting civil society to influence the direction of the republican state but never to displace it as the institution that can induce civic virtue. Civil society becomes an integral part of the republican mixed constitution, another power source through which to contest the meaning of the common good.

Second, the lack of state absolutism within this model makes it more likely that republican institutions could overcome the status quo bias that benefits groups who have traditionally held social and political power. The administrative state sets the agenda for civil society by inducing in citizens a shared set of principles—in other words, showing what it means to practice civic virtue—but civil society organisations remain essentially pluralistic. With a more robust orientation toward the common good, and greater support from the administrative state to maintain civic vitality, the result is that there are more exit and entry points into civil society and into definitional debates over the common good. With more entry points, greater power-sharing between government and civil society, and greater vitality of associations, individuals who wish to break from traditional domination have more opportunities to do so, and civil society groups are more likely to compete over the best vision of the common good.

A 'synthesis' model of virtue-cultivation, then, is a two-step process. First, individuals in the republican state are exposed to a public administrative program in a way that involves their direct labour, in service of a collective, 'public' good or service—as a labourer or an artist benefitting from WPA programs, or a caseworker, volunteer, or beneficiary involved in the US refugee resettlement program. Second, this exposure induces 'habits' of civic behaviour within the individual in a way that influences their civic engagement (in civil society and other political activities) thereafter. The manner of this exposure orients the individual toward 'common good' aims, while remaining agnostic as to the precise manner in which one might labour toward those aims.

Whether a synthesis model of virtue-cultivation could be implemented in the US administrative state today remains dubious. The first greatest threat to this synthesis model is a brand of elite capture, whether in the federal judiciary or the US Senate, that precludes mass participation in public institutions for the benefits of a few powerful interest groups. But the threat of elite capture has been permitted to this point only as a result of a larger threat: the presence of procedural rules, such as the Senate filibuster, that contravene the US Constitution's intended 'mixed' nature. These rules, which have no basis in the Constitution, function to preserve a legislative stalemate that would otherwise be addressed by, in civic republican theory, the 'contestatory citizenry.' While an executive branch could direct administrative agencies to invest in the 'collective projects' that set the agenda for civil society, as I have argued, only by overcoming the procedural barriers in America's representative legislatures could such an agenda be sustained.

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Against the Monocausality of Capitalism: A Multi-Systems Approach to Climate Catastrophe

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Most sociological analyses identify capitalism as the (ultimate) cause of climate catastrophe (Magdoff & Foster 2010; Malm 2016; Moore 2017; Vergès 2017; Oksala 2018; Guerrero 2018; Angus 2018; Seaton 2019). In this article, I argue that, while it is undoubtedly *correct* to claim that capitalism has caused climate catastrophe, it is not *sufficient* to do so. Taking a multi-systems approach, I analyse capitalism as one *cocause* among many, specifying four other relevant factors for understanding climate catastrophe: the State, human exceptionalism, racism, and sexism. I hold that these systems require consideration in themselves, complicating narratives of Capital as *the* cause of the climate crisis. This article has four sections. In the first section, I lay out the framework of multi-systems theorising which will guide my analysis, taking inspiration from post-anarchism, Nietzschean perspectivism, and feminist standpoint theory. Section 2 argues that capitalism and the State are both fundamental cocauses of climate catastrophe, as their inherent structural dynamics are oriented toward the degradation of nature. I present human exceptionalism as an important factor for grasping the climate crisis in Section 3. Section 4 analyses the role of racism and sexism within the dynamics of climate catastrophe, while my Conclusion summarises the discussion and draws out its political implications.

Before proceeding with my multi-systems methodology (Section 1), I would like to briefly discuss 'climate catastrophe', identifying its features, its victims, and its temporality. The main contributing factor to climate catastrophe is that of anthropogenic global warming, which has brought a '0.8°C rise in the average global temperatures since the Industrial Revolution' (Guerrero 2018, p. 37), expected to reach 6°C by the end of the century if fossil fuel consumption continues at current rates (International Energy Agency 2013). Equally constitutive of climate catastrophe, however, is anthropogenic ocean acidification, which threatens 'the collapse of marine ecosystems' (Magdoff & Foster 2010). Two features present themselves at this point: first, a definition of climate catastrophe cannot limit itself to the damage done to humans. Rather, it should also include the harm incurred on non-organic entities, as well as plants and animal species, 7% of which are now endangered because of climate change (International Union for Conservation of Nature 2019). Second, climate catastrophe does not refer to some far-off futurity, but to an intensely experienced present. Thus, CarbonBrief studied 355 extreme weather events (most in the last decade) and found that 69% of these were 'made more likely or more severe by human-caused

climate change' (Pidcok, Pierce & McSweeney 2020). As such, rising sea levels have resulted in mudslides in Sierra Leone, and floods in Bangladesh, India, and Nepal, with more than 2,300 total casualties (Sealey-Huggins 2018, p. 102). Overall, the Climate Vulnerable Forum has estimated that 'five million deaths occur annually from air pollution, hunger and disease as a result of climate change' (Guerrero 2018, p. 38). Recognising that many of these events are caused (or intensified) by factors *other* than greenhouse gases (such as animal extinction which destabilises ecosystems and permits 'greater transmission of infectious diseases') Magdoff and Foster (2010) conclude that climate catastrophe does not solely refer to '*carbon footprints*, but [involves broader] *ecological footprints*'.

1. TOWARDS MULTI-SYSTEMS THEORISING

The main inspiration behind my multi-systems methodology is Todd May's seminal work on poststructuralist anarchism, in which he distinguishes between a 'strategic' and a 'tactical' type of political philosophy (1994). The former presumes that power/oppression flows from a single centre and thus tends to picture the world 'as a set of concentric circles' (May 1994, p. 10). The main example of this strategic tradition is the Marxist base-superstructure model, whereby all types of oppression are determined (if only 'at the final instance') by the mode of production. By contrast, tactical political philosophy sees the world as 'an intersecting network of lines', with power (and struggle) arising within 'irreducible but mutually intersecting practices' (May 1994, p. 11). Examples of such a tactical view can be found in Foucault's genealogies (1995), as well as Deleuze and Guattari's analyses of mixed regimes of signs (1987, pp. 140, 435). In this article, I will effect a 'tactical' reading of causality, one that is not restricted within the rigid confines of the power-oppression paradigm but rather emphasises the plural, dispersed, and overlapping-yet-distinct nature of causal operators.

A fundamental characteristic of tactical theories, which dare 'to take history seriously enough' (May 2006, p. 14), is their emphasis on the complexity of social processes. Recognising the multifaceted and contingent workings of interacting systems, analyses such as Foucault's and Deleuze and Guattari's reject any linear, mono-causal approach (i.e. any grand narrative). As such, my aim in this piece is less to provide a novel causal account of climate catastrophe and more to demonstrate that the view of capitalism *as the one factor to blame* is reductionist. Through an examination of the role of other social systems in the processes of the climate crisis, I seek to evidence the

nuanced and complex nature of this phenomenon, and hence, the insufficiency of any single causal narrative for coming to grips with it. Indeed, if Moore's task is to attack the 'Green Arithmetic' whereby 'humans + nature = environmental catastrophe' (Moore 2017, p. 595), then one could say that my article constitutes an attack on the 'Red Arithmetic' whereby 'capitalism = climate catastrophe'. By interrogating the specific social systems of the State, human exceptionalism, racism, and sexism, I wish to move toward more complex, multifactorial equations, whose high degree of uncertainty challenges any straightforward Arithmetic.

Besides poststructuralist theory, May admits that the kind of 'tactical' methodology he presents can often be found in feminist analyses (May 1994, p. 12). Indeed, there are strands of feminist theory which concern themselves with climate catastrophe and converge with my framework. Above all, materialist ecofeminism develops 'a "multi-systems" approach to understand the interconnected forces that operate to oppress women and the natural world' (Gaard & Gruen 1993, p. 248). As such, I am highly sympathetic to Gaard and Gruen's formulation whereby climate catastrophe is a result of 'the mutually reinforcing ideologies of racism, sexism, classism, imperialism, naturalism, and speciesism' (1993, p. 248). Nevertheless, I would opt for replacing 'classism [and] imperialism' with 'Capital and the State', since the former *developments* are ultimately consequences of these latter *systems*. Likewise, I would avoid using the term 'ideologies', in recognition that all of these systems are also thoroughly material (grounded in physical processes) and subjectifying (producing specific self-structures and affective dispositions). Finally, I would emphasise that these structures are not only mutually reinforcing, but also relatively autonomous, effecting an analysis whereby such lines of causality are 'interrelated, *yet distinct*' (Davis *et al.* 2019, p. 7).

Thus far I have elaborated a method based on historical and sociological pluralism. Complexifying my framework, I would now like to draw upon a deeper ontological-epistemological pluralism which might help us understand causality. This is necessary for dealing with 'undecidable' cases where the overlap between different operators is so great as to obfuscate their specificity and distinctiveness. For instance, is the systematic torture of animals in the meat industry a result of capitalism, or of human exceptionalism? In such cases, it is best to acknowledge that the causal lines at hand are co-determinant of a single movement, without one subsuming the other as a base-superstructure view might have it. Thus, Capital and human exceptionalism would all share causal responsibility for how the meat industry currently operates, while our choice to focus on one or the other largely depends on the *perspective* we assume (the point of view of political economy, of the history of ideas, of animal rights *etc.*). Following from this, my multi-systems approach involves the analysis of different lines of causality, *whose difference may be either an 'actual' difference of distinctiveness* (when causes can be conceptually disentangled and correlated with discrete effects) *or a 'perspectival' difference of significance* (when causes cannot be conceptually disentangled, but may be differentially highlighted for analytical purposes).

The main inspiration behind this type of 'perspectivism' is Nietzsche, who held that there are no facts, but 'only interpretations' (1901, p. 267). Under this conception, the same entity can be different things 'simultaneously, depending on which encounter is in question and from what angle' (Massumi 1992, p. 12). Still, this amounts to more than mere relativism. Rather, the aim would be to achieve objectivity 'by exploiting the difference between one perspective and another' (Anderson 2017). Indeed, such a perspectival aspiration can be found in the writings of standpoint feminists, and especially Donna Haraway, who argues that only a 'partial perspective promises objective vision' (1996, p. 190). Importantly, her meta-theory involves an essential degree of agency and accountability, as the theorists' choice to relocate between various vantage points renders them 'accountable for that movement' (Haraway 1996, p. 192). Thus, far from a value-free interrogation of meaning, the decision to engage with some lines of causality over others involves a privileging of specific social systems as more important than others.

The most obvious application of perspectivism in discussions of climate catastrophe can be found in Chakrabarty's arguments on conjoined histories and distinct temporalities, which hold that 'we can look upon [the] human story from many perspectives at once' (Chakrabarty 2017, p. 34). As such, we can have a longer history of the human species interacting with the Earth, and a shorter history of Capital as a human form of social organisation which alters the climate. Fundamentally, 'one level of abstraction does not cancel out the other' (Chakrabarty 2017, p. 34)—both causal analyses are 'true' at different levels of scale and, above all, *for different purposes*. Moreover, my use of the term 'cocauses' is indebted to Chakrabarty's 'coactors' (Chakrabarty 2014, p. 21). Overall, I am sympathetic to Chakrabarty's argument whereby 'the analytics of capital [are *necessary* but] insufficient instruments in helping us come to grips' with climate catastrophe (Chakrabarty 2014, p. 4). However, when it comes to other cocauses, I do not evoke the expansion of a generic human species, but rather the specific structures of the State, human exceptionalism, racism, and sexism. I begin with an analysis of capitalism and the State.

2. Capitalism and the State

Capital and the State, in their unison and intersection as well as in their distinctiveness and autonomy, are among the most important causes of the climate catastrophe. Indeed, as this section demonstrates, they contribute to catastrophe both in a direct and in an *ex-post* manner, since they structurally undermine efforts to resolve the crises that they cocause.

Starting with Capital, one finds that it has rightly been blamed for the climate catastrophe. However, its line of causality should not be restricted to varieties within capitalism (e.g 'fossil economy'), or specific economic practices (e.g carbon emissions), as it tends to be with thinkers like Malm (2016). Although Malm's account brings a welcome focus on the role of the State as a cocause which collaborated with Capital to create the fossil fuel industry through colonial impositions (Malm 2016, p. 226), he allows rising CO_2 emissions to causally monopolise climate crises. As a result, Malm assumes that the catastrophe can be stopped within a capitalist framework, through a shift away from fossil fuels (Malm 2017, 58:26–59:32; 1:28:00–1:29:27). Against such claims, I argue that a cocause of the climate catastrophe can be traced in the *inherent structural*

dynamics of capitalism. As Magdoff and Foster ([2010](2010)) maintain, 'no-growth capitalism is an oxymoron', while capitalism is blind to long-term consequences (because of 'unpredictable business conditions' and 'demands from speculators') and thus functions 'as if there is an unlimited supply of natural resources'. From this perspective, Malm is mistaken in blaming a specific historical actor (Northern capitalists) for the climate catastrophe ([2016](2016), p. 235). Per Bookchin ([2007](2007)), even if all capitalists were benevolent environmentalists, climate catastrophe would still occur by virtue of the 'law of "grow or die"' inherent in the very system of capitalism.

Although these accounts are commendable (and more helpful than Malm's), they are still problematic in some regards. First, some of them (Magdoff and Foster's rather than Bookchin's) assume a false dualism between nature and society/humanity. Second, they do not account for the specific mechanisms with which the structural dynamics of Capital are intimately connected with the erosion of ecological processes in particular. Both faults are overcome by the analysis of Moore. Moore's fundamental point is that capitalism does not just rely on (exploited) paid labour but also on the (appropriated) unpaid work done by (Mies') 'women, nature, and colonies' ([2018](2018), p. 1). Fundamentally, for appropriation (and especially for the control of natural processes), Capital needs the State and its scientific 'geo-managerialism' to 'identify and facilitate new sources of Cheap Nature' (Moore 2018, p. 9). Per Moore, capitalism cannot function without the Four Cheaps of 'food, labour, energy, and raw materials' ([2017](2017), p. 606), while it must constantly expand to subsume more such entities. This imperative for constant expansion warrants a two-fold explanation: first, it occurs exogenously, at the interaction between Capital and the world, which entails the exhaustion of zones of nature and the search for 'new, "physically uncorrupted" zones' (Moore 2018, pp. 13–14). Second, it proceeds endogenously in as much as rising profits bring a rise in the cost of raw materials (Marxist law of underproduction) and thus necessitate 'the search for new Cheap Natures' ([2018](2018), p. 9). Moore explains the contemporary catastrophe by virtue of a geophysical limit incurred by capitalism's expansionary tendencies ([2018](2018), p. 30).

Two important points remain for an examination of Capital and the State as cocauses. First, these systems can be blamed not merely for driving anthropogenic climate change, but also in an *ex-post* manner, for actively impeding the mitigation of the climate catastrophe. Thus, Guerrero illustrates how 'powerful European business lobbies protect business interests' in the context of international negotiations, effectively blocking environmental policies which would limit growth (Guerrero 2018, p. 39). She therefore sees the State as structurally tied to the interests of Capital ([2018](2018), p. 39). In a similar fashion, Seaton ([2019](2019)) looks at growth as '[t]he *sine qua non* of electoral viability', and questions the capacity of governments to impose limits on catastrophic capitalist expansion.

Nevertheless, it would be a mistake to see the State as a cocause which is totally subsumed by Capital. Rather, a multi-systems framework (especially a *post-anarchist* one) would see the State as an important factor in itself, whose inherent structure precipitates climate catastrophe. In this direction, we must note the necessarily

limited scope of the State, as its 'commitment to the *nation* over the rest of the world' is unable to address international problems (Seaton 2019). Indeed, the competition between nation-States cannot be reduced to a superstructure of capitalism, since interstate conflicts and wars precede this mode of production. The State's armed forces are themselves especially important for understanding the climate catastrophe, being 'the number one polluters globally' (Gaard & Gruen 1993, p. 246). Simultaneously, the State is geared to the same kind of short-term mentality as capitalism *and not just because of the latter's growth imperative*; rather, the democratic State's short electoral cycles make it hard for governments to take blame/credit for environmental policies whose impact can only be felt in the long run. When it comes to non-democratic or nominally democratic States, they are even less accountable, and will more easily resort to coercion to safeguard their interests. A case in point is the 'shocking murder in 2016 of indigenous and environmental activist Berta Cáceres in Honduras', who was protesting the building of hydroelectric dams (Schild 2019, p. 34). If we are considering the State's causal salience in an *ex-post* manner as well, then this death is also constitutive of the climate catastrophe.

Second, and finally, an important counterargument to the claim that capitalism is a cocause of climate catastrophe is the environmental damage produced by the States of 'really existing socialism' (Angus 2018, 33:00–35:15). This fact has led Michael Mann to the conclusion that 'if we all had state socialism, the problem would be just the same' (in Seaton 2019). There are two ways to respond to such arguments which seek to displace the causal importance of Capital. On the one hand, we could claim that 'really existing socialism' remained capitalist in essence, functioning according to the imperatives of the global market, as some self-proclaimed Marxists have argued (Deleuze & Guattari 1987, p. 436). On the other hand, we can argue that these systems were not capitalist, but still contributed to the climate catastrophe because they remained *Statist*. Hints toward this direction can be found in Malm who defines the Stalinist economy 'as the maximisation of the power of the bureaucracy by means of fossil fuels' (Malm 2016, p. 240), and Moore, who maintains such socialism belongs to the 'tributary' mode of production wherein 'the state directly extracts the surplus' ([2018](2018), p. 5). Yet again, therefore, the State appears as a semi-autonomous factor (and distinct axis of oppression) which is crucial for understanding climate catastrophe. Although it intersects with Capital, it is not subsumed by the latter-as-cocause. At the same time, to allow the State and Capital to monopolise our discussion would be to assume an unnecessarily limited temporal perspective and thus to ignore the causal salience of human exceptionalism.

3. HUMAN EXCEPTIONALISM

Much older than both Capital and State, the ideological-subjectifying structure of human exceptionalism is an essential cocause of the climate catastrophe. Although it is easy to blame capitalism at the microanalytic level, a more macrostructural-transhistorical perspective would see climate change as part of a 'larger issue' concerning human dominance (Chakrabarty 2017, p. 33). Indeed, it is important to think through

the long-term 'processes that belong to earth-systems history and the history of life on the planet', because such analyses force us to consider issues of interspecies (beside intraspecies) justice and harm/catastrophe (Chakrabarty 2014, pp. 11–14). Nevertheless, I would like to depart from Chakrabarty's analysis and examine these longer processes of human-life relations through the structure of human exceptionalism, rather than the postulate of a generic species-activity.

Human exceptionalism constructs a restrictive and exclusionary category of the 'Human' through an *othering* of 'animals, the environment or earth' (Braidotti 2013, p. 27). Assuming that the latter's 'difference spells inferiority' (Braidotti 2013, p. 15), it posits that those designated as human should dominate/master the natural world to satisfy their appetites. Therefore, the epistemic violence of human exceptionalism grounds 'the real-life violence [practised] against non-human animals' and other forms of life (Braidotti 2013, p. 30), a violence which not only constitutes, *but also contributes* to climate catastrophe, as Vettese's analysis reveals. First, Vettese (2018) shows that the anthropogenic extinction of animals would further global warming, since species like wolves, wildebeest, and whales all 'regulate the carbon cycle' in their respective ecological niches. At the same time, Vettese exposes the catastrophic impact of animal-products agriculture on the climate; such agriculture is 'by far the most profligate sector of the economy in [its] land-use', causing '[some of the] most deforestation' and huge amounts of waste from 'raising and slaughtering billions of animals every year' (2018). As inflated as Vettese's metrics may be (Pollin 2018), they provide a new perspective on the climate crisis. From one point of view, such activity stems from Capital's imperatives for profit and growth. From another perspective, however, such organised murder and torture would be impossible without assuming a specific subjective orientation towards the planet that disregards the sanctity of its non-human inhabitants.

Two counterarguments to my analysis present themselves. First, some hold that narratives which attribute blame to humans (e.g. the Anthropocene concept) tend to dissolve into blaming a universal human nature/species, and thus ignore particular historical systems. Indeed, Vergès argues that accounts which posit '"Man" [as the] culprit' take a 'pessimistic view of human nature' and blame 'out-of-control forces rather than structures of power' (2017). Although this critique might apply to the likes of Chakrabarty, it would not cover my position, since the semi-autonomous factor I have identified is not the human species itself, but rather the specific system of human exceptionalism. This ideological-subjectifying structure does not coincide with any kind of immutable human 'nature', as demonstrated by the various human groups which live in equilibrium with non-human life. For instance, many indigenous peoples reject the human-nonhuman binary and hold that 'different species [are] morally responsible for one another, interdependent and involved in mutual learning' (Whyte 2018, pp. 230–233). Therefore, if my analysis proposes that the label 'Anthropocene' is useful, this is meant to place culpability on 'Man' in the Foucauldian-constructed, rather than the empirical-concrete, sense, that is, on *Anthropos* as a situated and contingent model for knowledge and subjectivity (Haraway 2016, p. 30).

The second counterargument to my position would maintain that the ideological-subjectifying structure of human exceptionalism is not a semi-autonomous factor, but rather the specific product of capitalism (and thus does not merit separate consideration). I find this point to be historically unsubstantiated. First proposed by Merchant and later taken up by Moore and Vergès, this view argues that "human exceptionalism" and the strict ('Cartesian') separation of Human and Nature as two distinct substances is 'capitalogenic' (Moore 2017, pp. 596–97). Specifically, Moore traces the idea that 'Nature is external' and that society 'may do with Nature as it pleases' to the 'scientific' philosophers of early capitalism, like Bacon, Descartes, and Newton (2017, p. 601). The historical flaws of this analysis are manifold. Indeed, for someone who often refers to dialectics and Enlightenment philosophy, Moore appears strikingly unaware of the key text on how these topics interrelate (Horkheimer & Adorno 2002). Tracing the origins of Enlightenment long before capitalism, Horkheimer and Adorno argue that '[f]rom the beginnings of the Olympian religion to […] bourgeois atheism, [the] control of internal and external nature has been made the absolute purpose of life' (2002, p. 24). In this regard, they cite the Homeric epic as a first obvious instance of human exceptionalism, whereby the brave hero (Man) masters Nature (the Sirens' call) through a suppression of His internal nature (impulse) (Horkheimer & Adorno 2002, p. 25). It seems, therefore, that despite Moore's claim to have avoided a base-superstructure account, his theory reverts to precisely this type of crude Marxism, whereby 'thought structures' are seen as deriving from Capital even when the historical record contradicts this (Moore 2017, p. 605).

Missing from Moore is a true, multi-systems genealogy of the categories he presents. Two such genealogies as per human exceptionalism can be found in the traditions of materialist ecofeminism and social ecology. Materialist ecofeminists such as Gimbutas, Sjoo and Mor, Stone, and Eisler cite 'patriarchal religion as the origin of this separation [between nature and culture]'(Gaard & Gruen 1993, p. 237). Thus, human exceptionalism is traced to a shift 6,500 years ago, which replaced the worship of immanent Goddesses (often associated with nature, and thus rendering both it and women sacred), with a transcendent male God, perceived as creating nature for the satisfaction of Man (Gaard & Gruen 1993, p. 237). This contested process coincided with the structural oppression of women and was finally crystallised with Judeo-Christianity, which constructs 'woman' as a devalued category, birthed out of Adam's rib (Gaard & Gruen 1993, p. 237). Likewise, patriarchal religions stipulate the need for mastery over nature, as the following quote from the Book of Genesis reveals: '[Let men] have dominion [over] all the earth, and over every creeping thing that creeps on earth. [Let them] fill the earth and subdue it' (in Chakrabarty 2014, pp. 18–19). In a similar, yet distinct fashion, social ecology holds that '[t]he idea of dominating nature [is] almost as old [as] hierarchy itself', tracing human exceptionalism back to the first gerontocratic societies, which actually precede patriarchal structures (Bookchin 2007). To elucidate this point, Bookchin compares early and late animistic uses of magic; in the early type (egalitarian societies), magic was used to plead with nature and persuade it, while in the late

type (gerontocratic societies), magic was used to 'coerce' nature (Bookchin 2007).

Thus, the question posed by Moore—'[a]re we really living in the Anthropocene [or] are we living in the *Capitalocene*?' (2017, p. 596)—presents a false dilemma. 'We' are living in both eras, as climate catastrophe is cocaused by the semi-autonomous systems of Capital, the State, *and human exceptionalism*, with their distinct temporalities and consequences. Importantly, as the next section shows, this 'we' should also be investigated. Indeed, the disproportionate effects of climate-related-harm (themselves constitutive of the catastrophe) point toward racism and sexism as important factors in the complex dynamics of the climate crisis.

4. Racism and Sexism

Climate catastrophe is unevenly structured. According to Andrew Ross, 'there will be those who will merely be inconvenienced and those who will die' (in Pulido 2018, p. 118). Fundamentally, those most impacted by the catastrophe tend to be non-male, non-white, and non-Western, indicating the important role of racism and sexism in the climate catastrophe. Essentially, these factors would be relevant in an *ex-post* manner—it is not that racism and sexism directly contributed to global warming, but rather that they contribute to it not being resolved/mitigated, by normalising the violence experienced by devalued bodies. Thus, they cocause climate *catastrophe*, even without cocausing climate *change*.

Beginning with racism, it is important to note that, even within the West, 'vulnerability [to climate-related-harms] follows along pre-existing lines of racial inequality' (Pulido 2018, p. 118). Per Pulido, for example, the highest casualty rates from heat waves in the US will be incurred by 'the urban poor (overwhelmingly non-white) [because] of their lack of air-conditioning' (2018, p. 118). One can also note the vulnerability of Indigenous folk, who are predominantly land-based (and are therefore greatly affected by species loss, drought *etc*.) and thus 'already living in dystopia' (Pulido 2018, p. 119). To show the specific mechanisms whereby race operates within climate catastrophe, Pulido examines the UN Climate Summit of 2009. There, governments agreed to keep the global temperature increase at 2°C, while recognising that this will completely eliminate some island states and totally ravage Africa; they thus '*knowingly* allow[ed] large swaths of nonwhite, mostly poor people to die' (Pulido 2018, p. 120). Although Capital helps account for this choice, Pulido convincingly argues that 'sentencing millions to die requires more [than] simply economic self-interest' (2018, p. 121). She identifies this 'more' as the structure of racism, which in this case is expressed not as overt hostility, but as a cold (yet equally violent) indifference (Pulido 2018, p. 121). It is thus that racism as a cocause contributes to climate catastrophe by actively preventing the mitigation of climate change, thus causing more deaths in both the present and future. Indeed, one finds it hard to imagine an analogous indifference and apathy should European whites be at the 'frontlines' of climate vulnerability.

A similar point can be made *vis-à-vis* gender. Indeed, as Gaard and Gruin argue, 'women [are] the first to suffer the consequences of environmental destruction' (1993, p. 240). This is because (like Indigenous folk, though to a lesser degree) women are often dependent on the land and tasked with bringing 'food, fuel, and fodder' to their households; specifically, they 'produce approximately 80 percent of the world's food supplies, and [thus] are the most severely affected by food and fuel shortages and the pollution of water' (Gaard & Gruin 1993, pp. 240–41). The patriarchal *indifference* to the suffering of these women (and consequent apathy as per climate change) points to sexism as an important cocause of climate catastrophe.

The most fundamental counterargument to my position would be the view that these systems of oppression are totally subsumed by Capital, and thus do not require separate treatment. In this regard, Moore argues that the epistemic violence of early capitalism, which separated Humanity and Nature, also caused 'the expulsion of many humans [women, people of colour, indigenous folk] from Humanity' (2017, p. 600). This helped capitalist appropriation by designating some human bodies as Nature, and thus permitting their use as cheap resources, as happened, for instance, in the case of black slaves (Moore 2017, p. 600). Likewise, Vergès tends to collapse issues of race and gender under a grand narrative of the Capitalocene (2017), while Oksala holds that the construction of women and non-white people as 'Natural' ('outside of civilised society') is the specific product of Capital (2018, p. 222).

Against such views, I would like to argue that, despite the significant intersection of racism and sexism with Capital (as demonstrated by theorists of racial capitalism and social reproduction), these social systems retain their relative autonomy as important factors. Once more, I refer to historical studies to demonstrate my point. When it comes to racism, one finds a misreading of Robinson in Vergès's treatment of the racial Capitalocene. Far from fusing racism and Capital, Robinson's theory sought to refute Marxist orthodoxy by showing the autonomy and specificity of racism as a system (Pulido 2018, p. 126). His analysis thus reveals that capitalism gradually grew out of feudalism and continued to bear its 'racial, tribal, linguistic, and regional particularities' (Robinson 2000, p. 10). Rather than holding that Capital caused the dominatory 'naturalisation' of non-white bodies, it seems more accurate to argue that capitalism made partial use of the already existing, semi-autonomous structures of race, which do not cease to possess their distinctiveness. As for sexism, we can recall the genealogy offered by materialist ecofeminists, which sees the equation of women and nature occurring 'back [in] 4,500 BC' (Gaard & Gruen 1993, p. 237). Alternatively, we can take up the genealogy of social ecology which sees 'patricentricity' and then 'patriarchy' as preceding the creation of economic classes, and even the foundation of the State (Bookchin 2007). Thus, Bookchin writes that the domination of women has occurred 'for millennia', even in 'economically egalitarian' societies (2007). Overall, these studies reveal the relative autonomy of racism and sexism as social systems and distinct cocauses of the climate catastrophe.

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CONCLUSION

I have argued that it is correct, but insufficient, to blame capitalism for climate catastrophe. Attacking monocausal and linear narratives through a multi-systems framework, I have identified four other important factors, which should be blamed in their own right; namely, the State, human exceptionalism, racism, and sexism. Although these intersect with Capital in significant ways, they also retain their specificity as relevant operators, a semi-autonomy which requires distinct consideration, as well as *distinct struggle and overcoming*. Indeed, this is the main political implication of my discussion, the 'pay-off', if you will, of my complexity-oriented analysis. If capitalism is not the sole cause of climate catastrophe, then its overcoming does not guarantee a solution to this issue. Indeed, if a post-capitalist society retains the State, human exceptionalism, racism and sexism, then the current environmental collapse will continue undisturbed (as in the USSR). It follows that an effective 'solution' (and movement capable of bringing this about) must simultaneously be anticapitalist, anti-State, antiracist, antisexist, and against human exceptionalism.

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States of Finance: The Causes and Consequences of Anglo-American Neoliberalism and Financialisation

David Stout

Accounts which posit neoliberalism and financialisation as part of a conspiracy to restore the lost wealth and power of the super-wealthy are incorrect that both enjoyed political success because of the pulling of strings from behind the scenes. Financialisation had a long precedent in the British and American governments' use of finance to promote their own social policy goals, and neoliberalism emerged as a sincere and, at the time, compelling response to the crisis of Keynesianism. Despite the lack of evidence for critical accounts' exegesis of causation, however, their appraisal of the inequitable effects the era of neoliberal policies have wrought as unintended consequences—both in the form of financial crisis and personal indebtedness—should be attended to. Furthermore, it was the same neoliberal conception of the active and equal consumer, which made neoliberalism appear such an attractive alternative to Keynesianism, which now serves to obfuscate its inequitable impact. Understanding neoliberalism as both a legitimate set of beliefs (and not deliberate mystification or false consciousness) that nonetheless obfuscates its own unintended consequences is essential for addressing those consequences.

'Neoliberalism' has recently become something of a buzzword for the ills of capitalism run amok, and chief among these ills, it is often held, is the spectre of financialisation. It is no longer the factory owner but the hedge fund manager who is the 'face' of exploitative capitalism; after the 2008 financial crash, protestors chanted 'we are the ninety-nine percent' when they Occupied Wall Street, not when they occupied Tesla or Microsoft. In common wisdom, financialisation seems part-and-parcel with neoliberalism: Harvey characterises financialisation as one of four 'pillars' of neoliberalism (2007, p. 38), which hold up a carefully engineered platform designed to reassert the power of 'the ruling classes' in the face of impending political and economic threats (Harvey 2007, p. 28). This article challenges the view of financialisation as a creature of neoliberalism by examining the long precedent of Anglo-American state-supported financialisation before the purported 'neoliberal turn' of Reagan and Thatcher, and on this basis makes a few broader observations about neoliberalism: neoliberalism, like any platform, is not entirely internally consistent, and the implementation of neoliberal policies in the US and the UK was not the single-minded drive to power which Harvey and others claim. Particularly, both Reagan and Thatcher initially relied heavily on the non-financial aspects of neoliberalism only to walk this reliance back and 'pirouette' towards financialisation (Oren & Blyth 2019, p. 612), upon which their liberal forebearers had depended. Finally, this article offers a brief examination of the effects of neoliberalism and financialisation on personal and national indebtedness. Neoliberalism and financialisation are, at their core, separate phenomena, and they should be addressed as such. That said, the fact that neoliberal finance was and is a complex historical moment rather than a conspiracy does not mean that its unequal effects should not be closely examined.

Defining Financialisation and Neoliberalism

Neither financialisation nor neoliberalism have a singular, universally accepted definition. However, broadly speaking, financialisation refers to a process or a trend which exists diffusely in an economy, whereas neoliberalism refers to a more-or-less specific set of policy ideas and imperatives; one is a process, the other is a platform. The three-pillared definition of financialisation given by Van der Zwan (2014) synthesises many existing definitions of financialisation into a single complex one. In her opinion, financialisation refers to the combination of:

1. dramatically increased financial sector profits, or a similarly dramatic increase in the proportion of all corporate profits that come from finance (*cf.* Krippner 2005; Kotz 2019);
2. a move by firms from traditional 'retain and reinvest' to 'downsize and distribute' models based on so-called shareholder maximisation theory; and
3. a greater role of finance in the everyday lives of 'ordinary people' (*cf.* Sparkes & Wood 2020).

Van der Zwan posits that these three developments, while not inextricable from one another, are closely linked and interdependent, and together give a good overview of the shape of the present 'financialised' global capitalism.

Neoliberalism is likewise difficult to pin down, but it is generally recognised to have begun as an economic theory pioneered by economists such as Friedrich von Hayek and Milton Friedman which questioned the Keynesian policies of active state intervention in the economy, under which they both lived. While Keynes had argued that the *state* must intervene to promote full employment and high consumption with high taxation and social spending; public ownership of vital industries; and strict regulations on trade; labour, industry, and capital/finance (Gilpin 1996, pp. 9–12), Hayek asserted that not the state but the *market* was the most efficient way to organise the economy, that if state intervention was limited to promoting fair competition, the logic of the market could be allowed to promote general efficiency and prosperity (Oren & Blyth 2019, p.

615). Friedman modified this view with the 'monetarist' position that the first imperative of governments besides a free market ought to be maintaining low inflation through high interest rates and less social spending (Hickel 2017, pp. 106–107). These economic ideas were transformed into a political platform prototypically by Ronald Reagan in the US and Margaret Thatcher in the UK, typically seen as a response to the so-called 'crisis of Keynesianism' of the 1970s. However, hints of proto-neoliberal policy before Reagan and Thatcher's respective elections point to it being more of a broad-based ideological shift than a political coup.

Combining an exhaustive review of correspondence and rhetoric of early neoliberals with a healthy dose of Foucauldian insight, Payne (2012) cannily argues that the ideological shift toward neoliberal political economy pivoted around neoliberals' innovative conception of 'the consumer,' and that this conception made neoliberalism very effective in displacing Keynesianism in the 1970s. For neoliberals, the consumer is a rational, responsible, and savvy entrepreneur, driving market forces and holding producers and the state to account by their consumption choices, and taking advantage of risk and reward to invest in their portfolio and their own human capital. The quintessential expression of democracy, then, was not the representative state but the manifest will of the market. '[P]ublic choice theory' recast the assumed duties of the Keynesian state as restrictions upon the agency of the consumer (Payne 2012, p. 11). Recipients of public services like healthcare or education were reconceptualised as entrepreneurially choosing between competitive options, job insecurity was reimagined as an opportunity to take a risk and improve one's human capital, and public management was re-evaluated and found to be a dangerous expression of self-interest that needed to be checked by the sovereign market of consumers. While this lens was certainly novel, it appeared against a very well-precedented backdrop of Anglo-American state involvement in finance.

Financial Policy and Proliferation before Neoliberalism

Contrary to what one might expect, the role and importance of finance had been growing for decades by the time Reagan and Thatcher took power. Beginning after the Great Depression in the American case and in the 1950s in the British case, the American and British governments sought to promote welfare and quality of life for their citizens (especially for those on lower incomes) through expanding and supervising access to consumer credit, especially in the area of homeownership.

The United States

Contrary to the 'free for all' reputation that has come to characterise American finance, the US government's interaction with finance was marked for much of the period between the Depression and the neoliberal turn by tight regulation and frequent direct involvement. The US government kept finance well-regulated and promoted credit access through direct action or by the imposition of obligations (as opposed to the removal of restrictions) on financial institutions. The Great Depression and the financial crash that caused it motivated the federal government to keep private finance on

an extremely tight leash: in addition to the existing McFadden Act of 1927 which banned interstate branch banking, the Federal Deposit Insurance Commission (FDIC) and the Glass-Steagall Act, both of 1933, sought to make banking and finance less volatile by insuring bank deposits up to a certain limit and separating commercial and investment banks. With private finance reigned in, President Franklin Roosevelt set to promote homeownership and resuscitate the floundering US construction sector. This was in part by direct government investment but, importantly, as Prasad (2012) notes, it was largely through mortgage credit offered on a huge scale by the new Federal Housing Administration (FHA) and insured by the FDIC. This built on and was precedented by President Hoover's reaction to the depression, the Federal Home Loan Act of 1932, which chartered numerous small-scale 'savings and loan companies' in an attempt to offer credit. With the addition of the Federal National Mortgage Association or 'Fannie Mae,' an independent government-funded corporation to aid the FHA in issuing federally insured, fixed rate, long-term, high loan-to-value ratio mortgages to everyday Americans, the US government under FDR created 'an economy that was more dependent on credit than in Europe but also a greater regulation of credit-granting institutions' (Prasad 2012, p. 221). Looking back, Roosevelt's mission to provide housing and jump-start consumption by manipulating finance proved successful (Prasad 2012).

The US government stayed involved in consumer finance in the following decades, primarily to deal with two issues: the countering circumvention of New Deal restrictions by financial innovations and the establishment of socially just lending practices. The federal government and particularly the Federal Reserve wrestled with the so-called 'holding company question' (Tabor, Di Lucida & Zhang 2021) throughout the 1950s and 60s. Banks and financial forces tried to circumvent Glass-Steagall and other restrictions by acting not as banks but as 'holding companies' (BHCs) which were not banks themselves but controlled majority shares in one or more banks, sometimes as well as in additional ventures. The 1956 Douglas Bank Holding Company Act put these companies under the supervision of the Fed, which spent the remainder of the 50s and 60s haggling with Congress and lobbyists over the definition of BHCs in order to better regulate them. In other words, the government had to work hard in order to keep finance regulated.

In response to the ongoing Civil Rights movement, the federal government again sought to obligate finance to play along with government social policy by legislating lending fairness requirements for it through the 60s and 70s: the Fair Housing Act of 1968 prohibited racial discrimination in mortgage lending including (and particularly) by Fannie Mae, the Equal Credit Opportunity Act of 1974 outlawed common restrictive practices employed when lending to women, and the Community Reinvestment Act of 1977 prohibited so-called 'redlining', or exclusion of supposedly 'high-risk' (usually minority) neighbourhoods from lending, the last of which was bitterly fought by the banks for decades to come. The Federal Home Loan Mortgage Corporation, or Freddie Mac, was also chartered around this time to create a government-supported secondary market for FHA- and Fannie Mae-issued mortgages (Seabrooke

2006; Prasad 2012).

Throughout this period, the US government worked to keep a handle on finance while directly intervening in financial markets to promote consumer credit, and this was seen as a legitimate and productive exercise of state power. An important continuity with the neoliberal mindset to come was that access to credit and consumption was seen as empowering and uplifting, but very un-neoliberal suspicion of finance and markets from the Depression era lingered. The consensus among the American political establishment remained that while finance and the market may be a potent tool, they were volatile and best kept supervised by democratic institutions.

The United Kingdom

The British government had the same consistent aim as the American one—promoting access to consumer credit—but employed different instruments to achieve it. Beginning in the 1950s, consumer credit and increased homeownership were essential to the strategy of 'deproletarianisation' employed by the 1951–64 Conservative administration (Sparkes & Wood 2020, p. 605), expressed most explicitly during the re-election of Harold MacMillan in 1959. Labour's Harold Wilson abandoned his more radical roots to win election in 1964 by one-upping the Conservative push on homebuilding and credit access, albeit not pushing past their preferred instruments of informal connections with the Bank of England and the nation's Building Societies. Wilson's policies increased homeownership even more than his Conservative predecessors, but they failed to improve the UK's balance of payments issues, and Wilson was forced to devalue the pound in 1967.

The worsening economic situation contributed to Wilson's defeat at the hands of Conservative Ted Heath in 1970. Heath's ideology was enormously consequential in that it broke the Keynesian consensus that had governed the last two decades of British politics. His government abandoned the Keynesian priority of full employment and took up the proto-neoliberal cause of removing restrictions and putting faith in the market (i.e. the consumer) in order to jump-start the British economy. In the field of finance, Heath removed credit ceilings for all banks, with the Competition and Credit Control (CCC) in 1973 only to perform an about-face the next year when the inflation brought about by the jump in credit availability caused too mt uch instability. Heath pivoted back to a focus on full employment with the reimposition of credit ceilings under the Supplementary Special Deposit Scheme or 'the Corset' in 1974, but the unanimity of Keynesian orthodoxy was definitively broken. Heath's mismanagement brough Wilson back to power in 1974, but he and his successor Jim Callaghan continuously toyed with the Corset, again removing and reimposing restrictions at the behest of the IMF. The Callaghan government even contemplated the liberalisation of the London Stock Exchange, and laid the groundwork for Thatcher's neoliberal *coup de grace* of the 1986 Big Bang (Oren & Blyth 2019).

The Euromarkets[1]

The Anglo-American through-line of government manipulation of finance to achieve social goals, which sees finance primarily as a passive tool of the state, is modified somewhat by a parallel trend occurring on the opposite side of Glass-Steagall, as it were, in the world of investment banking. Green (2016) recounts how the desire of Churchill and Eden's (MacMillan's immediate predecessors) Conservative government to re-establish the importance of the City of London as the financial entrepot it was in the glory-days of Empire led to '[de]regulatory feedback' between US and UK financial markets (Green 2016, p. 426). The steady expansion of Eurodollar markets in the City, categorised as 'offshore' and thus beyond the pale of strict British domestic financial regulation, made the City once again attractive to American banks, who opened branches there en masse following the 1965–66 credit crunch so that by 1975, 58 of them had taken advantage of this 'regulatory escape' (Green 2016, p. 430). Concerned with capital flight, especially after the collapse of the Bretton Woods system in 1971, the US Securities and Exchange Commission under President Gerald Ford pressured the New York Stock Exchange to liberalise on 'May Day' 1975. Thus, both government-sponsored expansion of access to finance and commitments to deregulation to encourage the growth of finance *pre-dated* the supposed neoliberal turn of ca. 1980.

Another notable consequence of this increasing interconnectedness between the American and British financial sectors was the diffusion and augmentation of financial innovations between the two markets. Echoing the persistence of American banks in trying to escape regulation via the 'holding company question', the development in the UK of offshore accounts and the so-called Home Country (Central Bank) Rule instituted in 1964 could be interpreted as transatlantic innovations created in direct response to the typically strict regulations of both governments, in order to actively circumvent them. Likewise, the invention and spread of certificates of deposit and of rollover credits both sought to increase credit flexibility and capital liquidity (Green 2016, pp. 445–446), a harbinger of the explosion of the development of mortgage-backed securities, which many see as the catalyst of the 2008 global financial crisis. Once again, although the British and American states often relied heavily on finance as an instrument for their own policy goals, the financial sector (especially that of the US) remained very much independent and subject to its own internal forces and developments.

Finance and the Neoliberal Turn

Financialisation long predated neoliberalism, and neoliberal ideas were very much a part of the political discourse and occasionally found their way into elected office before the supposed neoliberal turn, as in the case of Heath. That said, the elections of Thatcher and Reagan still marked a hugely consequential shift. Seabrooke characterises the period from 1980-84 in the US as a 'rentier shift' (2006, p. 113), and the likes of Harvey (2007) go even further to characterise the whole (supposed) neoliberal turn as a reassertion of the political power and economic position of 'big capital'. Kotz (2019) correctly challenges these contentions by arguing that financialisation as a process pre-dated neoliberalism, and neoliberalism as a political platform had ideological roots essentially unrelated to finance. Harvey's account and others like it (cf. Duménil & Lévy 2004) provide an instructive and incisive account of the *consequences* of neoliberalism and neoliberal

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[1] 'Euromarkets' is a somewhat misleading name which refers to markets and trading done in a currency other than the local one, most often US dollars.

finance, but they present little evidence beyond the logic of *cui bono?* (who benefits?) for their claims about its causation: that it was a deliberate, orchestrated push back by the wealthiest in British and American society to protect and increase their own wealth and political influence. The fact that financialisation was not a 'pillar' of neoliberalism but pre-existed it by decades, as a state instrument and not as a breeding ground for a conspiracy of the rich challenges Harvey and others' simple, oppositional view: Reagan and Thatcher's early reforms may have been to the benefit of financiers, but the re-evaluation, readjustment, and sometimes outright retraction of the financial policies of both leaders challenge the notion that either pursued a monolithic policy program with the singular goal of advancing rentier interests, as Harvey and Duménil and Lévy contend. Rather, they and their successors joined a long precedent of using (or attempting to use) finance to promote economic welfare. Even their instrument of choice (albeit used sparingly and inconsistently), deregulation, had been employed by some of their predecessors, although not to the extent to which they ultimately carried it.

Reagan's policies, especially those related to finance, represented a bold departure from Keynesian suspicion of unfettered markets and finance, but they did not represent a simple capitulation to the interests of the wealthy. Reagan's initial efforts to jump-start finance in order to use it for state revenue and economic revitalisation did indeed involve aggressive and essentially unqualified deregulation—in line with neoliberal convictions about the rationality of the consumer and the potency of the market—but he was soon forced to walk back some of his more radical measures in order to pursue an ultimate goal of financial growth and stability. The deregulatory turn actually began not under Reagan but under his predecessors, the seemingly diametrically opposed Ford and Carter. In addition to the NYSE's May Day under Ford, Carter's Depository Institutions Deregulation and Monetary Control Act (DIDMCA) of 1980 removed Regulation Q interest rate ceilings to make commercial banks and S&Ls more competitive against non-bank financial institutions. Reagan's interest rate hike of 1981 could easily be interpreted as a straight boon for finance and the wealthy—interest rates have been a point of contention in American politics along those lines going back to the 1880s—but raising interest rates to combat inflation and thus to promote general economic welfare is a key tenet of Friedman's (neoliberal-adjacent) monetarism. Likewise, the deregulation of the Tax Reform Act (TRA) of 1981 and the Garn-St. Germain Act of 1982 had to be walked back with the International Lending Supervisory Act (ILSA) of 1983 and the Tax Reform Act of 1986—which one commentator went so far as to call not consistent with the neoliberal program' (Seabrooke 2006, p. 121)—in order to raise revenue and take into account the direct interests of lower-income debtors. Furthermore, the collapse of S&Ls had to be managed with extensive (and distinctly un-neoliberal) state intervention[2] and government spending to support the small creditors of those institutions.

The early British experience with neoliberalism was similarly disjointed. Oren and Blyth (2019) correctly assert that when Thatcher's early monetarist program of deregulation (along the same lines as Heath), high interest rates, and decreased social spending failed to meet its targets, Chancellor Nigel Lawson performed a 'gentle pirouette' toward financialisation (Oren & Blyth 2019, p. 612), particularly in the tried-and-tested field of homeownership. This initially took the form of informal pressure on building societies to 'take a "more active role in housing" and develop new mortgage products such as 100% loan to value, "low start"' and index linked mortgages to help "marginal house buyers" enter the market' (Oren & Blyth 2019, p. 610), but it expanded into the 'Big Bang' of forcibly deregulating the previously self-regulated London Stock Exchange in 1986 (based on plans from the Callaghan ministry). The Reagan administration took a similar but distinct turn in response to the shortcomings of its initial program: Reagan also sought to expand access to consumer (homeowner) credit with provisions of the TRA '86 and, most importantly, in place of Thatcher's pressure on building societies, Reagan used the Secondary Mortgage Market Improvement Act (SMMIA) of 1984 to replace the role of the equivalent S&Ls with mortgages issued and securitised by the government-backed Fannie Mae and Freddie Mac in what was another distinctly un-neoliberal intervention. The SMMIA, partly as a result of the concurrent failure of S&Ls, was wildly successful, and by 1989 Fannie and Freddie were responsible for issuing and securitising 69% of all US mortgages compared to just 4% in 1981 (Seabrooke 2006, p. 126). After Reagan and Thatcher's initial stumblings, the policy paradigm of government-involved finance-centred growth was closely adhered to by their successors of theirs and other parties until the Global Financial Crisis, despite, as Oren and Blyth (2019) note, its manifest volatility, as in Black Monday of 1987.

In retrospect, the neoliberal turn of deregulation seems to blatantly ignore the lessons of the Great Depression, but at the time it was at the cutting edge of economic theory and philosophy. In the US, it bears mentioning that President Bill Clinton took an extremely consequential 'next step' from Reagan's foundation by repealing the provision of the 1933 Glass-Steagall Act which prohibited the fusion of commercial and investment banking with the Financial Services Modernization Act[3] of 1999. This, combined with the transatlantic trend of mortgage securitisation, in addition to being enormously consequential for the 2008 financial crash, is in many ways a perfect encapsulation of the relationship between neoliberalism and financialisation: securitisation was an independent and pre-existing financial innovation and very much a creature of the financial sector, but it was government participation and pressure on finance that took securitisation and the financial sector as a whole to the dizzying heights from which they would fall in 2008. This government participation had motivations well outside of finance—revitalising the economy, shoring up government legitimacy, and funding other government spending—but it should be noted that the product of these neoliberal administrations was increasing reliance of both the government and society on finance, as safeguards against financial volatility were being removed.

LIVING IN A NEOLIBERAL WORLD
THE FINANCIAL SECTOR
Looking at the behaviour of American and British financial sector profits across the supposed 'neoliberal

bifurcation' of 1979/81 (when Thatcher and Reagan respectively took power), the link between neoliberalism and financialisation seems strong, but primarily in the short term. Krippner (2005, p. 181), whose definition of financialisation as a 'system in which profit-making is primarily through financial channels' inspired Van der Zwan's first pillar, finds that, although US financial sector profits as a proportion of all corporate profits have been growing since the 1950s, they show marked jumps around 1985 and 2000, during the heyday of neoliberal politics. Furthermore, the ratio of financial to non-financial profits has increased by three to five times, mostly in the late 80s and again in the late 90s. The neoliberal bifurcation is clear, but it is important to note that the increase in financial profitability takes place against the more-or-less constant backdrop of manufacturing decline, which Krippner observes in the steady decrease in the share of employment and corporate profits attributable to manufacturing. This fits with the oft-cited broader trend of a shift from the mass production and mass consumption of 'Fordism' to the knowledge- and service-based economy of 'post-Fordism,' noted in both the US and UK. This apolitical trend is important to note for Krippner's analysis because it reveals a factor contributing to the rise of financial profits as a percentage of all corporate profits that is divorced from neoliberal policy. The synchronicity of the jump in financial profits and the neoliberal political turn still makes a strong case that the two are directly related, but it also hints that the broader trend of the growth of finance may have other causes.

The British financial world saw a similar trend of short-term neoliberal-associated augmentation amid longer unrelated trends of growth, Kotz (2019) and Oren and Blyth (2019) concur. On a macro level the 'share of national income received by financial institutions and holders of financial wealth was much higher in the 1990s than it had been in the 1970s' (Kotz 2019, p. 5). With a finer lens, though, the growth of building societies (small, member-owned mortgage lenders) accelerated markedly, and the growth in financial institutions' assets overall jumped after Chancellor of the Exchequer Nigel Lawson's 'gentle pirouette' toward financialisation in 1983 (Oren & Blyth 2019, p. 612). Again, the growth of financial profits and assets are clear examples of the first pillar, and their close temporal relationship with neoliberal reforms points to a strong relationship between the two. However, Sparkes and Wood (2020), examining the growth in British household debt from 1950 to the present, note that while, at first glance, household debt practically exploded after the 1979 bifurcation, the percentage growth from 1979 to 2016 or even to its peak in 2008 was *less* than the same from 1945 to 1979, and that the rate of growth of household debt increased at a roughly constant rate across the bifurcation. Therefore, while it is clear that the short-term effects of neoliberal financial policies on financial profit and proliferation were pronounced, from a broader perspective they merely contributed to the continuation of the already existing trend of financialisation, as was the case in the US.

That said, it is difficult to deny that the 2008 Global Financial Crisis was financial, that is to say, that it was in large part the creation of the vital but volatile financial sector. Specifically, the crash was a result of the combination of the widespread proliferation

of finance across society—in business, government fiscal policy, and people's everyday spending—and the removal of early 20th-century regulations on the conduct of financial institutions. Largely as a result of pre-neoliberal state-sponsored financialisation, finance was a key part of the British and American economies long before Reagan and Thatcher, but the neoliberal approach to finance maintained its importance and made it much more volatile by removing regulations. The specific manifestation of this is that American financial institutions began to lend to risky 'subprime' borrowers at exorbitant rates and package these subprime mortgages into mortgage-backed securities, or bundles of mortgages, which they sold to speculators, then reinvesting the proceeds of these sales to issuing more (usually subprime) loans (Oren & Blyth 2019). This practice would not have been possible without the removal of interest rate ceilings, capital adequacy requirements, or the separation of commercial and investment banking. When too many subprime borrowers began to default on their mortgages, the ensuing panic left the now-'toxic' securities nearly worthless, broke banks' re-lending cycle, and prevented them from offering the credit which had become essential to the functioning of the economy. Deregulation of the British banks, many of which held or depended on institutions that held toxic American securities and deeper enmeshment of British and American (and indeed, global) financial markets in general (Green 2016), meant that panic quickly spread to British banks and their nation of borrowers. Neoliberalism was not novel in how it relied on and augmented the importance of finance, but it was novel in that its reliance on finance manifested as deregulation, thereby making the financial sector more volatile. Oren and Blyth (2019) argue that this volatility was present in deregulatory financial policy from the beginning, but that it was simply ignored, with disastrous results.

Personal Indebtedness

Sparkes and Wood's insight about the seemingly unstoppable march of personal involvement in the world of neoliberal finance helps explain why the results of the '08 crash struck so many people in such brutal ways, but it raises the important point of how individual citizens interact with neoliberal finance and the system of neoliberal political economy as an ongoing process. The relationship of the individual with finance is profoundly different and less equitable under neoliberalism than under the previous, more regulated political economy. However, the conceptual grounding of neoliberalism in the idea of the active and meritocratic 'consumer' serves to obfuscate these inequities. Mijs (2021) empirically finds a close correlation between belief in meritocracy and tolerance of economic inequality, and counterposes meritocracy directly against belief in structural inequality. In other words (and as common sense might dictate) someone is more likely to be tolerant of inequality when they believe that inequality was arrived at by fair (or meritocratic) means, and thus a society whose shared ideas strongly emphasise individual agency and meritocracy is similarly likely to tolerate more intense stratification. The natural converse of success being earned is that failure is one's own fault, which Littler calls a 'cruel optimism' (Littler 2013, p. 66). One of the ways in which the consumer exercises this supposed

meritocratic agency is through credit. Graeber describes how relations of debt create a kind of 'ruthless equality' between contractees in stark contrast to the variegated relationship that existed before the advent of commercial money (2014, p. 191). The ability of money and debt to deprive (unequal) relationships of their context and make intensely personal ones impersonal is a common theme in Graeber's account, and when combined with Payne's conception of the consumer the neoliberal model becomes clear: consumers are active, responsible equals rationally steering their own destiny. There is no room for structural inequality.

This conception of meritocracy and debt in an impersonal society of rational, equal agents simply does not square with the reality of neoliberal society, but this image continues to meliorate discontent which might arise about the system's many foibles. In reality, this equality is false and only serves to hide how the system creates and recreates economic inequality. Harvey's account of the causation of the neoliberal turn may leave much to be desired in terms of its account of causation, but the figures he cites about income inequality—that the income share of the top 1% of earners in both the US and UK rose dramatically after 1980 after stagnating or falling since the end of World War II—bear remembering (2007, p. 28).

The concept of 'the consumer' overestimates the power of the actual consumer, and hides the unequal footing upon which any relationship of debt with the under-regulated landscape of neoliberal finance entails. As Graeber puts it, '[t]he violence [or inequality] is preserved within the structure of the law' (2014, p. 163). For instance, Fourcade and Healy (2013) recount how processes of classification (e.g. credit scoring) by which, to use Scott's (1998) terms, firms make consumers of credit 'legible', are exercises of considerable power, as people with lower credit scores are offered only extortionate subprime loans, or no loans at all. Soederberg (2013) describes the monumental impact decisions of this kind can have on 'life chances', showing us just how much power they represent. Soederberg is also at pains to note that these deleterious exercises of power fall along existing lines of inequality such as gender and race, just as they did historically: women were functionally excluded from obtaining credit in the US until 1974, and racial minority neighbourhoods faced ruthless redlining policies. The 1960s and 70s saw a push to 'democratise', or promote social justice in, American credit because of how explicit the existing discriminatory practices were (Seabrooke 2006; Prasad 2012, p. 221); neoliberalism has forestalled opposition of the same kind by the nominal importance it places on consumers' meritocratic equality and agency, and it presented itself as an improvement upon Keynesianism in the same vein: as guaranteeing consumers the credit access to realise their full potential as economic actors.

The supposed neoliberal agency of the consumer is also centre stage in the issue of choice. Public choice theory, described above, is an especially potent demonstration of the efficacy of the meritocratic elements of the neoliberal discourse at problematising Keynesianism. In the strictest sense, progressive liberalism and Keynesianism may be thought of as limiting meritocracy, ensuring efficiency and stability not by trying to divine what every individual had rightfully earned, but leaning more toward 'from each

according to ability, to each according to his need', and thus was especially susceptible to hardline meritocratic criticisms. The dismantling of Keynesian social welfare institutions left 'debtfare' (Soederberg 2013, p. 493), with all of the discriminatory foibles outlined above, as the only choice for certain basic services. Finally, Lazzarato (2009) describes how the financialised obsession with possible future value and risk, thought to be essential in neoliberalism (Payne 2012), places a considerable amount of power in the hands of the experts (*cf.* Foucault 2005) who analyse risk, *i.e.* in the hands of firms. The supposed savvy long view of the consumer means little compared to that of their bank.

Conclusion

Credit is, as many can attest, very tempting. Where it is available, people resort to credit to buy things they want or need, and the more credit that is available, the more debt people will take on. This is evident in anecdotal experience but also in Kotz's observation that the value of American financial assets grew from an already whopping 150% of GDP between 1960 and 1980 to a mind-bending 300% of GDP in 2003 (2019, p. 5). As for individuals, so it appears to be for whole societies: for the better part of a century, American and British governments have relied not on taxation and spending but on access to credit to pursue their policy aims and solve their distributional problems. Compared to financialisation, neoliberalism is quite a latecomer to Anglo-American political economy, but neoliberal politicians were just as tempted as their predecessors to rely on finance to solve their problems when their own policies came up short. Their reliance, however, took a decidedly dangerous form.

Neoliberalism was a dynamic addition to the mixture of state, society, and finance, but it was not a matter of the super-rich pulling politicians' strings from behind the scenes. By its very construction, neoliberal economic theory presented a convincing alternative to floundering Keynesian orthodoxy: the supposed dynamism of the consumer working through a free market captured the imagination of theorists, politicians, and voters alike. However, the neoliberal consumer has underperformed. Finance was both part of the consumer's weakness, as it exacerbated structural inequality, and an apparent solution to it: the temptation of ever-increasing debt. The combination of dependence on credit and financial institutions which had been growing since the early 20th century, with a lack of oversight based on the conviction that the active consumer was an effective supervisor, was a recipe for disaster. Crisis and inequity may have been unintended consequences of the combination of neoliberalism with financialisation, but they are consequences we must reckon with nonetheless. What is important here is how we reckon with neoliberalism: rather than dismissing it as the plot of some conspiracy which we must fight against with tooth and nail, we must realise its true nature as a flawed theory which needs to be improved upon through careful examination of its own past failures and successes. That the '08 crash and the ongoing unequitable effects of neoliberal finance rested on financial indispensability and neoliberal deregulation suggest to this author that we ought to re-evaluate both.

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