

# **THE SOCIAL CONTRACT**

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**The Social Contract**  
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## PREFACE

On behalf of the Department of Political Science, I would like to congratulate you on publishing this year's issue of *The Social Contract*. The editorial staff invested significant time and effort to produce a fine volume that includes some of the best essays submitted by undergraduate students over the past year.

This issue includes essays on a range of topics covering the main subfields of political science, but the questions they raise are relevant to the wider public as well. Consider the following questions: Is a carbon tax desirable or feasible for Canada? What is the relation between identity and social capital? How should we understand the success of Stephen Harper as a political leader? What were the causes and consequences of the Guatemalan bloodbaths of the 1980s? What is the nature of European integration? Are human rights universal?

In this issue of *The Social Contract*, some of our best students address these wide-ranging questions with insight and logical rigour. Politics is all around us, and the essays that follow exemplify the claim that it can be studied systematically in a way that deepens our understanding. In this journal, readers will discover the value of reflecting on the political institutions and actors that affect us all.

The Department of Political Science at UWO is proud of the excellent students who worked hard to produce this issue of the journal. We spend our working lives producing our own research, so we know that it takes dedication and perseverance to produce work of such high quality.

Please accept our thanks, our congratulations, and our best wishes.

Charles Jones

Chair

Department of Political Science

University of Western Ontario

## LETTER FROM THE EDITORIAL BOARD

Celebrating its sixth year at Western, *The Social Contract* continues to evolve out of infancy and into a serious academic journal. It has grown to be an important part of the Political Science department, and allows students an important opportunity to let their hard work be recognized.

Throughout the year, many students worked hard at assembling this journal. Without the hard work of everyone involved in all stages of assembly, this journal would not be a reality. It is important to recognize that each and every member of the Social Contract team has played an important role, and for that we thank you all. It is also necessary to recognize the extra hard work of our advisor, Professor Nigmendra Narain, as he alone has provided the necessary guidance at all stages in the development of this journal. Without him we would be hopelessly lost. His special abilities, professionalism, tireless dedication, and personal concern for every one of his students cannot be properly recognized enough in this short little paragraph. He is, and will always be an inspiration to us all.

When mentioning inspiration, we also need to note that we received close to 100 submissions for *The Social Contract* this year. Not only did this bring with it a lot of hard work for all of us in having to read each and every submission carefully, it also brought a lot of disappointment, seeing as we cannot publish each and everyone of them. The submissions really were that good this year, and every submitter should be proud of themselves. Melissa George and her staff next year will certainly have a lot to top. However we have faith in her exceptional abilities, and cannot wait to see *The Social Contract* grow even stronger in its seventh year. Until then, we hope that the sixth edition of *The Social Contract* is enjoyed by all of you, the readers. The articles are all on matters that we currently find important, or are about events from the past that we feel are necessary to study. It is our hope that you will find these articles to be engaging, stimulating, informative, and most of all entertaining. We are confident that you will.

Regards,

***The Social Contract Editorial Board***

## **EDITORIAL BOARD & SOCIAL CONTRACT EDITORIAL STAFF**

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**SPECIAL THANKS**

University Students' Council (USC)

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Professor Nigmendra Narain

*THE SOCIAL CONTRACT*



## **BUSINESS AND GOVERNMENT**

*Adopting a Carbon Tax in Canada*  
By Samantha DiBellonia

According to David Martin, Greenpeace climate and energy coordinator, “A carbon tax is an important part of the solution to global warming, but the plan’s target isn’t tough enough, the price on carbon is too low, and the tax cut should be used to help Canadians save energy.”<sup>1</sup> This quote describes the current situation in Canada regarding whether or not to implement a carbon tax and how exactly to do so. Several industrialized countries from the UK to the Nordic countries have already begun using a carbon tax and though the ways in which these countries have implemented this tax varies, the overall idea remains the same. Essentially, the idea is to apply a number of regulations on using carbon-based sources by increasing the cost of burning fossil fuels in order to decrease its consumption.<sup>2</sup> There have been many who criticize the possibility of a carbon tax in Canada, but despite these critiques, a carbon tax in Canada would be most beneficial in the long run. Thus, Canada should adopt a carbon tax at the federal level in order to flight climate change due to its simplicity for implementation, its incentives for changing consumer behaviour for both businesses and individuals, and the way in which it sustains the environment and the political economy at the most efficient cost. Before discussing why Canada should employ a carbon tax, it is important to note how this relates to neoliberal and Keynesian-welfare principles, the success stories of British Columbia and Nordic countries, the supporters of this tax, as well as those who oppose it.

Starting with neoliberalism, neoliberalism has been defined as a belief in free markets that focus on the individual. Neoliberals disagree with big government, and instead, opt for small governments to manage the market. Under neoliberalism, the market needs to be established by government where “...the role of the state is to create and preserve an institutional framework characterized by strong private property rights, free markets, and free trade.”<sup>3</sup> Neoliberalism theory argues that the task of government is to ensure the accumulation of capital. Due to the desire for capital, it has been said that neoliberalism is in turn, a form of managed capitalism.<sup>4</sup> Neoliberals also prefer the market to the state because the market is based on free choice and individualism whereas the state promotes government control. What neoliberals strive for ultimately, is to keep the state out of market decisions. When there are market failures, neoliberals believe that the state cannot correct these failures.

There are several different approaches to applying these principles of neoliberalism. However, all types of neoliberals and neoliberal thinkers would reject the idea of a carbon tax. To neoliberals, a carbon tax would make necessary government intervention in the market, which conflicts with the freedom of individuals. In implementing a carbon tax, governments would be able to select the tax rate as well as its base, which is a burden for businesses and in

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<sup>1</sup> Greenpeace Canada, *Greenpeace Offers “Qualified Support” for Liberal Carbon Tax*, June 19, 2008, <http://www.greenpeace.org/canada/en/press-centre/press-releases/greenpeace-offers-qualified-s/> (accessed October 25, 2010).

<sup>2</sup> Zhen Kun Wang, and Alan Winters, “Carbon Taxes and Industrial Location: Evidence from the Multinationals Literature,” in *Environmental Policy, International Agreements, and International Trade*, rev. ed., ed. Alistair Ulph (New York: Oxford University Press, 2001), 135.

<sup>3</sup> Brian Andrew, Jane Andrew, and Mary A. Kaindonis, “Carbon Tax: Challenging Neoliberal Solutions to Climate Change,” *Critical Perspectives on Accounting* 21, no. 7 (2010), 612.

<sup>4</sup> Ibid

tern, the market.<sup>5</sup> Under neoliberalism, there is a connection between capitalism in sustaining the environment and they believe that a carbon tax would undermine this principle. The creation of a carbon tax in Canada thus directly challenges the neoliberal ideology, which favours small government, lower taxes, and the facilitation of the free market in managing environmental problems.<sup>6</sup> Under a carbon tax, the maintenance and application of taxation relies on the government, which is the antithesis of neoliberal ideology.<sup>7</sup> Essentially, neoliberals want to cut taxes, not to increase them.

Keynesian-welfare economists agree with neoliberals in the sense that the market should make decisions. However, unlike neoliberals, Keynesian-welfare political economists acknowledge the deficiencies of the market and the role of the state in correcting these deficiencies. Much like Keynes, they believe that in these cases where the market has failed, the state should interfere through taxation, fiscal policy, and public spending.<sup>8</sup> They focus on macroeconomic instabilities where public investing, including taxation, is central to correcting the failures of the market.<sup>9</sup> In times of recession, Keynesian-welfare economists encourage taxation to correct negative externalities.

Also unlike neoliberals, Keynesian-welfare economists would agree with the idea of a carbon tax. The market, due to the increased amount of pollution from businesses and consumers, has failed to reduce carbon emissions. Keynesian-welfare economists would argue that the state must interfere in this failure of the market by imposing a tax to encourage reduced consumption. According to Keynesian-welfare ideology, in order to achieve optimal level, it is important for state interference through taxation in order to maintain economic, and in this case, also environmental stability. Keynesian-welfare economists would agree with introducing a tax in order to prevent inflation and shift the demand.<sup>10</sup> They would disagree with neoliberals on cutting taxes during a recession, and would encourage the increase of taxes in order to stimulate the economy.

The Keynesian-welfare principle of applying taxes in order to encourage economic stimulation coincides with the idea of implementing a carbon tax that several countries have put forth. The carbon taxes that these countries have used vary according to the size of the tax, the greenhouse gases that apply to the tax, and the exemptions granted to different types of industries.<sup>11</sup> An example of this is seen in the Nordic countries that have implemented different types carbon taxes since the early 1990s. Of these Nordic countries, Finland was the first to adopt its version of a carbon tax in 1990. It was initially applied as a duty on coal, natural gas, peat, and light and heavy fuel oil based on its carbon content.<sup>12</sup> The Finnish tax was among the

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<sup>5</sup> Ibid

<sup>6</sup> Ibid, 617

<sup>7</sup> Ibid

<sup>8</sup> Alvaro J. De Regil, "Keynesian Economics and the Welfare State," *The Neo-Capitalist Assault* 4, no. 4 (2001), 4.

<sup>9</sup> Ibid, 5

<sup>10</sup> Ibid

<sup>11</sup> Mark Diesendorf, *Greenhouse Solutions with Sustainable Energy* (Sydney, NSW: University of New South Wales Press, 2007), 20.

<sup>12</sup> Kathryn Harrison, "The Comparative Politics of Carbon Taxation," *Annual Review of Law and Social Science* 6 (2010), 514.

first generation of carbon taxes to not include exemptions for energy-intensive industries.<sup>13</sup> Though there was initial resistance to the Finnish carbon tax, in 1995, the Greens joined the Social Democrats and continued to pursue its presence in politics. Once the Greens came into power, the government re-committed to ecological tax reform and the carbon tax was later changed to apply only to fossil fuels used directly for space heating.<sup>14</sup>

Due to the success of the carbon tax in Finland, its other neighbouring countries, Sweden and Denmark, also adopted different versions of the carbon tax. Sweden followed Finland shortly after in 1991 and has used its carbon tax to reduce greenhouse gas emissions while at the same time, applying several other methods to promote environmental sustainability. Though its other methods in environmental preservation have been effective, its environment ministry estimates that its carbon tax is most responsible for cuts in carbon emissions from 20 to 25 percent.<sup>15</sup> It has also been reported that since the carbon tax was created in 1991, Sweden's carbon emissions have decreased by 7 percent and have been credited with encouraging innovation and development in low-carbon energy technologies.<sup>16</sup> Most importantly, Sweden's carbon tax is considered to be the reason that the country is now on target to achieve its commitment under the Kyoto Protocol.<sup>17</sup>

Following in Sweden's footsteps, Denmark created a household carbon tax in May 1992 and applied it to industry starting in January 1993.<sup>18</sup> Under Denmark's carbon tax, businesses were initially taxed at 50 percent of the standard rate for households and were eligible for additional reimbursements based on their energy consumption.<sup>19</sup> After much talk of reforming the tax, in 1995, a new tax scheme took effect. The new tax set the carbon tax at 600 DKK per metric tonne of carbon dioxide for space heating, 90 DKK per metric tonne of carbon dioxide for light industry, and 5 DKK per metric tonne of carbon dioxide for heavy industry.<sup>20</sup> Denmark's approach of making tax exemptions conditional to firms based on their signing of agreements to reduce their harmful emissions serves as an example of the ways in which a carbon tax can be beneficial.<sup>21</sup>

In the Canadian context, Canada has federally opposed a carbon tax. However, as of July 1, 2008, British Columbia introduced its own carbon pricing method. At \$10 per tonne of carbon dioxide, the tax that they have implemented is reasonable. The \$10 per tonne method also applies to all fossil fuels including gasoline and diesel fuel.<sup>22</sup> This price is currently set at 2.34 cents per litre of gasoline, and is predicted to rise by \$5 per year to a level of \$30 per tonne by July 2012.<sup>23</sup>

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<sup>13</sup> Ibid

<sup>14</sup> Ibid

<sup>15</sup> Pembina Institute, *The B.C. Carbon Tax: Myths and Realities* (Saint-Lazare, Quebec: Gibson Library Connections, 2008), 4.

<sup>16</sup> Ibid

<sup>17</sup> Ibid

<sup>18</sup> Kathryn Harrison, "The Comparative Politics of Carbon Taxation," *Annual Review of Law and Social Science* 6 (2010), 516.

<sup>19</sup> Ibid, 517

<sup>20</sup> Ibid

<sup>21</sup> Ibid

<sup>22</sup> Thomas J. Courchene, *Climate Change, Competitiveness, and Environmental Federalism: The Case for a Carbon Tax* (Saint-Lazare, Quebec: Gibson Library Connections, 2008), 3.

<sup>23</sup> Marc Lee, *Is BC's Carbon Tax Fair?: An Impact Analysis for Different Income Levels*, (Vancouver, British Columbia: Canadian Centre for Policy Alternatives, 2008), 4.

The tax is also revenue-neutral, which means that all revenues that are made from the tax are returned to taxpayers through tax cuts and credits.<sup>24</sup> The point of using this revenue-neutral basis is to reduce personal and corporate taxes while providing low-income tax credits to help outweigh the cost of the rise in fuel prices.<sup>25</sup> Thus, this carbon that has been implemented is not an added on tax to what consumers already pay, but is a tax shift.<sup>26</sup>

British Columbia's carbon tax also covers emissions from burning fossil fuels for both businesses small and large as well as individual consumers.<sup>27</sup> Industry and big businesses will most likely burn more fossil fuels and will in turn, pay more of the carbon tax. Through these principles of their carbon tax, residents of British Columbia and businesses can save money by making green choices that will not affect their taxes. By putting an increased price on using higher-carbon-emission choices, the tax makes greener options easier and more affordable. This encourages businesses as well as individual consumers to develop innovative and affordable low-carbon alternatives in order to reduce costs.<sup>28</sup> This proponent of British Columbia's carbon tax has been highly praised by leading economists and environmental experts. Through British Columbia's concept of raising the cost of carbon-based products through a tax, the carbon tax gives residents concrete incentives to change the habits that contributed to climate change in the first place.<sup>29</sup>

Overall, the British Columbia carbon tax has proven itself to be a powerful economic instrument in reducing greenhouse gas emissions. It currently applies to 70 percent of total greenhouse gas emissions in British Columbia and has purported to reduce even more sources of emissions not subject to the carbon tax through other types of government regulations.<sup>30</sup> If this tax continues to be successful, it will reduce the percent of these harmful emissions beyond its goal of 2012. In fact, a study by M.K. Jaccard and associates for the Pembina Institute and the David Suzuki foundation has concluded that the British Columbia carbon tax will reduce emissions, and will continue to do so by up to 3 million tonnes annually by 2020.<sup>31</sup>

From this information, it is clear that the British Columbia carbon tax provides the economic as well as environmental incentive for companies and households to pollute less, and take a greater interest in environmental sustainability.<sup>32</sup> Canadian residents outside British Columbia have been able to see this success, and have attempted to implement their own carbon taxes. For example, in 2008, Liberal leader Stephane Dion proposed a multi-billion dollar tax for the use of carbon to all Canadian residents.<sup>33</sup> To Dion, fighting climate change is the "...main

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<sup>24</sup> Ibid, 5

<sup>25</sup> Thomas J. Courchene, *Climate Change, Competitiveness, and Environmental Federalism: The Case for a Carbon Tax* (Saint-Lazare, Quebec: Gibson Library Connections, 2008), 3.

<sup>26</sup> Pembina Institute, *The B.C. Carbon Tax: Myths and Realities* (Saint-Lazare, Quebec: Gibson Library Connections, 2008), 2.

<sup>27</sup> Ibid

<sup>28</sup> Ibid

<sup>29</sup> Ibid

<sup>30</sup> Ibid

<sup>31</sup> Ibid

<sup>32</sup> Ibid, 3.

<sup>33</sup> John Geddes, "Stephane Dion's Hail Mary Gamble: He's Betting His Political Survival on the Carbon Tax Issue. How Risky is That?" *Maclean's*, 30 June 2008, p. 18.

issue of the 21<sup>st</sup> century,” and he sees a carbon tax as a way of addressing this issue.<sup>34</sup> Dion’s concept of the federal carbon tax was a revenue-neutral tax, like that of British Columbia, where the government would cut business and personal taxes equal to the amount that the new tax would collect. The revenues from the tax would also be used to assist those with disabilities, help to alleviate child poverty, and to reduce unequal impacts on northern and rural communities.<sup>35</sup>

His concept was also entitled the Green Shift proposal because Dion wanted to shift taxes, not provide an additional tax. What Dion wanted was to shift taxes onto the polluters in order to penalize those who were careless in energy consumption, and reward those who were not. In doing this, the carbon tax would offer tax cuts to both corporate and personal income taxes. His proposal would start at charging \$10 per metric tonne of carbon dioxide and would increase in the following three years.<sup>36</sup> This tax would be imposed on all fossil fuels, but gasoline would not be included. This carbon tax, would in stages, extend to other carbon-based fuels like coal and natural gas.<sup>37</sup> Ultimately, Dion’s concept was based on the principle, “You tax more of what you want less, and you tax less of what you want more.”<sup>38</sup>

Though Dion’s proposal failed, several other liberal thinkers have been in support of the idea of a carbon tax in Canada. Even the current opposition leader, Michael Ignatieff, has long encouraged this concept. Other groups that support this idea include Greenpeace, who as a group have openly argued for a federal carbon tax as the most effective way of reducing greenhouse gas emissions. They have argued that only through a carbon tax will Canada meet its Kyoto requirements.<sup>39</sup> They have also argued that the carbon tax is the only way to control carbon emissions by raising the price of carbon quickly, while improving the climate of the environment most efficiently.<sup>40</sup> Roy Culpeper, President of the North-South Institute in Ottawa, has also favoured a carbon tax in reducing greenhouse gas emissions. He has criticized the current government’s environmental policies and has stated that the carbon tax is one of the only methods that will be able to generate the needed funds to help limit pollution.<sup>41</sup>

In accordance with the opinions of Greenpeace and Roy Culpeper, several professors have outwardly discussed and created studies in support of a carbon tax. A well-known professor who has done this is Mark Jaccard, a Simon Fraser University policy professor. Jaccard has written several extensive studies on the benefits of a carbon tax.<sup>42</sup> He also outwardly rejects a cap-and-trade-system and offers several statistics as to how a carbon tax would be most beneficial in the long run. Another policy professor, Jack Mintz from the University of Calgary, has been an advocate of carbon taxes. Mintz is a notable supporter because he does not fit into the group of

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<sup>34</sup> Ibid

<sup>35</sup> Kathryn Harrison, “The Comparative Politics of Carbon Taxation,” *Annual Review of Law and Social Science* 6 (2010), 521.

<sup>36</sup> Ibid

<sup>37</sup> John Geddes, “Stephane Dion’s Hail Mary Gamble: He’s Betting His Political Survival on the Carbon Tax Issue. How Risky is That?” *Maclean’s*, 30 June 2008, p. 18.

<sup>38</sup> Ibid

<sup>39</sup> Greenpeace Canada, *Greenpeace Offers “Qualified Support” for Liberal Carbon Tax*, June 19, 2008, <http://www.greenpeace.org/canada/en/press-centre/press-releases/greenpeace-offers-qualified-s/> (accessed October 25, 2010).

<sup>40</sup> Ibid

<sup>41</sup> Ibid

<sup>42</sup> John Geddes, “Stephane Dion’s Hail Mary Gamble: He’s Betting His Political Survival on the Carbon Tax Issue. How Risky is That?” *Maclean’s*, 30 June 2008, p. 18.

liberal thinkers who often support the idea of a carbon tax. His strong favouring of pro-business tax reforms makes him stand out as a supporter and shows that even big businesses can benefit from a carbon tax.<sup>43</sup>

Despite the many who support the implementation of a carbon, there is still quite an opposition to it. With the economic state of Canada being of vital importance, typically conservatives, neoliberal thinkers, and right-wing economists have opposed the thought of adding a carbon tax. It has been argued that the Canadian economy, only marginally less dependent on its United States counterparts, is already suffering from the effects of the economic crisis in the United States.<sup>44</sup> Due to this fact, it has been said that adding another tax will make Canada's economic state worse. In a recession, such as the one we face today, those opposed have argued that raising taxes will make this period worse. To these conservative thinkers, reducing incomes while at the same time driving prices up for carbon-based products will emphasize the recession.<sup>45</sup>

The Conservative Government under Stephen Harper as well as the left-wing New Democratic Party have strongly been in agreement with these claims against a carbon tax. When Stephane Dion proposed the carbon tax in 2008, the conservatives and NDP's were the first to argue that adding a carbon tax will hurt the Canadian economy. They have also critiqued specifically Dion's concept of this carbon tax, claiming that the promise of revenue-neutrality was really a ploy in order to add taxes. Besides conservatives and the NDP's, environment Minister John Baird also mocked Dion's proposal of revenue neutrality. He has been quoted saying that "This tax will be revenue neutral? It's like, 'I'll respect you in the morning.' It's just not believable."<sup>46</sup>

Instead of the carbon tax, what Harper and the NDP's as well as Baird have promoted is the idea of a cap-and-trade system.<sup>47</sup> They have claimed that this cap-and-trade system is much more beneficial than the carbon tax, saying that the carbon tax will only tax average Canadians. They have argued that only through cap-and-trade will the "big polluters pay their fair share."<sup>48</sup> Overall, their aim is to cap industrial emissions, while at the same time, let companies buy credits to pump out emissions more from any firms that are able to reduce their output below the allowed limits.<sup>49</sup>

Though there have been several arguments against implementing a carbon tax in Canada, the problem with a federal carbon tax is not the tax itself. What ultimately led to the failure of the carbon tax was the way in which Liberal leader Stephane Dion proposed it. Many Liberal MPs and officials wanted Dion to hold a July election to promote the carbon tax. Michael Ignatieff who supported Dion, argued that the best time to sell the carbon tax policy was in the

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<sup>43</sup> Ibid

<sup>44</sup> David Murrell, "Eight Arguments Against a Carbon Tax," *Canadian Centre for Policy Studies* (2008), 2.

<sup>45</sup> Ibid

<sup>46</sup> Ibid

<sup>47</sup> Kathryn Harrison, "The Comparative Politics of Carbon Taxation," *Annual Review of Law and Social Science* 6 (2010), 521.

<sup>48</sup> Ibid

<sup>49</sup> John Geddes, "Stephane Dion's Hail Mary Gamble: He's Betting His Political Survival on the Carbon Tax Issue. How Risky is That?" *Maclean's*, 30 June 2008, p. 18.

compressed weeks of a campaign during the summer.<sup>50</sup> Instead of listening to his Liberal colleagues, Dion pushed aside their ideas and put forth the carbon tax with a lack of support. Dion also put himself up to be criticized by both Harper and Baird by changing his opinion on the issue of a carbon tax. Initially, Dion was opposed to implementing a carbon tax as environment minister to Chretien as well as when he was running as a Liberal party leader, but ‘flip-flopped’ to promote it once he became the Liberal party leader.<sup>51</sup>

Dion’s plan was additionally flawed in the fact that Dion made the carbon tax his central policy, and tied it into several other policies including the improvement of poverty. Due to Dion’s fail to focus on a carbon tax while trying to implement several other policy initiatives, the carbon tax was not clear. Dion failed to present the carbon tax as applying to all types of consumers. The Conservatives used this fact to present the carbon tax as a tax that would not apply to industry, and would only harm Canadian citizens. This misconception that the carbon tax only has individuals pay, not the “big polluters,” was used to the Conservatives and NDP advantage.<sup>52</sup> These political reasons are why the proposal did not relay well in the 2008 election, and ultimately led to the demise of Dion as a Liberal party leader.

Despite the flaws in Dion’s proposal, the idea of implementing a Canadian carbon tax remains advantageous to Canada for several reasons. Firstly, implementing a carbon tax is much easier to apply than any sort of policy to impact climate change. Studies have shown that the current policy of cap-and-trade leaves Canada 122 million tonnes short of its Kyoto commitment and would require a long period of time before combating climate change.<sup>53</sup> It does not put a price on carbon and does not provide sufficient incentives for Canadians to reduce their emissions.<sup>54</sup> Ultimately, the cap-and-trade system lacks ease and simplicity in reducing greenhouse has emissions effectively.

A carbon tax on the other hand, provides these incentives and successfully puts a price on the use of carbon in a short matter of time. Building on the current tax system, policy makers would be able to put in place a carbon tax within a matter of weeks, compared to months or years with other policy initiatives.<sup>55</sup> Based on this simplicity, a carbon tax could be easily applied and does not require a long length of time before positively affecting climate change.<sup>56</sup> Overall, a carbon tax is a simple and inexpensive policy that exposes consumers to the prices of using fossil fuels and products made with fossil fuels.<sup>57</sup>

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<sup>50</sup> Ibid

<sup>51</sup> Ibid

<sup>52</sup> Kathryn Harrison, “The Comparative Politics of Carbon Taxation,” *Annual Review of Law and Social Science* 6 (2010), 521.

<sup>53</sup> Greenpeace Canada, *Greenpeace Offers “Qualified Support” for Liberal Carbon Tax*, June 19, 2008, <http://www.greenpeace.org/canada/en/press-centre/press-releases/greenpeace-offers-qualified-s/> (accessed October 25, 2010).

<sup>54</sup> Ibid

<sup>55</sup> Kathryn Harrison, “The Comparative Politics of Carbon Taxation,” *Annual Review of Law and Social Science* 6 (2010), 508.

<sup>56</sup> Roberta F. Mann, “The Case for the Carbon Tax: How to Overcome Politics and Find Our Green Destiny,” *Environmental Law Reporter* 39, no. 2 (2009), 10122.

<sup>57</sup> Mark Diesendorf, *Greenhouse Solutions with Sustainable Energy* (Sydney, NSW: University of New South Wales Press, 2007), 20.



A carbon tax is also a way to apply techniques of environmental sustainability to both large and small polluters, and would not rest solely on businesses. This is beneficial to both consumers and businesses alike because it levels the playing field without relying too much on one or the other.<sup>58</sup> By leveling the playing field, the carbon tax provides consumers with predictable prices, while at the same time, provides businesses with a stable environment for planning and investment.<sup>59</sup> A carbon tax also reduces payroll or income taxes that discourage productivity, which would encourage all types of carbon consumers to invest in green technologies.<sup>60</sup> In this sense, a carbon tax offers sufficient transparency in terms of fairly allocating the costs of carbon reduction.<sup>61</sup> Also, by its way of revenue-neutrality, a carbon tax creates incentives to be environmentally sustainable as the tax can be recycled.

From this perspective, it is clear that despite the several difficulties, adopting a carbon tax at the federal level is the best way to control greenhouse gas emissions in Canada. A federal carbon tax, with its ease in implementation, its ability to change both businesses and consumer behaviour, and its efficiency of cost through revenue-neutrality have proven it to be one of the best policy initiatives in combating climate change. Nordic countries and provinces like British Columbia have already implemented a carbon tax, and through its success, it is clear that Canada can and should do the same. Furthermore, adopting a carbon tax at the federal level for Canada provides benefits to the country that are both environmental and economic. Adopting a carbon tax in Canada is a politically viable policy initiative that has proven to be the most effective way to fight climate change.<sup>62</sup>

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<sup>58</sup> Roberta F. Mann, "The Case for the Carbon Tax: How to Overcome Politics and Find Our Green Destiny," *Environmental Law Reporter* 39, no. 2 (2009), 10123.

<sup>59</sup> *Ibid*

<sup>60</sup> Kathryn Harrison, "The Comparative Politics of Carbon Taxation," *Annual Review of Law and Social Science* 6 (2010), 508.

<sup>61</sup> Roberta F. Mann, "The Case for the Carbon Tax: How to Overcome Politics and Find Our Green Destiny," *Environmental Law Reporter* 39, no. 2 (2009), 10123.

<sup>62</sup> *Ibid*

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## **IDENTITY POLITICS**

## ***Social Capital and Identity: Building Bridges out of Strong Bonds***

By Melissa Kamphuis

Putnam distinguishes between two forms of social capital, one bridging and one bonding (Putnam, 2002:11). Bridging social capital is privileged as the form of social capital that has the greatest potential for fostering civic life and is most associated with civic renewal (Putnam, 2002: 11). Conversely, bonding social capital is seen to have the greatest potential to be divisive in society, thus producing negative externalities (Putnam, 2002: 11). This conception of social capital focuses almost entirely on the external benefits generated by social capital and neglects the potential for internal costs and benefits within a group. Individual and group identities play a part in the creation and maintenance of social capital. However, it is equally as important to consider the impact of social capital on the construction and maintenance of those identities. Building bridging social capital is one way of correcting social, political and economic inequality, but it is not always that simple as certain identities are not accepted by the dominant groups and institutions.

It is this impact that will be explored in this paper, with emphasis on the tension that exists between bridging and bonding social capital and identity. The experiences of Aboriginal and Torres Strait Islander people in urban settings as well as the connections between gender and social capital exemplify the interrelationship between social capital formation and identity. The results of this tension include a number of implications for social movements in forming connections with potential members and in engaging with formal political institutions.

The concept of social capital is widely used and variably defined. Pierre Bourdieu used social capital first in a cultural context, to determine that culture was both dynamic and structured. (Schuller, Baron and Field, 2000: 3). He went on to define social capital as “the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalized relationships of mutual acquaintance and recognition...which provides each of its members with collectively owned capital” (Bourdieu, 1997:51 in Schuller, Baron and Field 2000:3). Bourdieu considered social capital to be interconnected with human and economic capital, not existing independent of either.

In a different description of social capital, Coleman viewed social capital as a way of understanding the connection between educational (under)achievement and social (in)equality (Schuller, Baron and Field, 2000: 5). He defined social capital as related to his work in education, being “the set of resources that inhere in family relations and in community social organizations and that are useful for the cognitive or social development of a young person” (Coleman, 1994: 300 in Schuller, Baron and Field, 2000: 6). Coleman asserted that “...social capital inheres in the structures of relations between persons and among persons. It is lodged neither in individuals nor in physical implements of production” (Coleman, 1990: 302, in Edwards, Foley and Diani, eds. 2001: 3). He did not give strong consideration to issues of identity in the generation of connections to these resources, despite acknowledging that there were a number of factors affecting the access of individuals to family and community resources.

Finally, Putnam defines social capital as “the norms of trust and reciprocity associated with social networks” (Putnam, 2002: 3). It was he who differentiated between bridging and

bonding social capital, defining the former as bringing together people who are unlike one another, and the latter as the connection of those who share similar characteristics (Putnam, 2002: 11). These characteristics are based on identifiers such as ethnicity, gender, age, social class and religious affiliation, all of which are significant in the determination and construction of identity. This indirectly acknowledges the effects of identity on social capital formation, but it does not pursue the idea that the pre-existence of social capital may affect identity formation.

All three definitions of social capital focus on networks and trust, as well as the social norms that result. Further study of social capital has confirmed that bridging social capital is more likely to produce positive externalities, while strong bonding capital and an emphasis on shared group identity can lead to an *us versus them* mentality that promotes hostility towards outsiders (Putnam, 2002: 11, Coffe and Geys, 2007: 122). However, it is bonding capital that tends to provide the informal support that contributes to high quality of life (Bezanson, 2006: 430). The strong connections formed between family members and close friends contribute to stocks of bonding social capital, and it is these connections that provide emotional, economic and cultural support in everyday life, preventing the isolation of the individual and promoting some form of trust within close relationships. Thus far, theories of social capital have granted little importance to the role strongly held identities play, particularly those associated with ethnicity and gender (Reynolds, 2006: 1091, Bezanson, 2006: 428). Ethnicity is often presented as fixed, with closed boundaries as a result of stereotyping and outsider-constructed identities (Reynolds, 2006: 1091). The effects of building social capital on those identities are thus neglected. Finally, it is important to understand that bridging and bonding are not exclusive categories and that groups generally possess ties that promote both to some degree. This makes privileging one group over another for its stocks of bridging social capital a dangerous venture. It also suggests the need for a deeper understanding of the interplay between bridging and bonding social capital rather than maintaining a strict boundary between the two.

When discussing identity it is important to note that identity is not a unitary ideal. Mouffe asserts that one possesses not one but multiple identities that are constantly in flux and continually undercutting one another (Mouffe, 1992: 28). She applies this primarily to conceptualizing a political identity and associational culture based on a redefined identity of the citizen, combining both the individual and the citizen to create true participatory democracy. This understanding counters the idea that identities coexist rather than compete, and applies as much to members of groups, movements and political association as it does to citizens of democracies. Being a member of multiple communities and thus taking on multiple identities makes it inevitable that these identities should clash, conflict or shift in importance as a person undergoes new experiences and processes new information. In terms of social capital formation, it then becomes possible that one's identity within a given group may differ from the identity presented to connections outside that group. Certain aspects may be emphasized or downplayed depending on the context of the social interaction. Consideration must then be given to the types and strength of bonds formed based on specific identities.

In a qualitative study designed to examine social capital and urban Aboriginality among Australian Aboriginals and Torres Strait Islander people, Brough et al., (2006) found that choosing to develop bridging social capital was not always a clear cut and easy choice. Quite often identity and social capital were a means of both inclusion and exclusion, and that

stereotypes played a large role in deciding the level of either in a given situation. For Aboriginals attempting to build ties to the non Aboriginal community, racism and pre-existing notions of Aboriginality as primitive and “other” hindered attempts to found relationships that would traditionally lead to bridging social capital formation (Brough et al, 2006: 403). At the same time, one might expect that this unwillingness on the part of the majority to accept such ties reinforced the minority group identity and reliance on group bonds for social and cultural support.

In interviews with a number of Aboriginals and Torres Strait Islander people who had moved to cities, there were a number of recurring themes. One was the idea that there were numerous “selves” or aspects of identity that were presented differently within different networks:

Sometimes you feel like, shit, I don't fit in anywhere, sometimes you feel like you're sitting in the middle and you're going, 'Which way do you sit?' because there's elements of both that you feel uncomfortable with. Sometimes you feel like you're just sitting in the middle and getting bits from either side or that you're only showing parts of yourself from either side. (Brough et al, 2006: 402)

The tension between maintaining an Aboriginal identity and at the same time trying to fit in with non Indigenous people and structures makes it difficult to maintain an identity and to form connections with others. It has the potential to isolate those individuals who feel they do not fit in anywhere, which does little to promote the trust between individuals that is required to build social capital of any sort, let alone the bridging variety. The constant self censorship that arises from selecting aspects of identity provides another challenge. For example, the authors cite the case of a male participant who held a senior position within a large non Indigenous organization who spoke of consistently having to manage which ‘self’ he was presenting (Brough et al, 2006: 402). If there is a perception that building bridging social capital entails sacrificing some fundamental aspect of one's identity, it will be difficult to promote that form of capital.

This in some ways reflects Mouffe's understanding of multiple identities, none of which can hold equal importance in any given social or political interaction. In building bonds outside an identity based group, one must choose which identity or which aspects on one's identity should be emphasized or neglected in order to facilitate the strongest or most effective connection. In this calculation, one is essentially making a choice between building bridges and retaining a personal identity. For example, many interviewees felt that while “going mainstream” was not necessarily negative, it would have negative effects on cultural knowledge and thus on cultural connection, while distinctly Aboriginal settings provided “more certainty of self” (Brough et al., 2002: 405). One respondent explained that “... being in the Inala community is, most of the people here, we regard ourselves as family. Like if when I come home to Inala, it's like walking in your front door, your home ...” (Brough et al., 2002: 405). This suggests that there is a familiarity that comprises a cultural component to social capital that may change the ways in which it is cultivated as well as the reasons for doing so. This cultural aspect compounds the difficulty of cultivating bridging social capital when it is perceived to erode identity. This is especially true when the promotion of bridging social capital is aimed at strengthening dominant institutions and civic associations that may fail to represent the group characteristics with which one identifies most strongly.

This leads to a reinterpretation of mainstream political participation. For people who have traditionally been oppressed by the dominant political institutions, understandings of civic participation are quite different (Brough et al, 2002: 405). The use of “identity policing” to enforce a constructed identity on a given group is one way of oppressing it (Brough et al, 2006: 407). This means that those voices that do not conform to a prescribed identity are rejected as failing to legitimately represent a given community, in this case the Aboriginal one. In addition, historical context must be accounted for, especially when there is an element of protest present in the political identity of a network. Trust is essential to the establishment of social capital and when one group has historically been oppressed and is contemporarily the focus of negative stereotypes, it is difficult to foster the trust necessary to form social capital. In this particular study, the authors found that this history of resistance and contemporary efforts to engage with the mainstream are connected through the creation of Indigenous advocacy organizations and movements (Brough et al, 2006: 406). While there is a sense that forming ties outside the community might lessen the sense of self possessed by members of that community, there is a growing understanding that bonding capital then might give rise to bridging capital in a tentative form. In founding advocacy organizations, Aboriginal leaders relied on outsider connections, or a limited store of bridging social capital, to determine how to organize effectively so as to be able to influence political institutions:

To get these organizations going, the White man would say, ‘Where’s this and where’s that? You got to do this form and that form.’ And they’d go back and there’d be a couple there that really caught on and they’d be our leaders and they’d say, ‘Oh yes, well I’ll do this part and you do this part’ and people grew interested. ‘Oh this is how the White man works? Oh yeah, you got to do this step and that step’ and they learnt very fast. (Brough et al., 2006: 406)

Strong roots in communal identity are thus forming the foundations for these organizations to build ties outside the community, in order to better represent themselves. The basis in identity provides the motivation to build outside ties, as these ties are increasingly recognized as necessary for the betterment of those included in the Aboriginal identity. This leads to an increased ability to influence the political structures related to marginalization.

Strong communal identity does not necessarily translate to bridging capital formation. The relationship between gender and social capital exemplifies this point. Networks formed by women are characterized by strong ties to a small, tightly knit group (Timberlake, 2005: 39, Bezanson, 2006: 432, Coffe and Geys 2007: 132). Within this group, women have high levels of trust, information sharing and a generalized sense of reciprocity. However, women often have difficulty forming bridging social capital and translating this into political or other forms of capital. At least part of this difficulty stems from gender stereotyping. As with the Aboriginal and Torres Strait Islander people and other minority groups, women are often seen as outsiders and thus granted little legitimacy in the eyes of those considered to be insiders, usually white, middle aged men (Timberlake, 2005:40). This suggests that building social capital is not solely based on one individual or group, but also on other individuals and networks. It is all well and good to promote bridging social capital, but there must be sufficient will and trust on the parts of all parties, not just the marginalized.

In addition, stereotypes contribute to a lack of understanding and trust between groups (Reynolds, 2006:1092). As has been described above, the lack of trust between groups, especially when there is an imbalance of power between the two, is not conducive to the formation of bridging social capital. In other words, the attitudes held by those outside the group are as much an indication of the potential for social capital formation. Concerns over the participation of both women and minorities in associational life often fail to recognize that it may be that civic and associational culture are often unwilling to make space for distinct identities, and that the trust required to build strong social capital can be damaged by this unwillingness to admit difference. This attitude only serves to entrench exclusivity by clearly defining insiders and outsiders. As a result, marginalized identities may rely more heavily on their existing bonds for social and cultural support, viewing building bridging social capital as a futile exercise.

Within the context of gender, social capital can be applied conceptually in a number of ways, including workplace settings and in the area of social reproduction. In the workplace, women often face the difficulties associated with stereotyping and legitimacy discussed above. As a result, they often form two networks, one composed almost entirely of women, the other of men (Timberlake, 2006: 42). In doing so, they represent the different aspects of their identities, as both as women and as members of the organization, or present different “selves” as required to build their social capital within the organization. In this context, building bridging social capital generally translates to improved opportunity for promotion or better job prospects outside the organization.

Conceptually, social reproduction refers to unpaid labour such as childcare (Bezanson, 2006: 434). It also refers to the transmission of norms and the way people reproduce socially, materially and culturally, both as individuals and in associations (Bezanson, 2006: 434). From the perspective of social capital, this type of unpaid labour often falls to women and results in the formation of close homogenous ties as women rely on each other and small groups of relatives to help fill the gaps in institutional structures, such as early childhood education institutions. Furthermore, the type of unpaid labour associated with care giving and child rearing often restricts the time and energy available for networking outside of the dense, homogenous networks utilized almost as a means of survival. This makes the accumulation of bridging social capital difficult for many women, particularly those in developing countries or countries without a strong welfare state. Their reliance on bonding social capital is the result of institutional structures that enforce an identity and essentially maintain an imbalance of power. As a result, women are unable to formulate the bridging ties touted as equalizing.

Issues that are important to those outside the mainstream political and cultural discourses are often marginalized because of the challenge they may provide to politicians and political institutions. In order for these issues to be successfully brought to public consciousness, group formation and mobilization come into play. Group membership and social movements are an important indicator of the health of a democracy; according to Tocqueville, it is a culture of association that holds political society together (Tocqueville, 1840: 139). This emphasis on participation and the right to join associations makes the study of social movements especially important in assessing the strength of democracy.



If a social movement is defined as a collective action taken outside established institutions that challenges the status quo by articulating values and beliefs that have been neglected in the mainstream discourse, and these values and beliefs are inherently connected to a sense of identity, then groups with a strong sense of identity, whether based on culture, gender, sexuality, ethnicity or some combination of factors, seem strong candidates for mobilization. According to Diani (2001), mobilization depends largely on networks of exchange and solidarity (Diani, 2001: 208). In other words, the ability of a group to mobilize depends largely on its stocks of existing social capital, which are then used as a foundation to pursue political and cultural influence. The pursuit of external influence is facilitated by strong political and cultural ties outside the group; the stronger the outside ties, then the more bridging capital, and the more influence a movement is able to build.

Using the cases of Aboriginal and Torres Islander Strait peoples as well as gender based understandings of social capital, it is clear that building outside ties is not always a simple task. For social movements with a largely homogenous membership base, building outside ties is more likely to be difficult, especially if there is a history of oppression and systemic inequality. Faced with stereotypes and withheld legitimacy, these groups face challenges to their identity in building outward looking linkages. As noted particularly in the case study by Brough et al. (2006), building linkages outside the community was challenging not only because of the relative unwillingness of many to be linked to, but also because of the way such links were perceived to erode a strongly felt cultural identity (Brough et al., 2006: 405). Similarly, women in workplace settings experienced difficulties building stocks of social capital due to the structural context of many organizations, which favours the more diverse networking style of men rather than the dense ties and high information sharing style generally preferred by women (Timberlake, 2006: 42). Combined with stereotypes and “identity policing” (Brough et al, 402), the difficulties associated with different styles of organizing might be expected to translate into women’s and Aboriginal movements. However, gendered leadership and networking styles have the potential to make it difficult for women to create ties to the broader social, cultural and political environment without sacrificing certain aspects of their gendered identity.

A strong shared identity may be necessary for group mobilization, but may hinder the ability of the group to be influential (Diani, 2002: 212). If, however, the group does not allow this identity to become exclusive, and if the outside structures allow, mobilization has the potential to be at its most influential when the movement is strongly rooted in a community (Woliver, 1993 in Diani, 2002: 210). This search for a way to combine identity with influence is reflexive of Mouffe’s goal of combining identity and the citizen to achieve a form of true participatory democracy, in which all identities are acceptable. Consequently, social movements must find a way to utilize the bonding capital generated by strong ties and roots in a shared identity with a wider connection to the environments in which they operate in order to build influence and achieve results. In doing so, they can also be said contribute to the health of democracies.

The interest in social capital as a means of assessing democratic health has led to a number of definitions of the theory. All definitions focus on the interplay between trust, networks and reciprocity, while Putnam in particular breaks social capital into bridging and bonding forms. The definitions offered allocate little space to discussion of identity, neglecting

the role it plays in the generation of social capital, as well as the effects certain forms of social capital may have on the maintenance of a given identity. There exists a tension between bridging and bonding social capital and shared identities.

In the case of Aboriginals and Torres Strait Islander people living in urban settings, identity is something that is constantly under challenge, with different characteristics emphasized or downplayed depending on the context. When associating with those who shared the same cultural identity, members felt more comfortable and more assured of their identity, as opposed to the perceived pressure to conform either to non Aboriginal identities or to stereotyped Aboriginal characteristics. Building ties outside the community is more difficult, yet here there is evidence that a strong stock of bonding capital is beginning to produce ties outside the community that will presumably lay the groundwork for the networks of trust required to build bridging social capital.

For women, stereotypes also play a role in limiting the generation of social capital, as do structural limitations. Stereotypes limit trust between individuals and groups, lumping people facing the same stereotypes together and facilitating the creation of strong bonds among small groups and hindering the development of wider ties. In the workplace, women are denied the legitimacy necessary to build strong personal capital, while activities associated with social reproduction often limit the time and energy available to women for the pursuit and maintenance of strong social networks.

Social movements rely on social capital, first to mobilize a given group and secondly to build ties and gain access to the wider social, cultural and political environment. This building of ties may be difficult depending on the strength of the group identity as well as the propensity of the surrounding environment to accept diverse voices. While there is a wealth of research focusing on social capital and social movements and social capital and democratic health, there is comparatively little information regarding the interplay of social capital and identity, and even less that connects social capital, identity and social movements. Identity is a constant variable, differing only in degrees of affiliation, and as such deserves a more prominent focus in social capital theory.

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# **CANADIAN POLITICS**

## “Cold Brilliance”: Stephen Harper and the Tory Syndrome

By Tyler Chartrand

Ten years ago, the prospect of a federal Conservative government in Canada was inconceivable. At the time of this writing, Canada has just entered its fifth year under Conservative rule. Central to the account of this significant political reversal is Stephen Harper. In the number of years leading up to the 2006 electoral victory of the Conservatives, a myriad of substantial transformations occurred in the Canadian political landscape. Since the swearing-in of Canada’s first Conservative government in 12 years, the conservative movement has arguably advanced its goal of sustained electoral success and worked toward overcoming the historical weaknesses in the conservative brand. As an important figure in that movement and, subsequently, the party’s leader, what role can Stephen Harper be said to have in this success? As party leader and prime minister, why has Harper been successful? What is the extent of his success? This paper reviews these questions with an emphasis on evaluating the specific impact Stephen Harper has had in the context of many other, decisive factors. I argue Harper’s leadership has been effective in responding to the changing contexts he has been confronted with and in overcoming certain historical and structural weaknesses that his political movement is subject to. These effective responses have demonstrated considerable leadership ability and gained him political success, although any predictions of sustained success – for either Harper or the Conservative Party in the future – are premature.

Throughout much of the past decade Stephen Harper has demonstrated an ability to effectively turn circumstances to his favour. He has won the leadership of two political parties, initiated a historic and unexpected political merger, built-up conservatism’s damaged electoral credibility, won two general elections, and survived the subsequent minority governments that were returned. Prior to becoming a party leader, Harper himself suggested these accomplishments would be “hopelessly out of reach” for any conservative in an essay he wrote with political mentor Tom Flanagan.<sup>1</sup> As he built coalitions and preached unity among the conservative factions in Canada, commentators still wrote off his ability to face the invincible Liberal Party of Canada.<sup>2</sup> In the lead up to Paul Martin’s coronation to the leadership of the “government party,” the Liberals seemed on the verge of new highs of electoral success.<sup>3</sup> Yet Harper strategically navigated the political environment to emerge as the most potent political actor of the decade.

While Stephen Harper is not infallible and cannot overcome all the challenges he faces, his story is an interesting study in political leadership. While it may be efficient and even psychologically satisfying to attribute events fully to one individual,<sup>4</sup> this paper endeavours to separate Harper from the other factors and causes that have coincided with his success. Harper

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<sup>1</sup> Tom Flanagan and Stephen Harper, “Conservative Politics in Canada: Past, Present, and Future,” in *After Liberalism: Essays in Search of Freedom, Virtue and Order*, ed. William D. Gairdner (Toronto: Stoddart, 1998), 168.

<sup>2</sup> Faron Ellis and Peter Woolstencroft, “A Change of Government, Not a Change of Country: The Conservatives and the 2006 Election,” in *The Canadian Federal Election of 2006*, eds. Jon H. Pammett and Christopher Dornan (Toronto: Dundurn Press, 2006), 58.

<sup>3</sup> Stephen Clarkson, *The Big Red Machine: How the Liberal Party Dominates Canadian Politics* (Vancouver: UBC Press, 2005), 266.

<sup>4</sup> Joseph S. Nye, *The Powers of Lead* (New York: Oxford University Press, 2008), 3.

demonstrates high “contextual intelligence,” which Joseph S. Nye describes as “a capability to discern trends in the face of complexity and adaptability while trying to shape events.”<sup>5</sup> Many examples point to Harper’s efficacy in evaluating different contexts quickly and responding effectively: both in party politics and in government. It must be noted, however, that those contexts have been surprisingly fortuitous. There have been many developments that Harper has had no control over that have contributed to his rise to power. He has faced remarkably little effective opposition along the way: his rivals for the leadership were never as viable as he was, the Liberal Party significantly wounded itself for years to come, his Liberal opponents performed below expectations in all cases, and his Parliaments have been kept at bay fearing an election. This paper argues that Harper has used those fortuitous circumstances to his advantage in ways others might not have, suggesting a formidable set of political skills.

Stephen Harper infamously related to a friend: “I think about strategy twenty-four hours a day.”<sup>6</sup> Harper is a leader with deep conviction about his political views, a strategic plan to implement his ideas, and a strong will to carry that plan out. These qualities are admirable to some and reprehensible to others—and sometimes both to the same commentator. Biographer William Johnson finds him “thoughtful, cautious, complex, conservative,” in his approach, and motivated by a “conviction,” and “sense of mission.”<sup>7</sup> Conservative Senator and former Progressive Conservative Hugh Segal judges Harper to be “intellectual,” and “philosophical.”<sup>8</sup> Historian Michael Bliss declares he is a “master strategist.”<sup>9</sup> Journalist and author Paul Wells finds a “strategic genius,” who has both “discipline,” and “constant desire.”<sup>10</sup> Columnist and writer John Ibbitson discerns a “peculiar genius” who can “plan strategically brilliant” political moves, but nonetheless has a tendency to “self-immolate.”<sup>11</sup> Indeed, his conviction and personality can be interpreted as strict and closed political management. Former Conservative MP Belinda Stronach related to Paul Martin that Harper was “dismissive” to other’s ideas and “narrowly ideological.”<sup>12</sup> Reform Party founder and political mentor Preston Manning suggests Harper cannot accept that others may be “as smart as he” is politically and that he cared little for “consultation and participation” of others.<sup>13</sup> Caucus exile Garth Turner writes Harper acts with a “superiority,” and is “all about management and containment.”<sup>14</sup> Wells also says he “can be stubborn and vindictive.”<sup>15</sup> In the same biography, William Johnson also comments that Harper

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<sup>5</sup> Nye, 88.

<sup>6</sup> Quoted in William Johnson, *Stephen Harper and the Future of Canada* (Toronto: McClelland & Stewart, 2005), 187.

<sup>7</sup> Johnson, 171, 400, and x.

<sup>8</sup> Hugh Segal, *The Long Road Back: The Conservative Journey in Canada, 1993-2006* (Toronto: Harper Collins, 2006), 156.

<sup>9</sup> Michael Bliss, “Has Harper found his tipping point?” *The Globe and Mail*, October 1, 2009.

<sup>10</sup> Paul Wells, *Right Side Up: The Fall of Paul Martin and the Rise of Stephen Harper’s New Conservatism* (Toronto: McClelland & Stewart, 2006), 311.

<sup>11</sup> John Ibbitson, *Open and Shut: Why America has Barack Obama, and Canada has Stephen Harper* (Toronto: McClelland & Stewart, 2009), 27.

<sup>12</sup> Paul Martin, *Hell or High Water: My Life In and Out of Politics* (Toronto: McClelland & Stewart, 2008), 430 and 431.

<sup>13</sup> Quoted in Johnson, 116 and 187.

<sup>14</sup> Garth Turner, *Sheeple: Caucus Confidential in Stephen Harper’s Ottawa* (Toronto: Key Porter Books, 2009), 177 and 171.

<sup>15</sup> Wells, 310.

exhibits “a cold brilliance and a cold arrogance.”<sup>16</sup> These are just a sampling of the many comments on his personality and political motivations, but major impressions emerge.

Part of the foundation for Harper’s political views and his corresponding actions is a worldview based on conflict. This often materializes as aggressive partisanship or an unforgiving intellectualism in his leadership that seeks to operate in a society “inherently polarized.”<sup>17</sup> Some suggest that this tendency is one of his greatest flaws and the only one he is unable to successfully moderate. Indeed, the moments that have cost him elections or majority governments – or even precipitated parliamentary crises – originate with this worldview. Harper is carefully working towards making “conservatism competitive” in Canada,<sup>18</sup> and he has no sympathy for those that differ with his ends or means. He believes “forces in Canada are stacked against Conservative success.”<sup>19</sup> Perhaps he is right.

### **Conservative parties in Canada**

To understand the achievements of Stephen Harper, it is necessary to examine the challenges faced by conservative parties historically. Although one of Canada’s most dominant political figures was a Conservative, the successors of John A. Macdonald have never approached his success. For Flanagan, Canadian conservatives “have never really recovered” from his death in 1891.<sup>20</sup> In *The Tory Syndrome*, George C. Perlin argues the weaknesses of the past Conservative and Progressive Conservative parties can be attributed to internal conflict, often focused around leadership.<sup>21</sup> Indeed, Conservative party leaders have had trouble securing “even the short-term compliance” of the entire party for very long.<sup>22</sup>

Internal challenges to Conservative leaders have emerged because of certain structural and self-perpetuating problems within the federal party. Perlin observes a “set of cleavages” within the party related to “social and cultural differences” among its largest factions.<sup>23</sup> The populism of the West and the nationalism of Quebec are strange bedfellows, for example. More importantly, these cleavages fuel the ongoing “minority party syndrome” of the Conservatives that forms the larger challenge.<sup>24</sup> The conflict within the party emerges often because of electoral defeat, which can only in turn precipitate more conflict.<sup>25</sup> The perception of disunity also “undermines public confidence” in the party’s “ability to govern,” thus assuring electoral defeat.<sup>26</sup> With long periods of time spent out of power, the party develops an “opposition mentality,” characterized by an “attacking, destructive style” of debating political issues.<sup>27</sup> The

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<sup>16</sup> Johnson, 400.

<sup>17</sup> Johnson, 123.

<sup>18</sup> Wells, 316.

<sup>19</sup> Wells, 310.

<sup>20</sup> Tom Flanagan, *Harper’s Team: Behind the Scenes in the Conservative Rise to Power*, 2nd ed. (Montreal: McGill-Queen’s University Press, 2009), 290.

<sup>21</sup> George C. Perlin, *The Tory Syndrome: Leadership Politics in the Progressive Conservative Party* (Montreal: McGill-Queen’s University Press, 1980), 200.

<sup>22</sup> Perlin, 190.

<sup>23</sup> Perlin, 191.

<sup>24</sup> Perlin, 201.

<sup>25</sup> Perlin, 198.

<sup>26</sup> Perlin, 198.

<sup>27</sup> Perlin, 199.



members of the party—even once in government—become fixated on the shortcomings of governments or the inadequacy of policy that they are unlikely to consider constructive solutions to political questions. These factors all reinforce one another to sustain the longstanding challenges conservative parties have had through Canadian history.

Perlin, as well as Flanagan and Harper, suggest that only when the Liberal Party has significantly damaged itself can conservatives parties hope to win.<sup>28</sup> Liberal hegemony represents another important challenge for conservative parties in Canada. It is difficult to beat an opponent often found to be “subordinating principle to pragmatism.”<sup>29</sup> In *The Big Red Machine*, Stephen Clarkson accounts for the success of a party that is “[a]dept at patronage, skilled at brokerage, a purveyor of pan-Canadian messages, and an apostle of globalization.”<sup>30</sup> He notes that the Liberal party will often govern more conservatively than what the election campaigns suggest, which likely attracts many who would otherwise support a conservative party.<sup>31</sup> The Liberals have been in power federally for most of the post-Macdonald era. Clarkson notes the party had an understood “fusion with the Canadian state and the business community,” which made it the default choice for government.<sup>32</sup> But the extent of Liberal dominance federally has been receding. Ibbitson observes that the Liberal’s popularity in whole regions of Canada – first the West, then Quebec – has diminished in recent decades.<sup>33</sup> By some accounts, the three majority governments of Jean Chrétien from 1993 to 2004 owe much to the “schism on the right,” that Stephen Harper helped end.<sup>34</sup> But the Liberals have been remarkably adaptable to changing political fortunes and they will likely always be a challenge to the success of a conservative party in Canada.

The only political leader to elect a Conservative majority government in the past 50 years has been Brian Mulroney in 1984 and 1988. Mulroney brought together a coalition of three large conservative factions: those in Western Canada, in Quebec, and in Ontario and the Atlantic.<sup>35</sup> By the end of his government in 1993, the coalition fractured and re-formed into three parties: the Reform Party, the Bloc Québécois, and the “remnant” Progressive Conservatives.<sup>36</sup> These parties became very regionally bound and thus were unable to realistically aspire to form the government, leaving Chrétien’s Liberals without any competition. The Reform Party became the Canadian Alliance in 2000, attempting to court the smaller Progressive Conservative caucus into the fold.<sup>37</sup> Eventually the issue of the two sides cooperating became very divisive. In 2001, several Alliance MPs defected to form the Democratic Representative Caucus and cooperated most closely with the Progressive Conservatives.<sup>38</sup> In 2003, Peter MacKay gained the leadership of the PCs by committing to rebuff any merger talks from the Alliance.<sup>39</sup> It was in this political

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<sup>28</sup> Perlin, 201, and Flanagan and Harper, 174.

<sup>29</sup> Clarkson, 8.

<sup>30</sup> Clarkson, 284.

<sup>31</sup> Clarkson, 22.

<sup>32</sup> Clarkson, 11.

<sup>33</sup> Ibbitson, 49.

<sup>34</sup> Ibbitson, 50.

<sup>35</sup> Flanagan, 16.

<sup>36</sup> Flanagan, 17.

<sup>37</sup> Flanagan, 20.

<sup>38</sup> Flanagan, 25.

<sup>39</sup> Flanagan, 97.

climate that Stephen Harper entered the stage as a political leader, although he was no stranger to the workings of politics.

### **Formative Years**

Prior to becoming a party leader, politics was an important part of Stephen Harper's life. It is during these formative years that he developed his political views and strategic sense. As a youth, Harper demonstrated an interest in politics and initially was a member of the Progressive Conservatives. He later became part of the burgeoning conservative movement in Western Canada that would coalesce into the Reform Party and served as Reform's first policy lieutenant, its first parliamentary assistant, and one of its MPs. He spent the years leading up to his first leadership run with the National Citizen's Coalition and became a public advocate for the conservative movement. These years are very illuminating for understanding the motivations and experience of Harper once he became a political leader.

Even as a young man, Harper was remembered for an interest in politics; he was always conservative politically, although he was "a fan" of Pierre Trudeau in high school and was even persuaded to join a Liberal student club.<sup>40</sup> After high school he decided to "head west," initially working for Imperial Oil in Edmonton.<sup>41</sup> In 1981, Harper started a bachelor's degree in economics at the University of Calgary.<sup>42</sup> By the time he was attending university, Harper was "disgusted" with the Liberal government of the day. His involvement in the Progressive Conservative Party began during this time. He volunteered with his local riding association and campaigned for the party in the 1984 election.<sup>43</sup>

By that election, Harper was intimately invested in the issues at stake. Trudeau's National Energy Program had sent the industry in which he had worked into decline, the city where he lived into recession, and the region he now identified as home into a rage.<sup>44</sup> He "liked what he saw and heard of Brian Mulroney," who placed an emphasis on the free market values that Harper held.<sup>45</sup> Proposals such as the free trade agreement appealed to Harper and Mulroney's massive 1984 victory evoked much excitement in the 25 year-old conservative.<sup>46</sup> After completing his bachelor's degree in economics, he was invited by his MP Jim Hawkes to become a legislative assistant in Ottawa.<sup>47</sup> Harper would leave Ottawa deeply dissatisfied with the PC government's prioritizing of political expediency over economic soundness in decision-making. He began a political estrangement from the Tories.

As Harper became increasingly disenchanted with Mulroney, he began working on creating a "Blue Tory network" within the party that would steer it towards a more conservative direction.<sup>48</sup> Through this work he would connect with Preston Manning and would be invited to

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<sup>40</sup> Johnson, 7-8.

<sup>41</sup> Johnson, 12.

<sup>42</sup> Johnson, 13.

<sup>43</sup> Johnson, 14-7.

<sup>44</sup> Johnson, 19-20.

<sup>45</sup> Johnson, 21.

<sup>46</sup> Johnson, 32 and 23.

<sup>47</sup> Johnson, 24.

<sup>48</sup> Johnson, 57.

participate in the 1987 founding conference for what would become the Reform Party of Canada.<sup>49</sup> Once Manning became leader of this new party, he appointed Harper as chief policy officer, which meant he was “the only person besides Manning authorized to speak in the name of the party.”<sup>50</sup> Harper was seen by many as the “unofficial lieutenant” to Manning in the party’s important formative years.<sup>51</sup>

As policy officer of the Reform Party, Harper wanted the party positioned clearly right-of-centre and this view clashed with Manning’s desire to transcend the right-left spectrum.<sup>52</sup> In developing policy for the party Harper supported the “key” Reform proposal for a “Triple-E Senate” and opposed Mulroney’s Meech Lake and Charlottetown Accords, any special status for Quebec, bilingualism, deficit spending, and executive federalism.<sup>53</sup> In 1991, Harper completed a master’s thesis centered on the intersection of economics and politics, the tendency of governments to increase spending during election campaigns and his skepticism of that sort Keynesian fiscal policy.<sup>54</sup> By this period of his life Harper had now engaged actively in not just critiquing policy – but creating it. He began to consider the strategies he would use for ensuring the success of a political party. As Harper’s vision for the Reform Party began to significantly differ from Manning’s own, Harper found himself outside the leader’s inner circle. By the time of the 1993 election campaign, Harper had resigned as chief policy officer and chose to only focus on his riding’s individual campaign.<sup>55</sup>

Harper was one of 52 Reform MPs elected in 1993, partly on a mandate to reject certain traditional political practices Reform had campaigned against.<sup>56</sup> For example, Harper was the initial spokesman for Reform’s plans to not impose party discipline and to allow MPs to vote with the wishes of their constituents.<sup>57</sup> Ironically, as prime minister, Harper would come to enforce the traditional practices he had rejected while a Reformer. Harper had occasion to express his strategic vision for conservative victory in Canada as a Reform MP. He once prophetically warned the young party against getting “shot in the foot...by radical elements” of the conservative movement.<sup>58</sup> This is something the Reform and Alliance parties would have trouble avoiding, but that Harper would later make a priority once he became party leader. Additionally, Harper was already articulating his view – one widely accepted now – that conservative success was contingent on a coalition of three important factions of Canadian conservatism: the “traditional Toryism” of Ontario and the Atlantic, “grassroots populism” of the West and rural Ontario, and “French-Canadian nationalism” of Quebec.<sup>59</sup> As a party leader, Harper would later use this framework for creating a new conservative coalition.

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<sup>49</sup> Johnson, 71-86.

<sup>50</sup> Johnson, 87.

<sup>51</sup> Wells, 10.

<sup>52</sup> Johnson, 113 and 402.

<sup>53</sup> Johnson, 91 and 113.

<sup>54</sup> Johnson, 164.

<sup>55</sup> Johnson, 86.

<sup>56</sup> Johnson, 201.

<sup>57</sup> Johnson, 201.

<sup>58</sup> Johnson, 172.

<sup>59</sup> Flanagan, 16.

Frustrated with political compromise and the now considerable differences he had with Manning, Harper resigned from Parliament in 1997 and left to lead the National Citizen's Coalition, a conservative interest group.<sup>60</sup> During his time with the group, Harper became more of a public intellectual and advocate for the conservative movement in the West. He authored an article with Flanagan arguing that "the most desirable and attainable" course of action in the current political landscape was "cooperation" or a "working alliance" between the two conservative parties rather a merger.<sup>61</sup> Harper also gained attention for being among the notable Albertan conservatives who signed an open letter suggesting the province "take greater charge" of its constitutional powers to protect itself from a "misguided and increasingly hostile" federal government.<sup>62</sup> Most memorably, this letter called on premier Ralph Klein to "build firewalls around Alberta."<sup>63</sup> These two views would later have to be repudiated by Harper once he became a political leader, along with many other hardline positions he took up.

As the aforementioned schisms in the Canadian Alliance began to emerge, Harper became concerned. He met with embattled Alliance leader Stockwell Day and offered to help "stabilize his leadership" of the party.<sup>64</sup> Harper wanted to see the party survive, but he became convinced Day could no longer "preserve" the party "from disintegration," and decided to run for its leadership.<sup>65</sup> He would take the lessons he had learned from his previous political involvement and apply them to this run for leadership. His worldview and vision for conservative success were already well-formed as Stephen Harper set out to become a political leader.

## **The Road to Victory**

One of Harper's friends told Paul Wells that his run for the party leadership was "really a rescue operation," and that Harper had no grand ambition for one day running the country.<sup>66</sup> Whether or not that was initially the case, Stephen Harper exercised incredibly adroit political judgment in order to achieve that position in a remarkably brief four-year period.

To become leader of the Canadian Alliance, Harper had to demonstrate "determination to broaden and consolidate" the party's base.<sup>67</sup> He also had to carefully negotiate the question of cooperation with the Progressive Conservatives. At the time Harper was not in favour of unity, believing PC leader Joe Clark would not be receptive.<sup>68</sup> In the campaign he effectively targeted his intended audience – voting party members – and avoided putting resources toward extraneous campaign activities.<sup>69</sup> To those voting party members Harper attempted to sell a vision for achieving "stability, real policy alternatives, and competence" in the Canadian

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<sup>60</sup> Johnson, 258.

<sup>61</sup> Flanagan and Harper, 170-1.

<sup>62</sup> Quoted in Johnson, 284.

<sup>63</sup> Quoted in Johnson, 285.

<sup>64</sup> Johnson, 289.

<sup>65</sup> Flanagan, 25.

<sup>66</sup> Quoted in Wells, 23.

<sup>67</sup> Segal, 131.

<sup>68</sup> Flanagan, 28.

<sup>69</sup> Flanagan, 56.

Alliance.<sup>70</sup> Harper's victory in that race can be attributed to his decision to avoid a politically dangerous commitment (unity with the PCs), targeting his message appropriately, and evoking the qualities Alliance members wanted in a leader. But another decisive factor in the contest was his lack of viable opponents. Although Stockwell Day did run again for the job after resigning, Day was largely seen as "fatally wounded" politically.<sup>71</sup> Similarly, the other challengers—Diane Ablonczy and Grant Hill—"never got any traction" with the voting members.<sup>72</sup> Harper's first ballot win on March 20, 2002, was partly due to his canny political intuitions, but also some good fortune.

Upon becoming leader of a party plummeting in the polls, with no serious flow of contributions coming in, and a substantial debt,<sup>73</sup> Harper first tackled the party schism. He went to great lengths to coax the aforementioned Democratic Representatives Caucus members back into the party fold and his methods were seen as very "diplomatic."<sup>74</sup> Next, Harper actively suppressed extremist views within the party. Harper once told Flanagan that he tried to "position himself in the middle of the party," with respect to political views.<sup>75</sup> He recognized that to be successful he had to discourage "anti-immigration, anti-multiculturalism, xenophobic, and anti-Quebec" sentiments of some in the conservative movement.<sup>76</sup> He fired a shadow cabinet critic, Larry Spencer, for example, because of his position on criminalizing homosexuality.<sup>77</sup> In addition to strengthening internally, Harper needed to sell the Canadian Alliance to the people.

The first way Harper attempted to improve the party's standing was going after the Liberals over the sponsorship scandal, which was beginning to take shape even in 2002. Auditor General Sheila Fraser had announced after finding some "shady contracts," and was planning to do a full investigation into all sponsorship related activities of the federal government.<sup>78</sup> Although the scandal was minimal at this point, Harper raised questions about the contracts on his very first Question Period as party leader.<sup>79</sup> He would push this point for the next few years to highlight his opponents' corrupt practices. But Harper also needed to prove the Alliance was a viable alternative. He decided that an upcoming by-election in Perth-Middlesex would "demonstrate what the Alliance could achieve in Ontario."<sup>80</sup> Harper "put much on the line," having many Alliance notables campaign in the area at substantial cost, which heightened the expectations and scrutiny over the by-election.<sup>81</sup> The third place finish of the Alliance in Perth-Middlesex, well-behind the PC victor, was seen as a humiliating defeat. It was at this point that Harper re-evaluated his view on cooperation with the Progressive Conservatives.

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<sup>70</sup> Segal, 146.

<sup>71</sup> Flanagan, 63.

<sup>72</sup> Flanagan, 63.

<sup>73</sup> Johnson, 301.

<sup>74</sup> Johnson, 309.

<sup>75</sup> Flanagan, 19.

<sup>76</sup> Segal, 144.

<sup>77</sup> Johnson, 362.

<sup>78</sup> Johnson, 312.

<sup>79</sup> Wells, 93.

<sup>80</sup> Flanagan, 92.

<sup>81</sup> Lawrence Martin, "Wheel of fortune: Canadian politics is all about lady luck," *The Globe and Mail*, January 20, 2010.

On May 31, 2003, Peter MacKay became the new leader of the Progressive Conservative Party of Canada. Soon after it was revealed this victory was in part the result of a deal he had made with leadership rival David Orchard promising no merger with the Canadian Alliance.<sup>82</sup> Harper immediately set about “driving a wedge” within the PCs in his speeches, polarizing Orchard and publically calling for formal cooperation.<sup>83</sup> Eventually MacKay would relent, but Harper still had to demonstrate considerable resolve to carry the merger through to its conclusion.<sup>84</sup> As the talks began to stall Harper began to use “orchestrated media leaks” to motivate the Tories further and even at one point ended the process.<sup>85</sup> Compelled back to the table, the Tories presented a series of demands and, in the words of Flanagan, “Harper just kept saying yes until the other side ran out of reasons to say no,” and the deal was done.<sup>86</sup> Harper understood that the future growth of his party required a merger with the Progressive Conservatives and he then pursued that end with strong determination.

The new Conservative Party of Canada needed a leader and Harper wasted no time in beginning to expand his organization and identify supporters in regions where he previously had been weak.<sup>87</sup> In the campaign, Harper would no doubt be seen as the ‘Reform / Alliance’ candidate and had to build his credibility with the party’s former Progressive Conservative wing. To that end, Harper sought key PC supporters, such as “Ontario MPP John Baird and former PC leadership candidate Michael Fortier,” who introduced him at his campaign launch.<sup>88</sup> In the end, this campaign was similar in that Harper had the advantage over any other candidate.

The short notice of the leadership vote, the high entry fee, the new party's poor polling numbers, and the seeming political invincibility of Paul Martin dissuaded many prominent candidates: New Brunswick premier Bernard Lord, former PCs Peter MacKay, Chuck Strahl, Jim Prentice, and former Ontario premier Mike Harris all declined.<sup>89</sup> The omission of MacKay was especially important for Harper, because this allowed him to campaign as the “father of the merger.”<sup>90</sup> Harper was regarded as the front runner throughout the campaign because of his experience as Alliance party leader and his extensive involvement in politics dating back years.<sup>91</sup> Harper’s main challenger was Belinda Stronach. Despite drumming up a lot of excitement and raising large sums of money, Stronach was not “sufficiently experienced, polished, [or] persuasive” to defeat Harper.<sup>92</sup> On March 20, 2004, Stephen Harper won on the first ballot. Once again, circumstances presented a considerable level of luck for Harper to compliment his work in reaching out to his less traditionally strong bases. The Progressive Conservative wing of the new party was less able to field candidates as it had just fought a leadership race less than a year earlier and was in bad financial shape.<sup>93</sup> The new party still had yet to prove its viability and

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<sup>82</sup> Lawrence Martin, “Wheel of fortune.”

<sup>83</sup> Johnson, 328.

<sup>84</sup> Johnson, 327.

<sup>85</sup> Wells, 65, and Segal 162.

<sup>86</sup> Flanagan, 101.

<sup>87</sup> Flanagan, 104.

<sup>88</sup> Flanagan, 126.

<sup>89</sup> Johnson, 338-9.

<sup>90</sup> Flanagan, 114.

<sup>91</sup> Johnson, 342.

<sup>92</sup> Flanagan, 108.

<sup>93</sup> Flanagan, 105-6.

many of the aforementioned ‘dream candidates’ for the leadership were dissuaded from entering such an uncertain situation. Just as he had with the Alliance, Harper had much work to do in defining the party he had just taken the reigns of.

With a united Conservative party encompassing most of the nation’s conservative factions, Harper could now present his case to form the government. He continued hammering the Liberals on the sponsorship scandal, which had accelerated after the Auditor General’s full report was issued in early 2004. The Auditor General detailed over \$100 million “paid in fees and commissions to Liberal-connected communications agencies.”<sup>94</sup> The first Question Period Harper participated in as Conservative leader he again probed the sponsorship issue.<sup>95</sup> But his party still faced significant challenges, including its limited base of core supporters. Harper understood that he needed to continue to appear moderate and centrist to court the voters he needed. In Quebec, at the Conservative’s first policy convention Harper persuaded the delegates to pass a resolution allowing free votes on “divisive moral issues,” that the Conservatives usually lost support over.<sup>96</sup> With this resolution, the official party position only discussed voting policies over these issues rather than a specific position on them.

Harper also recognized the need to take some of the political centre away from the Liberals. Specifically on health care, the Conservatives tried “matching or even outbidding whatever the Liberals proposed.”<sup>97</sup> This type of policy “triangulation” would be practiced by Harper throughout his time as Conservative leader in opposition.<sup>98</sup> The greatest gains Harper needed to make were in Quebec, where the new party was virtual shut out. He focused on presenting the Conservative Party as what he called a “federalist alternative,” which he still does today.<sup>99</sup> Amid all his priorities as party leader, Harper took “personal control” over the work on breaking through in Quebec.<sup>100</sup> While he was still an Opposition Leader, Harper began to form a relationship with Quebec premier Jean Charest with the aim of using this relationship to demonstrate what he could accomplish for Quebec.<sup>101</sup> These strategic positions are interesting when one considers the hardline Harper held previously in his life on Quebec and issues of “asymmetrical federalism.”<sup>102</sup> Despite any conflicting personal views, Harper recognized the necessity in accommodating Quebec and better understanding its political demands, which was a decisive factor in his building of the new party.

While engaged in strengthening this new party, Harper had a relatively short time to prepare for its first federal election campaign. After taking the reigns from Jean Chrétien, Paul Martin initially delayed his plans for an early April election in a bid to buy time to damage-control the Auditor General’s report.<sup>103</sup> According to insiders, Harper believes this delay, which resulted in a June date, bought the Conservatives important time needed to prepare.<sup>104</sup> The

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<sup>94</sup> Wells, 94.

<sup>95</sup> Johnson, 347.

<sup>96</sup> Johnson, 291.

<sup>97</sup> Flanagan, 79.

<sup>98</sup> Flanagan, 79.

<sup>99</sup> Johnson, 307.

<sup>100</sup> Flanagan, 197.

<sup>101</sup> Johnson, 378.

<sup>102</sup> Johnson, 378.

<sup>103</sup> Wells, 115.

<sup>104</sup> Wells, 115.

campaign strategy Harper developed for 2004 mirrored his efforts in building the party: broadening the base and trying to appear moderate and centre-right. Despite a clear strategy, the new party was fighting its first election and still had much to learn.

One explanation for the Conservative loss in 2004 was Harper's inability to appear moderate enough for the electorate. Indeed, Paul Martin admittedly focused much of his campaign on a "concentrated attack" on Harper as an extremist.<sup>105</sup> A series of gaffes by local candidates left moderates uneasy: statements against abortion rights, the Charter of Rights and Freedoms, and homosexuality were made.<sup>106</sup> As the campaign neared its final weeks, Harper ran out of consistent scripting and the media seized on the opportunity to probe him on gaffes and the corresponding party stances on these social issues.<sup>107</sup> Despite attempts by Harper to reclaim the conversation, he found he "could no longer get across his intended daily message," once this dynamic had begun.<sup>108</sup> With socially conservative views being part of the daily discourse of the campaign, Harper "began slipping...into his speeches" speculation about winning a majority government.<sup>109</sup> This combination proved lethal and the electorate began to experience "anxiety" about Harper, feeling his speculation on winning a majority government indicated "presumption" and "arrogance" on his part.<sup>110</sup> As a symbolic gesture of his naivety, Harper passed up provinces where he needed to build support and concluded his campaign in Alberta, returning home and "sounding like a regional chieftain" in his final campaign speech.<sup>111</sup>

On June 28, 2004, voters returned a minority Liberal government. Harper had grown the seats of the Conservative Party to totals greater than the two predecessor parties, but there was still work to be done. He initiated a "rolling, improvised, but extraordinarily thorough" election postmortem to determine where the party had went wrong.<sup>112</sup> As that process was underway, Harper resolved to deny Martin's minority the "moral" or "political authority" to implement its full program.<sup>113</sup> When Parliament returned that fall, the Gomery commission of inquiry into the sponsorship scandal began and headline-grabbing testimonials sunk Liberal fortunes further.<sup>114</sup> Led by Harper's Conservatives, opposition parties mused over forcing another election to capitalize on the Liberal's weakness. As public opinion reached a fervor, Martin addressed the nation on April 23, 2005, requesting a stay of execution until early 2006, when the commission's final report would be tabled.<sup>115</sup> In his rebuttal statement Harper left "no doubt" about his plans to pursue a non-confidence motion.<sup>116</sup> On May 19, 2005, Harper introduced the motion and, after some frantic developments, the government survived by one tie-breaking vote. Initially this was viewed as a "humiliating defeat" for Harper, but the additional time was crucial in better preparing for the election that would eventually be called for January 23, 2006.<sup>117</sup>

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<sup>105</sup> Paul Martin, 269.

<sup>106</sup> Segal, 187, and Johnson, 368.

<sup>107</sup> Johnson, 368.

<sup>108</sup> Johnson, 368.

<sup>109</sup> Johnson, 365.

<sup>110</sup> Paul Martin, 272, and Johnson, 366.

<sup>111</sup> Johnson, 372.

<sup>112</sup> Wells, 135.

<sup>113</sup> Johnson, 375.

<sup>114</sup> Segal, 190.

<sup>115</sup> Wells, 148.

<sup>116</sup> Wells, 148.

<sup>117</sup> Wells, 133.



The Montreal location of the aforementioned policy convention reflected his strong focus on shoring up support in Quebec.<sup>118</sup> Indeed, Harper had “multiplied his visits” to Quebec in the months leading up to the 2006 election and had been increasing his overtures to the province’s conservative voters.<sup>119</sup> These tactics and the campaign tinkering laid a strong foundation for the campaign Harper was to run when he succeeded in bringing the government down in late 2005. His efforts in Quebec were significant because they led to a “breakthrough” in the province which finally added the third conservative faction – Quebec nationalism – that Harper had always known was crucial to a viable conservative party.<sup>120</sup>

The 2006 election campaign reflected the extensive preparation and analysis the Conservatives had engaged in after their 2004 defeat. Under Harper, the campaign had a “strategic underpinning” and “policy coherence.”<sup>121</sup> His efforts to broaden the base and appear moderate succeeded when his party’s positions “became simplified and more attractive” to mainstream voters.<sup>122</sup> More specifically, Harper was “zeroing in” on specific sections of the electorate in very intentional ways.<sup>123</sup> He economically allocated resources to connect to voters that were “attainable” for the Conservatives, largely ignoring those not likely to be won over.<sup>124</sup> Harper re-invented his image from stiff and arrogant into an “ordinary, middle-class family man.”<sup>125</sup> All these achievements, coupled with the self-inflicted wounds of the Liberals, resulted in an “eked out” victory: a Conservative minority “shut out” of many urban centres, weak in the Atlantic, and still behind the Liberals and Bloc Québécois in Quebec.<sup>126</sup> Despite the narrow victory, it remains a remarkable one for conservatives in Canada, who could scarcely have imagined the possibility a few years earlier. The momentum was on Harper’s side during his “professional and gaffe-free campaign,”<sup>127</sup> but it was far from decisive.

Aimed at “dominating” the news cycle, the decision to releasing a plank of the campaign platform early each day was central to the campaign.<sup>128</sup> Harper exercised considerable judgment and restraint by not “overplaying” attacks on the Liberals and instead focusing on selling *his* platform.<sup>129</sup> He outlined his party’s plans to hold a free vote on same-sex marriage and kicked controversial candidate Gurmant Grewal out of the Conservative party on the very first day of the campaign.<sup>130</sup> These were items that would potentially harm the Conservatives if they became the subject of much scrutiny and by dispatching with them on day one he was able to “bury” the stories amid other campaign launch coverage.<sup>131</sup> When the Liberal tried to use their 2004 tactics

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<sup>118</sup> Wells, 141.

<sup>119</sup> Johnson, 390.

<sup>120</sup> Flanagan, 17.

<sup>121</sup> Segal, 213.

<sup>122</sup> Jon H. Pammett and Christopher Dornan, “From One Minority to Another,” in *The Canadian Federal Election of 2006*, ed. Jon H. Pammett and Christopher Dornan (Toronto: Dundurn Press, 2006), 9-10.

<sup>123</sup> Wells, 242.

<sup>124</sup> Segal, 214.

<sup>125</sup> Ellis and Woolstencroft, 70.

<sup>126</sup> Wells, 240.

<sup>127</sup> Turner, 35.

<sup>128</sup> Flanagan, 235.

<sup>129</sup> Ellis and Woolstencroft, 68.

<sup>130</sup> Wells, 173-4.

<sup>131</sup> Wells, 174.

of painting Harper as an extremist, he resisted the impulse to respond and continued to focus on “how he would govern.”<sup>132</sup> By refusing to engage in the Liberal’s negative campaign against him, he made their attacks less newsworthy and his own positive campaign even more so; everyone was talking about the Conservatives.

The campaign’s succinct ‘Five Priorities’ addressed important issues that resonated with many voters. The GST cut proposal was something Harper knew would “break through,” and appeal to many.<sup>133</sup> Similarly, the proposed accountability reforms allowed Harper to respond to the sponsorship scandal, but center the story around his proposals. Some of Harper’s most significant efforts were in Quebec, including a December 19 speech wherein representation at UNESCO was promised; this was a symbolic move that gave the Conservatives important “credibility” in the province as a ‘federalist alternative.’<sup>134</sup> Harper encountered some setbacks when he said the “Liberal Senate, . . . Liberal civil service and courts” would check a Conservative government’s power.<sup>135</sup> This display of partisanship and distrust of key institutions did not resonant well with some. Additionally, Wells observes that Harper’s growing momentum was “stopped . . . cold” by some effective Liberal ads toward the end of the campaign.<sup>136</sup> These opposing forces were relatively minimal and Harper was able to overcome them with a combination of discipline and considerable luck.

The biggest break for the Conservatives was the Liberal Party. Not only did the longstanding government evoke a “general exhaustion” with the electorate, but the sponsorship scandal had greatly reduced its standing in the eyes of many.<sup>137</sup> Paul Martin’s frantic and vague campaign did little to rescue Liberal prospects.<sup>138</sup> In fact, commentators suggest the Liberal campaign effort did not start in earnest until its second half; after the New Year.<sup>139</sup> A Liberal gaffe regarding Harper’s plan for child care subsidies, in addition to many similar gaffes, undermined the Liberals further.<sup>140</sup> Key campaign turning points originated from outside the campaign, however. The Conservative’s natural credibility on criminal justice led to increased support for their proposals in that area following the death of a bystander in a Toronto gang shootout.<sup>141</sup> Even more significant was news that the RCMP had begun a “criminal investigation into possible leaks” of a taxation announcement by Finance Minister Ralph Goodale.<sup>142</sup> Flanagan, who helped run the campaign, concedes that despite all the Conservative efforts, this event “was *the* turning point of the campaign.”<sup>143</sup> This new charge of Liberal corruption had finally sunk the party and the Conservatives gained a lead in the polls that they would hold until election day.

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<sup>132</sup> Wells, 199.

<sup>133</sup> Wells, 178.

<sup>134</sup> Ellis, 81.

<sup>135</sup> Wells, 231.

<sup>136</sup> Wells, 232.

<sup>137</sup> Ibbitson, 51.

<sup>138</sup> Wells, 218.

<sup>139</sup> Segal 216.

<sup>140</sup> Wells, 190.

<sup>141</sup> Flanagan, 247.

<sup>142</sup> Paul Martin, 445.

<sup>143</sup> Flanagan, 248.

While Harper owes much of his January 6, 2006, victory to favourable circumstances, the importance of his initiative in uniting and legitimating the right in Canada cannot be overstated. His years inside and outside politics taught him many important lessons and his 2004 election defeat – his only electoral defeat as a party leader – taught him even more. Once in government, Harper was now in a position to advance his agenda and create changes in public opinion to ensure the long-term viability of Conservatism in Canada.

## In Government

As prime minister, Stephen Harper has continued to defy expectations. His minority governments have been relatively productive and his party continues to be “the most effective, best-financed political machine” today.<sup>144</sup> Many of Harper’s actions in government bring him closer to building a “viable, long-term coalition” of conservatives—a feat, arguably, not achieved since John A. Macdonald.<sup>145</sup> Underlying that goal is the need for a conservative shift in Canadian values that can be observed operating subtly over the past four years. In government, Harper has had to continue his efforts to increase the party’s credibility, target new groups of supporters,<sup>146</sup> and tactically outmaneuver political opponents.

Harper exercises considerable control over his government, all to further his strategic ends. In his initial cabinet, the membership was “more equitable” in its distribution from different regions than what voters originally returned.<sup>147</sup> Controversy ensued when Harper solicited Liberal David Emerson to cross the floor and then appointed campaign co-chair Michael Fortier to the Senate in order to have Vancouver and Montreal represented in his cabinet.<sup>148</sup> Just as in campaigns, Harper tried to bury this controversy among the ample coverage of other political events by having the men simply appear at the swearing-in without any prior word to the media. In order to continue to invite unity within, he notably appointed more former PC members as cabinet ministers than old Reform/Alliance members.<sup>149</sup> He designed the cabinet to “make and implement decisions swiftly,” with the restructuring made during the transition.<sup>150</sup> Many accounts characterize Harper as having strict control over his ministers and the senior bureaucracy. Harper may “countermand” a minister’s portfolio if he thinks it necessary to do so, although he does not attempt to “control freak” his government.<sup>151</sup> Although, by some accounts he rarely goes “beyond the perimeters of his own head for advice,” so ministers’ independence likely has limits. “All policy goes through” Harper and Privy Council Clerk Kevin Lynch, and “much policy comes from them.”<sup>152</sup> Together with Lynch, Harper instituted many “orderly” changes which were well-received and strengthened his relationship with the bureaucracy.<sup>153</sup>

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<sup>144</sup> Steven Chase, “After four years, it’s Canada that has changed Harper,” *The Globe and Mail*, January 22, 2010, and Jeffrey Simpson, “Prorogation will not loosen the PM’s grip,” *The Globe and Mail*, January 8, 2010.

<sup>145</sup> Flanagan, 290.

<sup>146</sup> Simpson, “Prorogation will not loosen the PM’s grip.”

<sup>147</sup> Ellis and Woolstencroft, 86.

<sup>148</sup> Wells, 251-2.

<sup>149</sup> Ellis and Woolstencroft, 87.

<sup>150</sup> Wells, 246.

<sup>151</sup> Wells, 287.

<sup>152</sup> Ibbitson, 58.

<sup>153</sup> Wells, 286.

Much to the dissatisfaction of some, Harper controls his message by reigning in his parliamentary caucus and the media. Backbench MPs are not usually privy to government decisions until they make the news.<sup>154</sup> It is clear that Harper considers his larger party a liability, and thus manages how much they know and say to keep them in check. With a handful of caucus ejections to date, he had made good on his promise of “short political career[s]” for backbenchers that talk to the media.<sup>155</sup> The media are another group Harper has implemented strong tactics against in order to keep his message undiluted. During his time in government, Harper has utilized the Parliamentary Press Corp and the National Press Theatre less and less to communicate with the public.<sup>156</sup> He has preferred to use “informal comments” in Ottawa and hold more news conferences outside the capital, which give him “complete control over his message.”<sup>157</sup> In furthering his agenda, Harper leaves no room for dissent or scrutiny.

Many policies of Harper’s two governments have reflected his continual attempts to hold the political centre and increase the credibility and public acceptance of his government. The ‘Five Priorities’ of the 2006 campaign were “designed to be quickly deliverable,” and action began on them immediately after the new government was formed.<sup>158</sup> More recently, Harper has had to recalibrate his earlier positions on environmental issues as these concerns became more mainstream. He publicly acknowledged greenhouse gases and human activity contribute to global warming and made more substantial commitments to cut emissions.<sup>159</sup> Actions such as these can serve to make Canadians more comfortable with the prospect of a Conservative majority that frightened them in 2004.

In foreign policy, Harper is injecting some new values into Canada’s interactions with the world that may help sow the seeds of future Conservative success. The focus on the Afghan mission and its corresponding emphasis on the military, the more American-like unequivocal support for Israel, and Harper’s own tactical efficiency in responding to the 2010 earthquake in Haiti are all examples of these attempts at a value-change.<sup>160</sup> Comparativist Howard Cody believes the foreign policy of the Harper government “repudiates long-held, Liberal-inspired identity markers” and shifts Canada “from an exemplar of multilateralism to membership in the ‘Anglosphere.’”<sup>161</sup> Domestically, Harper has continued to make great strides to build support in Quebec. More notably, he co-opted a Bloc Québécois motion and re-tooled it to recognize that “the Québécois form a nation within a united Canada.”<sup>162</sup> In keeping with his strict managerial style, Harper had the vote on this motion “triple-lined” by [his] chief government whip,” and did not consult his Intergovernmental Affairs Minister, Michael Chong, about the proposal.<sup>163</sup> By appealing to ‘soft sovereigntists’ in Quebec he is attempting to grow at the expense of the Bloc

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<sup>154</sup> Turner, 67.

<sup>155</sup> Turner, 121.

<sup>156</sup> Wells, 305.

<sup>157</sup> Wells, 307.

<sup>158</sup> Wells, 282.

<sup>159</sup> Flanagan, 294.

<sup>160</sup> Flanagan, 90, and Bruce Anderson, “Prorogation a curve bender, not a game changer,” *The Globe and Mail*, February 6, 2010.

<sup>161</sup> Howard Cody, “Minority Government in Canada: The Stephen Harper Experience,” *American Review of Canadian Studies* 38 (2008): 34.

<sup>162</sup> Quoted in Flanagan, 293.

<sup>163</sup> Turner, 179.

Québécois. But even the more “median voter” in the province likely can find appeal in his action on the “fiscal imbalance,” or the aforementioned UNESCO pledge.<sup>164</sup> Although he did not succeed in increasing his support in the province in the 2008 election, Harper continues to devote much of his sharp mind to the task of winning over Quebec.

A minority government can potentially take away the freehand of even the most strategic prime minister. Although he has navigated the landscape deftly, Harper has benefited greatly from the dynamics in Parliament, especially in regards to his opponents. The Liberals chose Stéphane Dion as their new leader after the 2006 election and likely suffered a “bout of buyer’s remorse” when Dion showed himself to be “humourless, managerially incompetent, and barely intelligible in English.”<sup>165</sup> Harper exploited his main opponent’s weaknesses and, more substantially, constructed the public’s poor perception of Dion. Learning from the tactics of Paul Martin, Harper engineered an unrelenting campaign of personal attacks aimed at the Liberal leader. Like some of Harper’s previous tactics, the attacks were heavily criticized at first before complacency eventually won out and the attacks succeeded in significantly damaging Dion.<sup>166</sup> In Parliament, both minorities have allowed Harper to survive with the support of only one other party. The legislative agenda Harper brought forward had “ample room” for consensus,<sup>167</sup> and he was able to successfully create ‘ad-hoc’ “coalitions of support” on each specific initiative.<sup>168</sup> While there was often a threat of the opposition cooperating to bring down his government, Harper’s “ad hoc alliances” kept the parties polarized against one another.<sup>169</sup> He also benefited from the weakness of the other parties and their mutual reluctance to lose further ground in another election.<sup>170</sup> In late 2007, Harper began exploiting this weakness and forced through much of his agenda by making key bills matters of confidence. Dion’s Liberals were forced to respond “by abstaining or offering only token opposition” on these items.<sup>171</sup> These circumstances have provided Harper with some of the most ideal minority governments in Canadian history. Indeed, minority governments may be the most ideal circumstance for Stephen Harper. The constant compromise required by minority government, even one with impotent opposition parties, takes the Conservatives in more moderate directions which can only serve to benefit Harper.

Harper’s judgment has not always rewarded him politically. Decisions during his second government have been wrought with strategic blunders. After returning with an increased minority in the 2008 election, Harper ignited a crisis for himself when he proposed changes to public campaign financing that would take millions away from his cash-strapped opponents.<sup>172</sup> Harper’s intense partisanship was criticized,<sup>173</sup> although the proposed Liberal-NDP coalition produced a greater backlash. By proroguing Parliament until January 2009, Harper was able to avert the challenge to his government. Public opinion grew against the coalition and when the House returned Harper was now facing Michael Ignatieff as Liberal leader, who was more cool

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<sup>164</sup> Flanagan, 279.

<sup>165</sup> Ibbitson, 17.

<sup>166</sup> Adam Radwanski, “All according to plan?” *The Globe and Mail*, January 14, 2010.

<sup>167</sup> Segal, 227.

<sup>168</sup> Flanagan, 292.

<sup>169</sup> Flanagan, “Polarization, ad hoc alliances, and fear of election,” *The Globe and Mail*, January 5, 2010.

<sup>170</sup> Bliss, “Has Harper found his tipping point?”

<sup>171</sup> Flanagan, 293.

<sup>172</sup> Ibbitson, 28.

<sup>173</sup> Ibbitson, 29.

to the coalition. Had Harper kept considerations of polarization in mind, he might not have proceeded on an issue that would obviously unite all the opposition parties against him. Harper has responded to the economic downturn that began in late 2008 more effectively, but some question whether his conservative base appreciate his efforts.<sup>174</sup> Out of “economic necessity,” Harper has adopted Keynesian tactics he once dismissed.<sup>175</sup> In closely cooperating with the opposition for the 2009 Budget, journalist Norman Spector believes Harper has “ably stole large parts” of the opposition’s platform.<sup>176</sup> This perception is risky for Harper, who needs to make sure no party can share the economic centre-right with his Conservatives—something the Liberals have been capable of doing in the past.

This past December, citing extensive budget consultations and government re-calibration, Harper had Parliament prorogued until March 2010.<sup>177</sup> Initial public reaction was not positive and the Conservatives have recently dropped in the polls slightly below the Liberals.<sup>178</sup> There is much debate regarding his true motivations for proroguing the House. Harper’s desire to divert attention away from the emerging issue of his government’s knowledge in Afghan detainee cases might be one reason. Columnist Adam Radwanski believes prorogation was a calculated risk on Harper’s part.<sup>179</sup> Similar to actions he has taken before, the initial public outcry might give way to a complacency that allows certain issues to slip under the radar—such as the Afghan detainee issue. Harper’s actions in his second government had caused some to believe he “stands for nothing in particular, except winning and keeping power.”<sup>180</sup> Continued strategic miscalculations and crumbling credibility may make Harper susceptible to what call Perlin calls the *Tory Syndrome*.

### **Stephen Harper and the Tory Syndrome**

Stephen Harper has demonstrated an incredible level of political ‘contextual intelligence.’ The unlikely prime minister is now on the verge of a majority government after years of strategic positioning and careful gamesmanship.<sup>181</sup> Even without a majority, he has shown he might well be able to “govern almost as if he had” one for the foreseeable future.<sup>182</sup> Thanks to Harper the Conservative Party has an extremely broad base, effective organizational structure, and the strongest credibility to govern today. Many “political, demographic, media, geographic” trends are in favour of continued Conservative momentum.<sup>183</sup> Are the Conservatives, under Stephen Harper, “poised to become the country’s natural governing party,” as Bliss suggests?

Harper has had a fortuitous journey to 24 Sussex that has complimented his adept political skills. But Harper’s luck might soon run out and, in some cases, his skills might not be

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<sup>174</sup> Flanagan, 325.

<sup>175</sup> Chase, “After four years, it’s Canada that has changed Harper.”

<sup>176</sup> Norman Spector, “Why Harper had a good year. Not.” *The Globe and Mail*, December 24, 2009.

<sup>177</sup> Ibbitson, “Few countries can claim such a pathetic Parliament,” *The Globe and Mail*, January 8, 2010.

<sup>178</sup> Lawrence Martin, “Wheel of fortune,” and Anderson, “Prorogation a curve bender, not a game changer.”

<sup>179</sup> Radwanski, “All according to plan?”

<sup>180</sup> Flanagan, 328.

<sup>181</sup> Bliss, “Has Harper found his tipping point?”

<sup>182</sup> Simpson, “Prorogation will not loosen the PM’s grip.”

<sup>183</sup> Lawrence Martin, “It’s only been a decade, but the conservative way is redefining us,” *The Globe and Mail*, January 20, 2010.

enough. To dethrone the Liberals as the ‘natural governing party,’ it would require “a disaster far greater than the revelations of the sponsorship scandal,” writes Clarkson.<sup>184</sup> Although leader Michael Ignatieff was not instantly popular, he exhibits a political resiliency not shared by his predecessor. Pundit Rex Murphy suggests Harper will have a harder time vanquishing Ignatieff and before too long the “familiar comforts of power” may be the Liberals’ once again.<sup>185</sup> Without the baggage of sponsorship or an ineffectual leader, Harper may have finally met his match with a rejuvenated Liberal Party.

Although the new Conservative Party is not beholden to the cycles of the historical Progressive Conservative Party, it may share a similar fate. The “disruption from within”<sup>186</sup> the historical party often fell victim to is now held at bay by a political “fragility” in today’s Conservative Party.<sup>187</sup> According to Turner, the former party allegiances of Conservatives are still very much alive to Stephen Harper.<sup>188</sup> Books written on the party merger, authored by the opposing camps, sometimes cannot agree on who even initiated the merger talks.<sup>189</sup> Some in the party may still feel a connection to those old factions and this threatens to literally split the party in two. Even more tenuous is the party’s Quebec contingent. Flanagan questions the commitment of the Quebec conservative movement to the Conservative Party after it so easily turned cold to Harper after a “small” gaffe about arts funding in the 2008 election.<sup>190</sup> Harper’s Conservatives may yet fall victim to many of the historic weaknesses of their predecessors.

In the *Tory Syndrome*, Perlin suggests these weaknesses can only be temporarily overcome by “exceptionally adroit leadership and some considerable luck.”<sup>191</sup> This paper has demonstrated that Harper is that adroit leader and has had that considerable luck. What is not demonstrated is that the party’s current strength implies a long-standing political dynasty for the new Conservatives. As Flanagan points out, Harper “will not be leader forever,”<sup>192</sup> and without his strategic mind and steadfast determination the balance of power could easily slip away from the Conservatives. Ultimately, Harper has yet to achieve his larger goal of establishing conservative hegemony in Canada. He breezed through two leadership campaigns and united the right under very favourable circumstances. He faced a Liberal party damaged daily with serious corruption charges after 12 years in power and then again with an inept leader trying to introduce a carbon tax during a global recession. Yet Harper was only able to win minority governments against these opponents. The mounting evidence suggests a widespread acceptance of conservative governments in Canada is a long way off.

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<sup>184</sup> Clarkson, 283.

<sup>185</sup> Rex Murphy, “Follow the leader, but which one?” *The Globe and Mail*, October 23, 2009.

<sup>186</sup> Perlin, 201.

<sup>187</sup> Segal, 238.

<sup>188</sup> Turner, 40-2.

<sup>189</sup> See Bob Plamondon, *Full Circle: Death and Resurrection in Canadian Conservative Politics* (Toronto: Key Porter Books, 2006), 287, and Flanagan, 97.

<sup>190</sup> Flanagan, 314-5.

<sup>191</sup> Perlin, 201.

<sup>192</sup> Flanagan, 314.

Writing in 1998 with Tom Flanagan, Stephen Harper speculated that if a new national conservative party were ever to be formed again “the resulting entity would be temporary and unstable.”<sup>193</sup> Can even Stephen Harper prove himself wrong?

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<sup>193</sup> Flanagan and Harper, 187.



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## **INTERNATIONAL RELATIONS**

## **Aparte somos nosotros y aparte los naturales (We are one thing and the natives are quite another – Guatemalan Mestizo saying): A Case Study of the Guatemalan Genocide, 1981 - 1983**

By Rachel Rawana

On 18 July 1982, in the village of Plan de Sanchez in the Guatemalan highlands, more than 250 people were massacred by Guatemalan army personnel and paramilitary soldiers. These people were mostly women and children and were mainly Maya-achi, one of the indigenous populations of the country. In 1994, one of the judges in the Inter-American case regarding this violent act wrote that:

even though the facts occurred 22 years ago, they are certainly still alive in the memory of the survivors. The years of silence and humiliation, faced with the difficulties of locating the clandestine cemeteries and exhuming the corpses of those murdered in the massacre, and the prolonged denial of justice, could not erase what happened in Plan de Sanchez on July 18, 1982, from the memory of the survivors.<sup>1</sup>

The story of Plan de Sanchez is one of many similar instances that occurred in Guatemala from 1981-1983 under the regimes of Romeo Lucas and Efraín Ríos Montt<sup>2</sup>.

This paper will show that the Lucas and Ríos Montt regimes in Guatemala committed acts of genocide during 1981-1983, in accordance with the definition as stated in Article 2 of the Genocide Convention. The first section of the paper will relate a brief history of Guatemala and discuss the factors that created an atmosphere where genocide could be perpetrated. The second part of the paper will describe the acts of genocide that occurred, and will discuss the applicable sections of Article 2 as well as the lacunae present as a result of the definition.

### **Background and Context to Genocide**

In order to begin analysing the events of 1981-1983, it is important to begin with a brief historical overview of Guatemala. Like many Latin American countries, Guatemala was caught in the Cold War politics of the United States (US). The socialist reforms and agrarian policies of President Jacobo Arbenz aimed to relegate tracts of land to the rural people so they could provide for themselves. However, these policies resulted in financial damages to the American-based United Fruit Company as the land was being taken from their large holdings in Guatemala. Therefore the Central Intelligence Agency (CIA) conspired to remove Arbenz from power – even though he was democratically elected.<sup>3</sup> On 17 June 1954, 250-300 mercenaries supplied by the CIA infiltrated Guatemalan cities. Supported by P-47 airplanes from Nicaragua and Honduras, they skirmished with Guatemalan troops and civilians for ten days before Arbenz announced his resignation.<sup>4</sup> By this time, the loyalty of the high command of the army had

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<sup>1</sup> Elizabeth Oglesby and Amy Ross, "Guatemala's Genocide Determination and the Spatial Politics of Justice," *Space and Polity* 13, no. 1 (2010): 34-35.

<sup>2</sup> Craig W. Nelson, Kenneth I. Taylor and Janice Kruger, *Witness to genocide: the present situation of Indians in Guatemala* (London: Survival International, 1983), 8-10.

<sup>3</sup> Anita Issacs, "Guatemala on the Brink," *Journal of Democracy* 21, no. 2 (2010): 109.

<sup>4</sup> Carlos Figueroa Ibarra, "The Culture of Terror and Cold War in Guatemala," *Journal of Genocide Research* 8, no. 2 (2006): 193.

turned against Arbenz, thereby paving the way for the first significant military regime in Guatemala. The Guatemalan elite, the military and the CIA maintained an alliance that resulted in a reversal of reforms and a reduction of political freedoms. This repression made it clear that democracy would lose if it attempted to upset the traditional social and economic order.<sup>5</sup>

With the Cuban Revolution in 1960, the US was keenly interested in what was happening in the rest of Latin America. A small group of military officers with socialist leanings chose this inopportune time to attempt a coup against the Guatemalan government. Although they failed, they fled to the countryside and entered into an alliance with the military wing of the Guatemalan Communist Party. This small group formed the guerrilla movements that would inspire state-sanctioned violence.<sup>6</sup> In fear of another communist country in its backyard, the US increased its aid to the Guatemalan army in an attempt to secure the region. This aid reached its peak in 1963, with 2.6 million dollars being given directly to the army.<sup>7</sup> The military dictatorship also consolidated its existence at this time through its repression on the general population. By the 1970s, the treatment of the government left many citizens feeling rankled and unhappy. They were angered by the military seizure of their lands, the forced conscription of their sons and the indiscriminate killing of their local leaders if they were deemed to be subversives.<sup>8</sup> During this period, large numbers of indigenous people began to join the unions that had begun to unofficially reappear after being disbanded after the removal of Arbenz.

In February 1976, a massive earthquake shook Guatemala, killing over 20,000 people and leaving over 1 million homeless. The government did little to help the victims, who were mostly indigenous and the rural poor.<sup>9</sup> In addition to joining unions in an attempt to create solidarity, many citizens regarded guerrilla movements as groups that could guarantee their security and offer them economic and social support.<sup>10</sup> International relief workers, missionaries and labour unionists all came to offer aid to the hurting population. They travelled through the countryside, spreading new ideas and promoting political organization.<sup>11</sup> These popular movements only served to excite the military regimes and they began to further repress their citizens in an attempt to silence the stirrings of civil society. In 1978, the guerrillas determined that they had developed a significant enough following to begin adopting a mass-based guerrilla strategy.

Although the government of Guatemala was thoroughly corrupt at this point, there were still rules that were followed. For example, violence was perpetrated by the elite against the lower classes and power was transferred according to who could supply the most benefits. However, on 23 March 1982 President Romeo Lucas Garcia was removed from power by a group of young army officers.<sup>12</sup> These officers installed a military triumvirate consisting of Brigadier General Efraim Rios Montt, Colonel Francisco Luis Gordillo and General Horacio Maldonado Shaad. As a junta, they suspended the constitution, closed Congress and announced

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<sup>5</sup> Issacs, 111.

<sup>6</sup> Benjamin A. Valentino, *Final solutions: Mass Killing and Genocide in the Twentieth Century* (Ithaca, N.Y.: Cornell University Press, 2004), 206.

<sup>7</sup> Ibarra, 199.

<sup>8</sup> Nelson, 8.

<sup>9</sup> Valentino, 209.

<sup>10</sup> Nelson, 8.

<sup>11</sup> Valentino, 209.

<sup>12</sup> Nelson, 10.

rule by decree. The trio had a governance plan based on fourteen points that was to remain in effect while the constitution was suspended. They promised to respect human rights, to create the foundations for the participation and integration of Guatemala's ethnic groups and to eliminate administrative corruption.

Based on this initial declaration, at least twenty officials were arrested on charges of corruption.<sup>13</sup> A thirty-day amnesty was declared on 31 May 1982 whereby subversives would be granted amnesty if they surrendered their weapons to the army or the Guatemalan Red Cross. At the end of this grace period, General Rios Montt stated that he intended to declare war on the insurgents. In the middle of the amnesty period, Rios Montt deposed his two fellow junta members and declared himself President. On 1 July 1982, immediately after the amnesty period, President Rios Montt declared a state of siege. This meant that the army could kill people legally and were empowered to infringe upon human rights; for example, judges could sentence to death – without appeal or trial – anyone they deemed to be an insurgent.<sup>14</sup>

### **Social and Cultural Factors Contributing to a Genocide**

While the previous section gave a brief outline of the historical events pertinent to the application of genocide to the situation in Guatemala, this next section will discuss the social and cultural factors that contributed to the genocide. One of these factors is the Culture of Terror that was bred into the Guatemalan political structure as a result of the Cold War.<sup>15</sup> Carlos Figueroa Ibarra, the proponent of this theory, defines a Culture of Terror as one that promotes the conviction that the only way to solve differences is to eliminate the one who is different.<sup>16</sup> Applying his theory to the Cold War, society became one that was intellectually homogeneous. Stretching the Cold War application to Guatemala, it involves citizenship that is used as a formality to conceal classes that need to be conserved and considers repressive violence to be a legitimate resource for the preservation of this world.<sup>17</sup> Ibarra implicates the US in the application of this theory to Guatemala, because he states that the US provided the “imperial blessing”<sup>18</sup> that was necessary for political action during the Cold War.

Furthermore, Ibarra outlines how the paranoia of the Cold War era influenced the US to the point of action. John E. Peurifoy, the US ambassador to Guatemala in 1954, presented the country as a “Soviet beachhead.”<sup>19</sup> Through this lens, the presence of socialists in the broad alliance that supported Arbenz made the legitimate Guatemalan government intolerable to an American public that was caught in the throes of McCarthyism. The 1954 counter-revolution is estimated to have resulted in the death of 3,000. From that point until 1955, 14,000 are estimated to have been arrested; the military regime also revoked the constitution, the Labour Code and Decree 900 – Arbenz’ decree that ordered agrarian reform. All political parties who supported

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<sup>13</sup> Nelson, 10.

<sup>14</sup> Nelson, 11.

<sup>15</sup> Ibarra, 191.

<sup>16</sup> Ibarra, 192.

<sup>17</sup> Ibarra, 191.

<sup>18</sup> Ibarra, 191.

<sup>19</sup> Ibarra, 193.

the Arbenz regime were dissolved, as well as the major trade unions and remaining aspects of civil society.<sup>20</sup>

The use of CIA funds to hire mercenaries to overthrow a democratically legitimate regime perpetuated a tradition of repressive violence that had accumulated in Guatemala since colonial times. Previously, the dominant Spanish class viewed the indigenous people and the ladino<sup>21</sup> population as “idle, dirty, hypocritical, disloyal beasts for whom there was only one remedy: the whip.”<sup>22</sup> In the twentieth century, communism became the new beast that was seen to be disloyal. Even in this new paradigm, indigenous people continued to be seen as the lowest strata of society. They were simultaneously viewed as being people with few positive attributes as well as being easily manipulated into becoming communists because of their lack of intelligence.<sup>23</sup> When these ideologies are combined, it comes close to the single-minded persecution of a group, as stated in the Genocide Convention.

In addition to perpetuating the stereotyping and discrimination against the indigenous population, the Culture of Terror and insertion of Cold War ideology into the political construction of Guatemala consolidated the Oligarchic mindset. Traditionally, the oligarchy in Guatemala was built on three tenets.<sup>24</sup> The first of these is that the dictatorship must be constructed around a strong individual. The second tenet is that there is an inherent racism against the indigenous population. Finally, agricultural exportation is supported by forced labour and the division of land in large estates.<sup>25</sup> The first two tenets, that are respectively political and ideological, gave rise to the third tenet; however, the third is also the reason for the continued existence of the first two. Applying these tenets to the state of Guatemala in 1982 is not difficult. Rios Montt was strong enough to avoid international intervention for quite some time, as well as to consolidate a policy of terror and violence. Although abhorrent, it takes a strong leader to rule an entire country by fear. Additionally, it was relatively easy to fuse the fears of communism with political repression and discrimination against the indigenous population, because racism had always been present. Thirdly, agricultural exportation was regulated by the US, and in this way it was still subject to the whims of the dominant class.

### **Military and Guerrilla Influence**

At this point, having discussed the overarching factors present in the state that could predicate genocide, it is important to examine the ideology of the guerrilla fighters that antagonized the government. When the guerrillas first formed in 1961, they were unable to garner enough support from the rural population to develop a mass-based organization.<sup>26</sup> At this point in time government violence was pervasive, but it was also at levels that were comparatively low when weighed against their neighbouring countries. Therefore, the guerrillas adopted the *foco* theory of Ernesto ‘Che’ Guevara, who had been in Guatemala during the fall of

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<sup>20</sup> Ibarra, 194.

<sup>21</sup> “Ladino” is a term that refers to people that are ethnically mixed (Spanish and indigenous ancestry) but are also typically in a higher social and economic class than the indigenous population.

<sup>22</sup> Ibarra, 195.

<sup>23</sup> Ibarra, 195.

<sup>24</sup> Ibarra, 196.

<sup>25</sup> Ibarra, 196.

<sup>26</sup> Valentino, 206.

Arbenz.<sup>27</sup> This strategy involved small, mobile bands of guerrillas that could act as a force of revolution that would eventually seize power. It was believed that highly effective attacks on the government would inspire the population because they would illustrate the power and revolutionary spirit of the rebellion.<sup>28</sup> An adverse effect of this strategy is that the guerrillas expected to elicit a repressive response from the government that would attract the population to their cause.

Curiously, it was through little effort of the guerrillas that they eventually gained popular support. The global recession of the 1970s cause many of the rural poor, of whom more than 90% were indigenous<sup>29</sup>, to become even more destitute and they received little or no aid from the government. In addition, there was a significant increase in the population at the same time as a decline in the traditional forms of agriculture.<sup>30</sup> After the earthquake that ruined what little the rural poor had, they joined the guerrillas out of anger at a government who subjected them to either ignorance or violence. By 1981, guerrillas controlled nine of Guatemala's twenty-two departments<sup>31</sup> and had a "significant presence"<sup>32</sup> in nine others. The victory of the Sandinista insurgency in Nicaragua served as an indication to Guatemalan leaders of what guerrillas forces could accomplish. Under President Romeo Lucas, troops responded harshly to guerrilla attacks by massacring local peasants and by burning nearby villages.<sup>33</sup>

During the Cold War, the National Security Doctrine (NSD) purported by the US, was the guiding military principle for many Latin American countries, including Guatemala.<sup>34</sup> NSD maintains that it is the responsibility of the military to protect the country against internal subversion – specifically the threat of communism.<sup>35</sup> This principle promotes the idea of an internal enemy being the prime threat to a nation's security, and is intrinsic to the repression that happened in Guatemala during 1981-1983. As has been explained, the guerrillas began to implement a mass-based strategy in 1978. This change in guerrilla strategy prompted a change in the government's strategy for retaliation. According to both Mao Zedong and the US, a guerrilla force cannot survive without its base of a civilian population. Therefore, as Mao illustrates, in order to catch the fish, one must drain the sea.<sup>36</sup> Similarly, US veteran Franklin Lindsay stated that "the control of the population is a prerequisite for successful [guerrilla] warfare."<sup>37</sup> With these maxims in mind, the Guatemalan government, beginning with President Lucas in 1981 and ending with President Rios Montt in 1983, began to target the indigenous people as the internal enemy that was the livelihood of the guerrillas.<sup>38</sup> With these two charges, they began their attack.

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<sup>27</sup> Valentino, 206.

<sup>28</sup> Valentino, 207.

<sup>29</sup> Valentino, 210.

<sup>30</sup> Valentino, 210.

<sup>31</sup> Departments are comparable to provinces.

<sup>32</sup> Valentino, 210.

<sup>33</sup> Valentino, 210.

<sup>34</sup> Oglesby, 27.

<sup>35</sup> Oglesby, 27.

<sup>36</sup> Valentino, 198.

<sup>37</sup> Valentino, 199.

<sup>38</sup> It is unknown and beyond the scope of this paper to discuss in detail the ideological influences of the Guatemalan guerrilla forces. However it is know, and has been demonstrated, that the US was aware of Mao Zedong's doctrines and used this as a basis to form their anti-guerrilla strategies.



## Genocide

Having considered the historical setting and factors present in Guatemala immediately before and during the genocide, this paper will now review the events of the genocide. Article 2 of the Genocide Convention states that

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.<sup>39</sup>

There is little doubt that there were many cases of state-sanctioned human rights abuses during 1961-1996 in Guatemala. There is even less doubt that the majority of disappearances and killings were illegal. However, the question remains whether or not these acts can be classified as genocide under Article 2. While there are other methods for evaluating genocide, Article 2 is important because it is the only one that obligates the international community to prosecute and act once it has been declared.

It is important to note the difference between the intent and the motive of the Guatemalan government at this time. In order to be convicted of genocide, both the intent to destroy a group, in whole or in part, and one or more of the outlined actions must be proved. Given the evidence that this conflict was political, the application of the term genocide would not apply; a political group is not of the categories. However, while the state's ultimate desire was to destroy the armed insurgents of a different political ideology, they intended to do so through the destruction of the indigenous Mayan population. The destruction of an ethnic group can be constituted as the intent for genocide. Francisco Bianchi, the Press Secretary for Rios Montt, declared that "the guerrillas won over many Indian collaborators. Therefore, the Indians were subversives... clearly you had to kill Indians because they were collaborating with subversion."<sup>40</sup> In addition to this clear indication of a policy of extermination, the government identified four regions where all were considered to be subversives and subject to execution. Soldiers were trained to detect the weaving patterns of certain indigenous groups, and by wearing such clothing, they would be shot.<sup>41</sup> This geographic distinction is important, because it changes the army campaign from targeting political opponents to targeting a specific ethnic component of the population, as over 95% of these regions were inhabited by indigenous Mayans. With this modification, the violence changes from a political vendetta to genocide.

As intent to destroy, in whole or in part, an ethnic group has been established, the actual acts of genocide must also be proven in order for the label to be correctly applied. The first three acts of genocide, as outlined in Article 2, can be applied to the actions of the Guatemalan

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<sup>39</sup> Alexander Laban Hinton, *Genocide: An Anthropological Reader* (Malden, Mass.: Blackwell, 2002), 43-44.

<sup>40</sup> Nelson, 12.

<sup>41</sup> Oglesby, 32.

government from 1981-1983. These acts are killing members of the group, causing serious bodily or mental harm to members of the group and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part. One of the ways that all of these acts were perpetrated was through the Scorched Earth campaign. According to this campaign, when the army attacked a village or community, the people's houses, belongings and crops are burned and their domestic animals are killed or confiscated. The rivers, streams and sources of drinking water are also poisoned. As these villages were situated in the highlands, the surrounding forests were burned down as well.<sup>42</sup> The Scorched Earth campaign involved massacring and torturing citizens, while also destroying their means for survival. These exploits constitute acts of genocide.

Further evidence that acts were committed with genocidal intent is found in the words of the soldiers. The army believed that the women and children contributed support for the guerrillas; women providing logistical support and children providing future potential recruits. Senior army officials openly stated that they would have to eliminate "the family nuclei,"<sup>43</sup> including children, whom they considered "essential to the revolutionary organizations."<sup>44</sup> This practice was carried out, along with the Scorched Earth campaign, in four regions in the Guatemalan highlands. If anyone fled, they would be hunted down by the army. One soldier summarized the policy: "if you're with us, we'll feed you, if not, we'll kill you."<sup>45</sup>

Officially<sup>46</sup>, Guatemala was embroiled in a civil conflict from 1961 until 1996. In 1983, Rios Montt was overthrown by a military coup and subsequent regimes gradually accepted the need to yield political control to civilians. In 1985, elections were held, even though only rightist and centrist parties were allowed to participate, leading to the first fully civilian government being elected in 1986.<sup>47</sup> Although civilian control was generally a formality designed to assuage international and domestic pressure, it was eventually consolidated as the military control faded. In 1994, the government allowed refugees to return to what remained of their homes and in 1996, comprehensive peace talks resulted in the Oslo Accords, an agreement between the main guerrilla group, the *Unidad Revolucionaria Nacional de Guatemala*, and the government.<sup>48</sup> Part of this peace agreement was a truth commission called the Commission for Historical Clarification (CEH), designated to determine the human rights abuses that had occurred in the country during the 35 years of conflict. Declassified information from the US and 7,200 interviews constituted the main sources of information for the CEH. The CEH also placed the total number of people killed at over 200,000, with 83% being Mayan, and 93% of the violations being committed by the state.<sup>49</sup>

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<sup>42</sup> Nelson, 13.

<sup>43</sup> Valentino, 213.

<sup>44</sup> Valentino, 213.

<sup>45</sup> Valentino, 215.

<sup>46</sup> Various sources cite different dates, according to the scope of their research. According to the United States Institute of Peace, the dates 1961 to 1996, inclusive, represent all years of unresolved civil conflict in Guatemala. The United States Institute of Peace, "Truth Commission: Guatemala | United States Institute of Peace", <http://www.usip.org/publications/truth-commission-guatemala>.

<sup>47</sup> Valentino, 217.

<sup>48</sup> Valentino, 217.

<sup>49</sup> The United States Institute of Peace.

In 1999, at the presentation of the CEH report, the term genocide was officially applied to the period of 1981-1983 in Guatemala for the first time.<sup>50</sup> Human rights organizations and Mayan activists gave the presentation a standing ovation, but the Guatemalan president, Alvaro Arzú, refused to receive the report and sent an aide instead. The report has yet to be officially recognized by the Guatemalan government.<sup>51</sup> In spite of prosecutions happening through the Inter-American courts and in Spain, Guatemala has a long road ahead before the genocide becomes a part of the past. The challenge remains for Guatemala to overcome a divisive ideology that has pervaded its political culture for centuries. This paper has outlines the factors present and acts perpetrated that allowed genocide to occur. It is hoped that, with the events of the past being made public through mechanisms such as the CEH and trials, it will not happen again.

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<sup>50</sup> Christian Tomuschat, "Clarification Commission in Guatemala," *Human Rights Quarterly* 23, no. 2 (2001): 233.

<sup>51</sup> Oglesby, 31.

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## **COMPARATIVE POLITICS**

## What factors contribute to a states 'propensity to avoid or pursue integration into the European Union?

By Christopher Rastrick

Representing an unprecedented level of institutional integration, the European Union has undergone significant augmentations (in terms of both membership and depth of integration) since its recognized genesis in the six-state European Coal and Steel Community of 1952. With the current membership of 27 ratified members, the European Union ('EU' hereafter) has served to unite a distinctly diverse region; it is somewhat of a diplomatic irony, then, that the EU's short history has satisfied integrationist desires (and reconciled integrationist woes) of its member states, and seemingly erased centuries of conflict. This reality demands the question as to why EU member states have been inclined to integrate, but also why non-member states have insisted on abstaining from integration. The purpose of this essay is to ascertain whether any visible trends are displayed regarding what factors influence a states' propensity to integrate into the EU, with empirical consideration centered around Switzerland, Norway, and Sweden. This essay proposes that Switzerland's avoidance of integration has been domestically justified on the grounds of preserving direct democracy and neutrality, while Norway's integration contentions have been supported by the lack of economic incentives and the legal implications upon Norway's self-determination and sovereignty. Additionally, this essay asserts that Sweden's decision to accede elements of domestic authority and sovereignty to the EU was based on its desire to regain dominance within the European realm through amelioration of their immediate economic woes and a post-Cold War expression of 'closet' neoliberalism which had been absent until 1991. However, to recognize a motif regarding EU integration, this essay posits that the overarching consideration of the 'national identity' most significantly affects a states' propensity to enter the EU. This essay will approach the individual states' cases through empirical and theoretical lenses, after which a broader assessment of these states' implications will be acknowledged.

This essay proposes that Switzerland's aversion to EU integration lies within its traditional value of direct democracy and a historic political neutrality. The Swiss engagement with the EU has taken the form of a series of bilateral agreements between Switzerland and EU member states which, technically speaking, requires Switzerland to recognize EU internal market law. Within the EU community, and commentators thereof, there is a broad sentiment towards the recognition of Switzerland as somewhat of 'a special case in Europe,'<sup>1</sup> though in recent years it appears as though Switzerland's 'position is coming under pressure.'<sup>2</sup> While the Swiss continue to maintain an economic relationship with the EU, their diplomatic ascension into the EU intergovernmentalist/supranational framework remains halted for a variety of reasons. First, Switzerland has prided itself on a history of direct democracy in which Swiss citizens have the utmost political self-determination, particularly with regards to amending the federal constitution.<sup>3</sup> Though many prefer to view the EU as an intergovernmental body, there are

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<sup>1</sup> Sieglinde Gstöhl, "The EU response to Switzerland: Still a 'special case'?" in *Switzerland and the European Union*, edited by Clive H. Church (New York, New York: Routledge, 2007), 243.

<sup>2</sup> Ibid.

<sup>3</sup> Bruno Kaufmann, *How direct democracy makes Switzerland a better place*, May 18, 2007.

<http://www.telegraph.co.uk/news/1435383/How-direct-democracy-makes-Switzerland-a-better-place.html> (accessed November 12, 2010).

recognizable supranational components which ‘constitute the most serious threat to the survival of Swiss-style direct democracy.’<sup>4</sup> The sphere of influence of EU institutions like the European Court of Justice and the European Parliament is such that they maintain the capacity to supplant national governments by means of upholding EU law and implementing EU-produced legislation, respectively; as such, with national governments’ hands effectively tied, the populist opinion of the Swiss citizenry is disregarded, thus seriously questioning whether fruitful coexistence of direct democracy and the EU is possible.

While the preservation of direct democracy is significant to explaining Switzerland’s aversion to EU integration, a historical motif of political neutrality has characterized much of Swiss foreign (and regional) relations. Based on this historical trend, ‘the principle of neutrality rightly still remains much cherished today among the Swiss population and equally will remain a characteristic feature of the country in the future.’<sup>5</sup> The perception of Switzerland as a politically-neutral state, which would be altered after EU integration, inherently lacks concrete, tangible evidence but can nonetheless be explained through a social constructivist lens. Through the international and domestic sphere, social constructivists, such as Alexander Wendt, posit that political choices are motivated by political identities.<sup>6</sup> In the instance of Switzerland’s neutrality, the domestic and international perception of Switzerland as a neutral state provide a sense of amnesty or immunity for Switzerland in its avoidance of integration; this has manifested in a considerably less hard-line approach taken by the EU towards Switzerland when compared to various other states contemplating or being recruited for integration. Based on this social constructivist approach, one of Switzerland’s main contentions with integrating can be explained by the historical and implicit identity and culture of political neutrality attributed to the Swiss nation. In short, Switzerland’s distaste for integrating into the EU lies largely within the ‘feeling in Switzerland that there are certain elements of life...which make Switzerland special- direct democracy and neutrality...’<sup>7</sup>, the former of which is explicitly clear in the electoral and constitutional powers of the Swiss citizenry, while the latter is explained through a social constructivist perspective. Based on the domestic and international perception of Switzerland as a politically-neutral state, an indication arises that national identity plays a significant role in Switzerland’s avoidance of EU integration. While Switzerland’s abstinent approach to EU integration has focused largely on ostensibly political motivators, Norway’s integration repellants indicate a different logic.

The Norwegian relationship with the EU has represented a tumultuous history in which ‘public opinion on EU membership has swelled and ebbed,’<sup>8</sup> though in recent years the legitimacy crisis of the EU has hindered popular amicability towards integration. Particularly, the refusal of France and the Netherlands (two states that were seminal in the EU integration project) to ratify a European constitution provided a clear indication of disorganization and lack of

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<sup>4</sup> Alexander Trechsel, “Direct Democracy and European integration: A limited obstacle?” in *Switzerland and the European Union*, edited by Clive H. Church (New York, New York: Routledge, 2007), 46.

<sup>5</sup> Daniele Ganser and Georg Kreis, “Swiss Neutrality: Incompatible with EU membership?” in *Switzerland and the European Union*, edited by Clive H. Church (New York, New York: Routledge, 2007), 71.

<sup>6</sup> John Ikenberry, “Political and Legal.” *Foreign Affairs* 78, no. 6 (1999), 142.

<sup>7</sup> Imogen Foulkes, *Vote takes Switzerland closer to EU*, June 5, 2005,

<http://news.bbc.co.uk/2/hi/europe/4612281.stm> (accessed November 13, 2010).

<sup>8</sup> Ivar Ekman, *In Norway, EU pros and cons (the cons still win)*, October 27, 2005, [http://www.nytimes.com/2005/10/26/world/europe/26iht-norway.html?\\_r=1](http://www.nytimes.com/2005/10/26/world/europe/26iht-norway.html?_r=1) (accessed November 12, 2010).

ideological alignment within the EU decision-making institutions and member states. However, two major facets of the Norwegian state have inhibited progress toward EU integration. The first major factor contributing to Norway's antipathy towards EU integration lies within the particular structure of the Norwegian economy. Located in an opportune geo-economic area, Norway is endowed with an abundance of petroleum stores, the production of which contributes heavily to the Norwegian gross domestic product. With abundance in one of the most desirable and marketable natural resources, the Norwegian economic argument for EU integration is not compelling; the public opinion of 54% of the Norwegian population opposed to EU ascension 'is intimately linked to the broad feeling here that oil-rich, high-growth Norway does not need an economically stumbling European Club,'<sup>9</sup> thus leading the European Commission's ambassador to Norway to admit 'there are no economic arguments for Norway to join the EU.'<sup>10</sup> Resting on approximately half of the crude oil reserves in Europe,<sup>11</sup> Norway is an important supplier of oil to the EU which has manifested in Norway's ascension into the European Economic Area (EEA); representing a small group of non-EU states, the EEA represents an economic middle-ground between full membership and zero integration with the EU. However, while some observers view the EEA as preparation for inevitable full integration, recent history has demonstrated that Norway's position within the EEA is the intended end destination, justified in that 'oil revenue has enabled the state to support peripheral districts that have the most to lose by joining the EC'<sup>12</sup> thus implying 'Norway can afford to stay outside the community.'<sup>13</sup> From this perspective, Norway's hesitation towards EU integration can be placed within a pseudo-corporatist and realist framework in which the economic interests of the state are placed at the forefront of policy decisions. As such, coupled with a realist assertion of the primacy of states as actors in the international system, the economic circumstances that differentiate Norway from most EU members provides a diplomatic and economic net loss for the state in the event that Norway-EU integration materializes. The uniqueness of the Norwegian economy (in relation to the rest of the EU) points to a larger commentary on economic considerations for or against integration, whereby 'economies having similar features will more easily find economic interests in common.'<sup>14</sup> Since 'national leaders seek transnational cooperation in order to obtain common objectives,'<sup>15</sup> and no (or, very few) common economic objectives exist between Norway and the EU, Norway's resistance to EU integration on its economic grounds remains convincing; as Christine Ingebritsen suggests, 'constructions of Europe in national politics are more favorable in those states where leading economic sectors anticipate benefits accruing from closer political cooperation within the European Community.'<sup>16</sup> In addition to Norway's economic considerations, this essay will now show the history, and consequent value of, self-determination

<sup>9</sup> Ivar Ekman, *In Norway, EU pros and cons (the cons still win)*, October 27, 2005, [http://www.nytimes.com/2005/10/26/world/europe/26iht-norway.html?\\_r=1](http://www.nytimes.com/2005/10/26/world/europe/26iht-norway.html?_r=1) (accessed November 12, 2010).

<sup>10</sup> Ibid.

<sup>11</sup> Dag Harald Claes, "The Process of Europeanization: Norway and the Internal Energy Market," *Journal of Public Policy* 22, no.3 (2002), 307.

<sup>12</sup> Christine Ingebritsen, *The Nordic States and European Unity* (Ithaca, New York: Cornell University Press, 1998), 31.

<sup>13</sup> Ibid.

<sup>14</sup> Milica Uvalic, "Regional Cooperation and the Enlargement of the European Union: Lessons Learned?" *International Political Science Review* 23, no. 3 (2002), 331.

<sup>15</sup> Christine Ingebritsen, *The Nordic States and European Unity* (Ithaca, New York: Cornell University Press, 1998), 40.

<sup>16</sup> Ibid.



within the Norwegian state.

Throughout Norway's history, and even as late as the Second World War, the recurrent victimization of Norway by foreign imperialist ambitions has proved consistent. This history has not failed to ignite sentiments of 'Euro-phobia' within the Norwegian population, whereby a history of foreign intrusion has had a 'marked impact on the people of Norway and their attitudes to independence.'<sup>17</sup> Following Norway's independence, the establishment of domestic political structures and institutions provided the state with a sense of permanency that had historically been absent. It is not surprising, then, that Norway's receptiveness towards EU's 'fax democracy'<sup>18</sup> has been stubborn and has resultantly caused 'Nordic judges [to] have reservations about a European legal system which at times sticks its nose deep into age-old national traditions.'<sup>19</sup> Norway's claims of intrusive, pseudo-democratic actions of the EU's institutions into the affairs of member states points to a fundamental debate within the EU discourse. The delineation of the EU as a fundamentally intergovernmental or supranational entity has been a consistent question among scholars and EU citizenry/governance alike, and Norway's contentions regarding the EU's sphere of influence indicates the perception of the EU as a supranational construct. Norway's supranational contentions are based largely on the policies and intrusion of the European Court of Justice (ECJ) into the established national legal frameworks of member states, in which the ECJ 'forces national legislators to redraft legislation and policies in accordance with European law.'<sup>20</sup> Evidently, Norway's perception of the EU as a supranational authority has permeated into the private population and governments' lack of receptiveness to integration. Based on the structure of the Norwegian economy (with particular reference to the preponderance of oil exploration and production) and Norway's desire for independence, it is clear that Norway's propensity toward EU integration is significantly hampered by the aforementioned variables and a broader, historically-motivated antipathy toward relinquishing self-determination capabilities. As in the case of Switzerland, it is evident that Norway's vow to maintain its national identity as a sovereign, self-determining state (and the construction of the national identity, thereof) has led Norway's quiet crusade against EU integration.

While Switzerland and Norway have demonstrated a clear resistance to EU integration through both public referenda and implicit/explicit government interest, Sweden has been more receptive to the prospect of integration, which it successfully accomplished in 1995. This of course raises the question as to why three states faced with similar levels of socio-economic development and cultural homogeneity (in the case of Norway and Sweden, at least) have expressed altering perspectives on EU integration, and the merits or detriments thereof. While Switzerland and Norway have rejected integration into the EU mostly on political-based grounds, Sweden's admittance into the EU in 1995 was inspired by an ostensibly more pragmatic inclination. During the early 1990s, Sweden was faced with a particularly stagnant economy in

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<sup>17</sup> Nathan Johnson, "Why did Norway not join the European Union?" 2002, <http://diemperdidi.info/nordicnotes/vol06/articles/johnson2.html> (accessed November 12, 2010).

<sup>18</sup> Ivar Ekman, *In Norway, EU pros and cons (the cons still win)*, October 27, 2005, [http://www.nytimes.com/2005/10/26/world/europe/26iht-norway.html?\\_r=1](http://www.nytimes.com/2005/10/26/world/europe/26iht-norway.html?_r=1) (accessed November 12, 2010).

<sup>19</sup> Marlene Wind, "The Nordics, the EU and the Reluctance Towards Supranational Judicial Review," *Journal of Common Market Studies* 48, no.4 (2010), 1060.

<sup>20</sup> *Ibid.*

which ‘Sweden’s GDP continued to shrink, by about two percent in 1992 and again in 1993.’<sup>21</sup> For the Swedish business community, the prospect of a large-scale recession was becoming frighteningly inevitable, particularly for Swedish exporters faced with ‘sagging market shares and weaker earnings’<sup>22</sup> which saw ‘the nation’s exports decreased by 2.4%’<sup>23</sup> over a one year period. Faced with a recessionary economy, and a particularly worrisome decline in exports, Sweden sought a remedy to mitigate this predicament—perhaps out of the demand for immediate action, or perhaps out of a premeditated integrationist agenda, the Swedish government offered a referendum to the voting population, in which a modest majority approved ascension into the EU. While economic considerations were an immediate causative factor for Sweden’s decision to integrate into the EU, there are larger structural considerations that must be analyzed as influencing Sweden’s integration decisions.

There is little doubt that the collapse of the Soviet Union and consequent end of the Cold War in 1991 inflicted a transformative change upon the international system. Positioned in a diplomatically-awkward geopolitical predicament, Sweden was faced with close geographical proximity to the Soviet Union but a broad ideological allegiance to ‘the West.’ During the period of the Cold War, an attempt by Sweden to ideologically and institutionally amalgamate into a larger bloc (especially one with Western influences) would have been perceived as a political statement regarding Sweden’s allegiance to the United States; inevitably, this would have incited Soviet-Swedish acrimony, in which the possibility of armed conflict could not have been ruled out. Thus, during the Cold War Sweden maintained a relatively strict neutrality policy out of concerns regarding domestic security. However, following the end of the war and, consequently, the military threat of the Soviet Union, Sweden became much more inclined to associate with a neoliberal, Westernized institution in order to reflect the changing zeitgeist in the final phase of the 20th century. Sweden’s openness to EU integration following the Cold War points to two fundamental thematic considerations explaining states’ propensity to integrate. First, Sweden has demonstrated that the context of the international structure contributes significantly to a states’ propensity to integrate. While Sweden was less receptive to join a neoliberal, (arguably) supranational authority whose membership contained states opposed to the Soviet regime, the international structure changed so dramatically in 1991 that Sweden was willing to reconsider its integration agenda. The second significant finding from Sweden’s EU integration history stems from the social constructivist school of thought which recognizes the importance of national identity and images in shaping states’ decisions. While integration surely endows member states with certain benefits (i.e. economic, diplomatic, etc.), ‘the process of economic and political integration has increasingly come to be complicated by concerns over national identity.’<sup>24</sup> During the Cold War, Sweden strategically characterized its national identity as being associated with neutrality and omni-harmony, thus highlighting Sweden’s prioritization of domestic security over neoliberal integration. However, following the collapse of the Soviet Union, Sweden was able to freely shift its national identity to accommodate a more neoliberal, regionally-unitarian diplomatic approach which culminated in EU ascension. Evidently, the

<sup>21</sup> Paul B. Austin and Gordon F. Sander, “Sweden after the Fall,” *The Wilson Quarterly* 20, no. 2 (1996), 65.

<sup>22</sup> Fritz Breuss, “The Fourth Enlargement of the European Union: Austria, Finland, and Sweden Join the EU,” *Austrian Institute of Economic Research* 68, no. 2 (1995), 105.

<sup>23</sup> *Ibid.*

<sup>24</sup> Lars Trägårdh, “Sweden and the EU: Welfare state nationalism and the spectre of ‘Europe,’” in *European Integration and National Identity: The challenge of the Nordic states*, edited by Lene Hansen and Ole Wæver (New York, New York: Routledge, 2002), 130.

considerations of the international system and the construction of a national identity played a significant role in Sweden's discourse regarding EU integration. While Sweden's ascendance into the EU provides the academic community with a legitimate case study regarding integration reasoning, this essay will now attempt to reconcile the explanatory variables regarding Sweden's aptitude toward integration and Switzerland/Norway's lack of motivation thereof.

As empirical evidence has shown, the implications of integration into the EU are far-reaching and intrusive, though the prospect of political and economy harmony remains appealing to many European states. However, the question must be answered as to whether any commonality can be assigned to states' integrationist intentions. As was demonstrated in the instance of Swedish integration, the national identity construct forms a significant component in informing a states' decision to join the EU. Upon assessment of the Swiss and Norwegian cases, it becomes clear that national identity remains the single-most important factor in delineating a states' propensity to integrate. For Switzerland, the political neutrality of the Swiss ethos has contributed to a national identity of impartiality and noninterference in largely politically-motivated institutions (such as the EU). In the Norwegian case, while economics contributes heavily to their integration hesitancy, the national identity of Norway as an independence-valuing state determined to firmly establish its image as a sovereign, self-determining nation has markedly contributed to Norway's integration hesitancy. This concluding assertion would naturally garner significant contention, presumably emanating from a lack of tangibility of 'national identity.' Though reconciliation of such a contention is inherently limited, few state decisions can be simplified to being purely of economic or political nature; the national identity constructed by a state is maintained by government and citizen values and interests, of which economic/political decisions are by-products of and thus remain fundamentally fixed to a conceptualization of the national identity. To conclude, this essay has shown that the decision to integrate into the European Union is primarily fueled by considerations of the states' national identity, while other tangible state facets (i.e. economic, diplomatic, militaristic considerations) are less likely to be at the forefront of a states' principal propensity to integrate.

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## **POLITICAL THEORY**

## Even in 2010, Human Rights are far from Universal

By Arthur So

Mark Twain once said that kindness is the language which the deaf can hear and the blind can see. As a staunch supporter of the abolition of slavery and women's rights, the late American author and humorist was quoted while describing the way the human race should treat each other. Even in the late 1800s, his views were widely accepted – and yet today, with over six billion people in the world, there has yet to be an established way of how human beings should treat each other. In *Human Rights: Concept and Context*, Brian Orend suggests that the concept of human rights as we know it today evolved from a basic principle that mirrors Mark Twain's aforementioned principle when he stated, "the idea that everyone deserves some decent treatment and respectful regard clearly plays a major role in human rights thinking..."<sup>1</sup> In 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights<sup>2</sup>, a resolute document that proclaimed a common standard for everyone across the world, a standard that had no boundaries – physical or any other form.<sup>3</sup> These rights, in their most devolved state, represent the natural rights that all individuals around the world are subject to, regardless of race, sex, religion, or socioeconomic status. Under the UDHR, such basic rights range from the right to life and liberty, to a freedom of movement and decent labor hours. Even still, with all the powerful institutions around the world ensuring peace and harmony, basic rights are void from lives in both developed and developing nations. Universality equates to applicability to all. While the argument that human rights are offered to every individual across the world, there is a strong flipside. It is essential to understand that human rights, even in their most basic of forms, are not universal across the globe. This can be seen through the violations of women's rights in the nation of Vanuatu, the prohibition and punishment of homosexuality in the Africa and Asia, and finally through the preventable – yet inevitable – ethnic cleansing that took place in Rwanda in 1994.

As a preface to the arguments following this section, it is crucial to understand that with any argument, there will always be a contrasting point of view. In this case, the topic of human rights universality has been rivaled by another epistemology: cultural relativism. In this world, "relativity is an undeniable fact; more rules and social institutions evidence astonishing cultural and historical variability...such variations cannot be legitimately criticized by outsiders."<sup>4</sup> Relativism in its most extreme form asserts that individual cultures around the world can be the sole determinant of what is morally right or wrong – vis-à-vis, what human rights are and how they pertain to citizens. In essence, cultural relativism holds strong to the fact that "outsiders" cannot make judgment on actions within the "insider's" state because he or she would never understand the reasons for so. With this, the issue of interpretation arises because cultural relativists begin to forge their own meanings and concepts as to why "their people's" rights differ from the rest of the world.<sup>5</sup> The contrast to this, as aforementioned, is universalism – the main topic of this paper. Universalism battles cultural relativism by asserting that "in order to

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<sup>1</sup> Brian Orend, *Human Rights: Concept and Context* (Peterborough: Broadview Press Ltd., 2002), 191.

<sup>2</sup> Henceforth, UDHR.

<sup>3</sup> J. Paul Martin, 25+ *Human Rights Documents* (New York: Center for the Study of Human Rights, Columbia University, 2005), 5.

<sup>4</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithica: Cornell University Press, 2003), 89.

<sup>5</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithica: Cornell University Press, 2003), 96.

preserve complete universality for basic rights [...] absolute priority [must be given] to the demands of the cosmopolitan moral community over all other “lower” communities.”<sup>6</sup> Culture, according to this standpoint, is and should be irrelevant to the morality of rights and the rules that govern citizens across the globe. Universalism provides a much stronger argument on the basis that there is too much deviance in culture and, as a further attack on relativism, the claims that culture allows for differential treatment are subdued by the fact that many external non-cultural factors can affect the ways a society is ruled.<sup>7</sup> With this in mind, the following arguments will further assert why human rights around the world are not universal all the while holding that relativism does not play into the violations of such rights.

A popular movement that has arisen over the last 20 years has been the issue of women’s rights across the globe. What started as a battle for proper legal status that would restructure gender imbalance evolved, over the years, into a worldwide scrutiny over women’s inequality and rights abuses in all facets around the world.<sup>8</sup> The abuse and discrimination that women around the world face stem solely from their difference in gender. From wage rights in the workforce to campaigns to end violence in homes, it became obvious that the idea that women’s rights were somehow separate from men’s rights was ludicrous to say the very least. The culmination of this advancement towards rights applicability regardless of sex or gender took place in 1993 at the Vienna World Conference of Human Rights, where women’s rights would be forever solidified as a part of human rights as a whole.<sup>9</sup> It was this setting that the issue of violence against women became a striking reason as to why it was so crucial that women’s rights be examined not as its own separate entity, but as a violation against basic rights as a whole. Today, despite the advancements that have been made by women’s rights activists and the recognition of this particular group’s fundamental rights by all, violence against women is still a pressing issue.

With this in mind, it is important to address a case where the domestic abuse of women has led to an immense violation of human rights. In the archipelago nation of Vanuatu, “women’s groups and non-governmental organizations are at the forefront of those employing the language of human rights.”<sup>10</sup> At a conference set up by the Vanuatu Women’s Centre, stories and information were shared amongst men and women alike in hopes of bringing the issues of domestic violence into the open and finally to a rest. As something that has been relatively unspoken in the past, questions of what constituted as violence were brought up and analyzed, which ultimately led to the emergence of three repetitive concepts at their culmination: *kastom* or tradition, Christianity, and human rights.<sup>11</sup> The traditions of the ni-Vanuatu people were matched

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<sup>6</sup> Jack Donnelly, “Cultural Relativism and Universal Human Rights,” *Human Rights Quarterly* 6.4 (1984): 402, accessed November 18, 2010, <http://www.jstor.org/stable/pdfplus/762182.pdf?acceptTC=true>.

<sup>7</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithica: Cornell University Press, 2003), 90.

<sup>8</sup> Michael Goodhart, *Human Rights: Politics & Practice* (New York: Oxford University Press, 2009), 208.

<sup>9</sup> Donna Sullivan, “Women’s Human Rights and the 1993 World Conference on Human Rights,” *The American Journal of International Law* 88 (1994): 152, accessed November 10, 2010, <http://www.jstor.org/stable/2204032>.

<sup>10</sup> Margaret Jolly, “Woman Ikat Raet Long Human Raet O No?” Women’s Rights, Human Rights and Domestic Violence in Vanuatu,” *Feminist Review* 52 (1996): 185, accessed November 21, 2010, <http://www.jstor.org.proxy2.lib.uwo.ca:2048/stable/pdfplus/1395780.pdf?acceptTC=true>.

<sup>11</sup> Margaret Jolly, “Woman Ikat Raet Long Human Raet O No?” Women’s Rights, Human Rights and Domestic Violence in Vanuatu,” *Feminist Review* 52 (1996): 175, accessed November 21, 2010, <http://www.jstor.org.proxy2.lib.uwo.ca:2048/stable/pdfplus/1395780.pdf?acceptTC=true>.

against the newer Christianity ideals – both of which were avowed by the nation and would ultimately lead to a values-based assessment of what rights were constituted to the people and in this case, domestic violence against women has been determined to be as a result of one such values. As a stark contrast to what was originally perceived to be the case, the Christian churches regrettably did not police violence in any form as consistently as they morally should have – a polar opposite to the values in *kastom* villages.<sup>12</sup> According to women in these villages, the reasoning for violence towards women could be sourced to interpretations of the Bible’s assertion of male dominance in all aspects of life. To one ni-Vanuatu woman, what was even more horrific than the violence towards women was “the cavalier treatment of violent women [and] the judges’ lack of knowledge and appreciation for *kastom*.”<sup>13</sup> In other words, it is apparent that the rights of women are highly ignored and undervalued by external bodies – something completely unacceptable if a human being’s safety is at stake. In Vanuatu, violence against women runs much deeper than just the personal level – it has to do with the political struggles that are created when the structural relationships of power between genders are shaken in all spheres. By many, men are viewed as the controllers of culture and women are seen as possessions and victims, and the only way that this viewpoint can be changed is by altering the collective norms and values so that women’s rights becomes an ideal at the same level as any other person’s rights.<sup>14</sup> There is an importance in realizing that the roots of tradition can be uplifted and redesigned to one where women bear the same rights as everyone else.<sup>15</sup> While the argument that relativism plays a certain role in why women are treated a certain way, it must also be understood that gender violence is not, and most certainly should not, be condoned in any way. With this, through the inequalities in gender roles and violence against women in Vanuatu, it is clear that human rights are not universal across the globe.

Another case that illustrates the violation of human rights is the issue of gay rights in parts of Africa and Asia. If you follow the Bible, you will know that “thou shalt not lie with another man as though it were a woman for that is an abomination.” – Leviticus 18:22. Easily interpreted, this scripture is essentially stating that homosexuality is immoral – an ideal that was once widely accepted. Without entering the long-lived debate of whether the Bible is right or wrong, this paper asserts that it is harmless to point out that this general perspective has changed much over the years, especially in the Western world – though not without its exceptions. Homophobia can be defined as the “the irrational fear and hatred of those who love and sexually desire those of the same sex.”<sup>16</sup> In her piece “Homophobia: A Weapon of Sexism,” Suzanne Pharr argues that homophobia, similar to classism and anti-Semitism is a trait that, when

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<sup>12</sup> It was the belief of the *kastom* villages that one’s body was sacred and no one had the right to violate another’s sanctity. Violations of such were routinely punished by the village.

<sup>13</sup> It was the belief of the *kastom* villages that one’s body was sacred and no one had the right to violate another’s sanctity. Violations of such were routinely punished by the village.

<sup>14</sup> Margaret Jolly, “Woman Ikat Raet Long Human Raet O No?” Women’s Rights, Human Rights and Domestic Violence in Vanuatu,” *Feminist Review* 52 (1996): 181, accessed November 21, 2010, <http://www.jstor.org.proxy2.lib.uwo.ca:2048/stable/pdfplus/1395780.pdf?acceptTC=true>.

<sup>15</sup> John Taylor, “The Social Life of Rights: ‘Gender Antagonism’, Modernity and *Raet* in Vanuatu,” *The Australian Journal of Anthropology* 19.2 (2009): 173, accessed November 21, 2010, <http://onlinelibrary.wiley.com/doi/10.1111/j.1835-9310.2008.tb00120.x/pdf>.

<sup>16</sup> What must be understood is that this yearning for female equality in a predominantly male-driven nation is not a result of Westernized ideals entering the minds of certain determined women.

<sup>17</sup> Suzanne Pharr, “Homophobia: A Weapon of Sexism,” in *Making Sense of Women’s Lives: An Introduction to Women’s Studies*, ed. Michele Plott and Lauri Umanski (Oxford: Collegiate Press, 2000), 425.



expressed, screams the loss of freedoms that those who are not tied into these groups would be able to enjoy freely. Homophobia plays an extremely dangerous role in society because it is often paired with the supremacist view of heterosexism – the discrimination against homosexuals and the belief that being a heterosexual is the ideal orientation and way of life.<sup>17</sup> With the system of patriarchy in place, where male dominance determines virtually all aspects of life, heterosexism further establishes gender roles and what the norm should be.

With the roots and effects of homophobia in mind, it is important to segue into the prohibition of and punishment against homosexuality in the Africa and Asia. Even with growing liberalization towards homosexuality in the America – which can widely be accredited to an increase in educated demographics and shifts in cultural ideologies, namely away from patriarchy and towards equal gender status<sup>18</sup> – homosexuality remains a stigma and even a lawful violation in some parts of the world. In parts of Asia and Africa, the hierarchy ladder is very commonly built by differences in gender and class, but in many countries those with deviances in sexual orientations would be placed at the very bottom of the pit. In the Islamic religion, the right to sexual fulfillment for both men and women is recognized, however “affirms heterosexual relations within marriage and lawful concubinage [while all other sexual behaviour is illicit].”<sup>19</sup> Islam scriptures hold, in essence, that one may have the freedom of sexual relations, but not with someone of the same sex, and such a case is a violation of rights. As another example, homosexuality, under Turkish law is legal, and yet any person that falls under the LGBT community – that is, the lesbian, gay, bisexual, and transsexual / transgendered community – would often be harassed and assaulted by police and discriminated against in the public sector.<sup>20</sup> When an act is deemed lawful by the state but its law enforcers go about as though such freedoms are illicit, one cannot, in any way say that homosexuals in Turkey are free to live in equality. In fact, though police actions have been well documented by the media, the discrimination and attitudes towards homosexuality have not made any progress towards the better – so much so that “female homosexuality is not even recognized.”<sup>21</sup> The discrimination against male homosexuals and the disregard for differences in female sexual orientation constitutes a violation of right – a violation that stems from culture and creates negative attitudes. One could bring the argument of cultural relativism into play, which would argue that Turkish culture has shaped society to realize that homosexuality is unnatural and freakish, no matter how legal it is. The counterargument here is simple though: if Turkish law states that homosexuality is not prohibited, why then is it permissible for homosexual rights to be infringed upon by the law enforcers and society alike? Without question, this can be deemed as a violation of human – not to mention local – rights for Turkish people who vie for a sexual relationship of their own choosing, free from discrimination and harassment.

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<sup>17</sup> Suzanne Pharr, “Homophobia: A Weapon of Sexism,” in *Making Sense of Women's Lives: An Introduction to Women's Studies*, ed. Michele Plott and Lauri Umanski (Oxford: Collegiate Press, 2000), 433.

<sup>18</sup> Jeni Loftus, “America's Liberalization In Attitudes Towards Homosexuality,” *American Sociological Review* 66.5 (2001): 763, accessed November 21, 2010, <http://www.jstor.org/stable/pdfplus/3088957.pdf?acceptTC=true>.

<sup>19</sup> Bruce Dunne, “Power and Sexuality in the Middle East,” *Middle East Report* 206 (1998): 9, accessed November 18, 2010, <http://www.jstor.org/stable/pdfplus/3012472.pdf>.

<sup>20</sup> Bruce Dunne, “Power and Sexuality in the Middle East,” *Middle East Report* 206 (1998): 11, accessed November 18, 2010, <http://www.jstor.org/stable/pdfplus/3012472.pdf>.

<sup>21</sup> Mehmet Eskin, Hadiye Kaynak-Demir, and Sinam Demir, “Same-Sex Sexual Orientation, Childhood Sexual Abuse, and Suicidal Behavior in University Students in Turkey,” *Archives of Sexual Behavior* 34.2 (2005): 187, accessed November 20, 2010, <http://www.springerlink.com/content/m05p628k28137769/fulltext.pdf>.

Though the situation in Turkey is grim, worse can be said about the homophobia – if one can even call it that – in some African nations.<sup>22</sup> In many African nations, however, homosexuality is illegal and ruthlessly punishable – though it is important to note that this is not the case throughout the entire continent. For example, Namibia’s President Sam Nujoma declared, “Homosexuals must be condemned and rejected in our society,” South Africa is regarded as “one of the most gay-friendly nations in the world.”<sup>23</sup> The prohibition of homosexuality in nations such as Namibia, Nigeria, and Egypt stemmed from both religious and political views on the matter – where the two have worked hand in hand to punish those who practice sexual deviance. The culture of many African nations state that the nature of human beings is to commit sexual acts with those of the opposite sex – never with the same. In Nigeria, the Criminal Code essentially states that anyone in violation of the expected basic human nature will be subjected to imprisonment. Furthermore, many Islamic states “have gone beyond the federal to enshrine the Shari’ah law on homosexuality [to] further legitimize the stoning of gays to death.”<sup>24</sup> Even in Egypt, legislation has caused gay men to live in constant fear of imprisonment, persecution, or even deportation. Hiding under the guise of morality issues, the Egyptian government – as well as those aforementioned – all practice the prohibition of homosexuality because of their cultural beliefs.

It is fairly obvious that culture rejects rights to homosexuals. Regrettably, the UDHR does not address the issue of sexual orientation. Article 2 states that everyone is subject to all rights listed under the UDHR regardless of “race, color, sex, religion, language, etc.,”<sup>25</sup> but does not adequately address the freedoms of sexual choice. It would make most sense for this document to attend to these issues of sexual choice, but the lack of such does not excuse the disallowance of homosexuality in parts of Asia and Africa, especially since homosexuality has been widely liberated in many Western societies. Cultural justifications should not be excuses to prevent states from upholding human rights, regardless of what they are. In the case of homosexuality, culture needs to be rejected in order for the rights of the LGBT community to be respected if not legally, then at the very least morally. In this case, cultural relativity does not trump universality, and the rights of homosexuals are most certainly not universal around the world.

As a final argument that human rights are not universal, this paper will assert that various forms of radical racism that have occurred over the past two decades have not only violated human rights, but also resulted in worldwide travesties. Racism is a supremacist belief that specific characteristics within a race cause it to be better, or “more right” than other races.<sup>26</sup> Under the UDHR, however, any form of racial discrimination that impairs a person’s fundamental freedoms is strictly prohibited around the world without exception. Though the UDHR was adopted in 1948, there have been many forms of racism that have taken place

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<sup>22</sup> Using the term homophobia in the same way that Canadians use the term would be highly inaccurate: citizens in Canada can enjoy the right of choosing their sexual partners, regardless of their orientation.

<sup>23</sup> Ben Anderson, “The Politics of Homosexuality in Africa,” in *Africa: A Journal of Ideas on African and the African Diaspora*, ed. Yilma Yasew and Christopher LaMonica (Wellington: Africana, 2007), 128.

<sup>24</sup> Ben Anderson, “The Politics of Homosexuality in Africa,” in *Africa: A Journal of Ideas on African and the African Diaspora*, ed. Yilma Yasew and Christopher LaMonica (Wellington: Africana, 2007), 130.

<sup>25</sup> J. Paul Martin, *25+ Human Rights Documents* (New York: Center for the Study of Human Rights, Columbia University, 2005), 5.

<sup>26</sup> J. Paul Martin, *25+ Human Rights Documents* (New York: Center for the Study of Human Rights, Columbia University, 2005), 38.

throughout history, even in world-leading nations such as the United States and Canada. Unfortunate as these cases may be, it is a generally accepted view that these cases do not even compare to the atrocities that took place in Rwanda in 1994.

In the case of Rwanda, a civil war between the Hutus and the Tutsis – two different ethnic groups – resulted in a mass slaughtering of a “foreign” minority by the ethnic majority of the nation.<sup>27</sup> With a result of roughly 800,000 deaths, the Rwandan Genocide is one of the world’s most horrific crimes ever witnessed by mankind, with some saying that it is only second to the Holocaust, which occurred approximately fifty years earlier.<sup>28</sup> The killing rate, according to Linda Melvern in *Conspiracy to Murder: The Rwandan Genocide*, was five times the rate that the Nazis accomplished against the Jews. Under the Hutu Power ideology – the belief that the Tutsis were a foreign race that yearned for power over the Hutus – the nationwide extermination of one inferior ethnic group and the political rise of another began. Perhaps the most disturbing part of this all is that the extermination was not limited to actions by the military or government, as depicted by this telltale quote:

Hutus young and old rose to the task. Neighbors hacked neighbors to death in their homes, and colleagues hacked colleagues to death in their workplaces. Doctors killed their patients, and schoolteachers killed their pupils. Within days, the Tutsi populations of many villages were all but eliminated... Radio announcers reminded listeners not to take pity on women and children.<sup>29</sup>

There can be no excuse made for this vile act of human rights violation. Once again, the argument of cultural relativism cannot be made, for the whole premise of the Tutsi extermination was made because of an irrational ideology and vie for power by the Hutu regime. The argument that, in this case, the basic right to life was violated and therefore not universal can be made due to the infringement on Article 3 of the UDHR. The Tutsi population was slaughtered publicly, and no one on the international level realized that this violation of human rights had to be stopped.

As one can see, racism has served as a deep root for human rights violations. Even in the case of former Yugoslavia, the Serbians conducted one of the most thorough ethnic cleansings ever seen on the Croats and Bosnians. Racism in every day life constitutes a human rights violation if this discrimination prevents one from enjoying his or her freedoms. Radical racism on such a grander scale equates to an atrocious act against mankind, which cannot be tolerated and must be prevented in the future.

To refer back to Mark Twain’s quote in which he alluded to the fact that kindness is something that is all around – something that can affect anybody, even in the unlikeliest of situations. Such kindness can take the shape of something as simple as respecting an individual’s rights, which, as history has shown, is surprisingly easier said than done in many parts of the

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<sup>27</sup> The Tutsis were perceived as “foreign” because the Hutus believed that the land belong to them, and them only and that the Tutsi population were just visitors hoping to take over the land.

<sup>28</sup> Linda Melvern, *Conspiracy To Murder: The Rwandan Genocide* (London: Verso, 2004), 253.

<sup>29</sup> Santosh Saha, *Perspectives On Contemporary Ethnic Conflict* (Oxford: Lexington Books, 2006),121.

world. The Universal Declaration of Human Rights exists to outline basic fundamental rights that citizens around the world can enjoy, regardless of nationality. With this being said, however, one can easily see that rights are constantly being violated all around the world, which leads to the understanding that human rights are not universal. In many cases, the UDHR inadequately represents certain rights and freedoms that lead to morally unstable situations around the world. In the case of Vanuatu, women fight for equity rights that would place them as equals to men all the while battling against domestic violence. In parts of Asia and Africa, the freedom of sexual preference is addressed inconsistently, with the result almost always being negative actions to varying degrees towards homosexuals. Finally, the argument of the non-universality of human rights can be seen through the Genocide that took place in Rwanda – an ethnic cleansing of proportions never seen in years. Cultural relativism is a popular excuse for human rights violations, but in all three cases, the argument of relativism does not hold true. As one can handily see, human rights simply are not universal around the world.

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**EXPRESSION GRAPHICS**

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***THE SOCIAL CONTRACT***