



the social contract

/THē/ /'sōSHə/ /'kän trackt/

noun. 1: An agreement among the members of an organized society.

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Table of Contents

Letter from Professor Donald E. Abelson	4
Letter from the Editor	5
Law and Governance	7
<i>Providing Stadium Subsidies: A Uniquely Beneficial Investment for the City of Edmonton</i>	8
Theory in a Contemporary World.....	26
<i>Just a Joke or Just White Ignorance? The Rise of Harambe</i>	27
Global Affairs	43
<i>Contemporary Human Rights in International Relations</i>	44
<i>The Dragon Stirs: The Growing Chinese Influence in the South China Sea</i>	58
Canadian Politics.....	73
<i>A Memorable Debate: Religious Arbitration in Ontario</i>	74
<i>Gender and Media: A New Challenge for Canada's Political Women</i>	90
American Politics	106
<i>Globalization: A Vehicle for American Imperialism</i>	107

Letter from Professor Donald E. Abelson



On behalf of the Department of Political Science, it is my great pleasure to both congratulate the editorial team and the many contributors to the 2017 edition of *The Social Contract*. Each of you should be very proud of what you have produced. As we continue to witness tremendous turmoil both at home and abroad, it is increasingly important for political scientists to explain and dissect the various factors that lead to critical policy decisions taken at various levels of government. In the pages that grace this volume, you have drawn our attention to several of these issues, and, in the process, have demonstrated the kind of critical thinking that is required to shed light on a host of important events that have shaped the political landscape. As a department, we take pride in offering our students the best possible learning experience, but it is these kinds of initiatives that remind us that education is a two-way street. The time and energy you have devoted to generating high quality research is a testament to how much Western students contribute to shaping the dialogue around timely and relevant issues. For this, and for your ongoing commitment to raising the profile of political science research, I thank you. Please accept my congratulations for making the 2017 edition of *The Social Contract* possible.

Best wishes,

Donald Abelson
Professor and Chair,
Department of Political Science

Letter from the Editor

The Social Contract is not just an undergraduate journal: It is an incentive to go above-and-beyond the minimum requirements of an essay. It encourages an atmosphere of ambition within the Department of Political Science at Western whereby students not only compose brilliant papers, but collaborate with professors and peers, build relationships, and sculpt their writing style and research skills. The twelfth volume of this journal has carried-forward the tradition of showcasing the academic excellence fostered by the undergraduate Political Science Program at Western University.

Having been both an editor and Editor-in-Chief of *The Social Contract*, I have been truly inspired by the efforts of the incredible political science student body at Western. Reading through the dozens of submissions from the eleventh and twelfth volumes has been not only humbling, but a surprising relief from the endless colloquialism and jargon which dominates contemporary social media. The journal is a refreshment, and I am honored to have been included among these ranks of fellow students.

As a Senior Editor for the 2015-2016 publication of *The Social Contract*, the Managing editors of that volume – Jesse, Michael and Hunter – left me with some big shoes to fill, and set an excellent example for me to carry forward. I was blessed this year with a dedicated and talented senior editorial team, composed of Ben Bramwell, Bridget Diakun and Haliz Döskee, each of whom deserve equal praise for their exceptional leadership and their dedication to going above-and-beyond what was required of them. I must also recognize the hard work of the ten dedicated staff editors of this volume, who remained patient and eager from beginning-to-end. I thank Professors Nigmendra Narain and Donald Abelson for their leadership in the Department and for their personal guidance in my studies. Finally, I would like to thank each student who submitted their work for consideration to the twelfth volume. Indeed, without your submissions, *The Social Contract* would not be the journal it is today.

As I move on from Western and into the realm of Law, I will end by urging those in the Department of Political Science to get involved: Whether it be as an editor or a contributor to *The Social Contract*, participation in some of Western's many clubs, or in the vibrant London community. Challenge yourselves to look and learn beyond norms and the status-quo. Read the papers in this volume with an open mind. Finally, take that little thing known as Freedom of Speech and vehemently defend it –not only by being heard, but by hearing the opinions of others. We all just might learn something.

Sincerely,

Tully Cogswell
Editor-in-Chief
Honors Specialisation, International Relations

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Law and Governance

Providing Stadium Subsidies: A Uniquely Beneficial Investment for the City of Edmonton

Written by: Carson Lamb

Abstract

Local governments in North America are accustomed to the idea of providing public subsidies for the construction of professional sports venues. This trend does not show signs of stopping anytime soon, and the reality of this is that the costs for taxpayers continue to rise. With such a vast amount of public spending occurring, it is important to consider whether providing stadium subsidies is a beneficial investment for cities. This paper attempts to investigate this question through a two-part process. The first part examines the negative aspects associated with publicly subsidized sports stadiums, while the second part examines the comprehensive features of the City of Edmonton's recent stadium subsidization agreement. The research found that providing public subsidization for professional sports venues raises moral and ethical issues, while these stadiums also consistently lack the presumed economic growth, and decrease sales for local businesses as well. Consequently, providing stadium subsidization is generally not a beneficial investment for cities. However, it was discovered that because of rare circumstances, Edmonton's public subsidization agreement is a single exception to this rule as it led to 2.5 billion dollars in private commercial development around the area. This ultimately created the viable downtown revitalization strategy that the city desperately needed, making it a rare and unique beneficial investment.

Local governments in North America are accustomed to the concept of providing public subsidies for the construction of professional sports venues, and this trend does not show signs of stopping anytime soon. This idea emerged during the first boom in stadium construction from 1917 to 1926, and has persisted over time.¹ Historically, these stadiums were designed to serve broad public interests with their once-familiar horseshoe shape. However, present-day stadium subsidization focuses on hosting single professional sports franchises, each with substantial control over the facilities' availability for other events. Additionally, these single-use stadiums have become much more elaborate, often featuring luxury boxes, drive-in-movie-size jumbotrons, and specialty restaurants.² The reality of these trends, however, is that the costs for taxpayers continue to rise.³ In the past 15 years, the National Football League alone has seen over 12 billion dollars of the public's money go towards privately owned stadiums.⁴ With such vast amounts of public spending occurring, it is important to consider whether providing public subsidization for these venues can, in turn, prove to be a beneficial investment for cities. In this paper, I will argue that providing public subsidization for the construction of professional sports venues is generally not beneficial for cities, however due to rare circumstances, Edmonton's recent subsidization of Rogers Place is an exception to this rule.

I will begin by providing an explicit definition for the concept of 'stadium subsidy'. From there, I will introduce the first of three different negative aspects associated with publicly subsidized sports stadiums: That stadium subsidization raises moral and ethical problems. Following this, I will pose the most common objection to my view and refute it. This will be

¹ Dennis Coates and Brad R. Humphreys, "Do Economists Reach a Conclusion on Subsidies for Sports Franchises, Stadiums, and Mega-Events?" *Econ Journal Watch* 5.3 (September 2008), 294.

² James T. Bennett, *They Play, You Pay: Why Taxpayers Build Ballparks, Stadiums, and Arenas for Billionaire Owners and Millionaire Players*, (New York: Copernicus Books, 2012), 2.

³ Ibid.

⁴ Richard Florida, "The Never-Ending Stadium Boondoggle," *The Atlantic City Lab*, September 10, 2015.

done by introducing the final two negative aspects of stadium subsidies, both of which pertain to economic issues. These aspects are as follows: The consistent lack of presumed economic growth, and a decrease of sales for other businesses. When combined, these three negative aspects will solidify the notion that providing public subsidization for professional sports venues is not a beneficial investment for cities.

In the second part of this paper, I will discuss the rare circumstances in Edmonton which made it a unique exception to the rule. I will then provide an explanation of the public subsidization agreement used to establish Rogers Place and Ice District. From there, I will explain Edmonton's desperate need for downtown revitalization in order to illustrate why these circumstances made publicly funding the stadium a beneficial investment. Finally, I will provide examples of how Ice District has become a viable strategy for downtown revitalization. This will illustrate that although public subsidization for the construction of professional sports venues is generally not beneficial for cities, Edmonton's unique circumstances make it an exception.

To begin, it is important to define what exactly is meant when discussing 'stadium subsidies.' Simply put, a stadium subsidy is a sum of money granted by the government to a professional sports franchise with the purpose of helping finance at least some of the stadium's construction or maintenance.⁵ They can take many forms, and typically occur in response to the owner of a professional sports team threatening to relocate to a different city.⁶ The logic behind stadium subsidies is that professional sports venues provide a vast amount of public benefits at

⁵ Ross Weiner, "Financing Techniques and Stadium Subsidies in the United States," *Journal of Urban Technology* 11.2 (August 2004), 46.

⁶ Peter Van Doren, "Sports Stadium Subsidies," *Regulation* 35.1 (Spring 2012), 61.

great private cost. Consequently, the private actors need to be compensated for the provision of such benefits, and this compensation comes in the form of a stadium subsidy.⁷

As mentioned earlier, there are many negative aspects of stadium subsidies. The first of these aspects is that they create controversy over morals and ethics. Stadium subsidies occur when local governments are submissive to rich franchise owners by catering to their requests at the expense of taxpayers. They require taxing low or average income groups to enhance the financial privilege of unusually wealthy investors, and this is morally wrong.⁸ While the average taxpayer is scrimping and saving just to pay their property taxes, it is not right that billionaire owners are having this public money handed to them.⁹ Stadium subsidies are not a beneficial investment for cities because they further advance a system of inequality where the rich keep getting richer while the poor struggle to make ends meet. An excellent way of looking at this is as if they were a welfare system that transfers millions of dollars from taxpayers to wealthy investors and their extraordinarily well-paid employees.¹⁰ Due to how unethical this type of welfare system sounds, clearly, providing stadium subsidization is morally wrong. Knowing this, they are a bad investment for cities.

For proof that stadium subsidies redistribute wealth to very rich individuals, look no further than the net worth of different franchise owners. In many cases, those receiving public subsidization for the construction of professional sports venues are among the richest in North America. In 2015, of the thirty different teams in the National Basketball Association (NBA), twenty franchises were owned by billionaires. These billionaires combined to a collective net worth of 102 billion dollars, with the wealthiest owner being the twenty-sixth richest person in

⁷ Weiner, "Financing Techniques," 42.

⁸ Bennett, *They Play, You Pay*, 162.

⁹ *Ibid.*, 163.

¹⁰ *Ibid.*, 162.

the world.¹¹ As for the National Hockey League (NHL), National Football League (NFL), and Major League Baseball (MLB), there are a total of thirty-eight different billionaire owners, with ten, nineteen, and nine per league.¹² Shockingly, these totals only include franchises with single owners, meaning that the total number of billionaire franchise owners is even larger upon the inclusion of family owned franchises and franchises owned by shareholder groups.

Another way to put the moral and ethical problem that arises from this redistribution of wealth into perspective is to compare annual incomes. Since professional athletes see boosts in their salaries due to stadium subsidies, they can be compared to the average household income. In 2014, the average salary for a major league baseball player was 4.17 million dollars; a football player was 2.11 million dollars; a basketball player was 4.58 million dollars; and a hockey player was 2.62 million dollars.¹³ In contrast, the 2014 average household income in America was 53,647 dollars.¹⁴ Considering such a gap between incomes, it is without a doubt morally wrong to spend taxes that are collected from average citizens in a way that allows rich owners to continue to increase the salaries of their already-wealthy athletes.

Empirical evidence clearly indicates that the construction of professional sports stadiums can be funded by wealthy owners without stadium subsidies. Additionally, the evidence shows that stadium subsidies further perpetuate a system of inequality where the rich continue to get richer, while the poor continue to struggle. Knowing this, it is morally and ethically wrong for cities to provide public subsidization for the construction of professional sports stadiums, making them a bad investment.

¹¹ Kurt Badenhausen, "The World's Richest Sports Owners 2016," *Forbes*, March 1, 2016.

¹² *Ibid.*

¹³ Cork Gaines, "The NBA is the highest-paying sports league in the world," *Business Insider*, May 20, 2015.

¹⁴ U.S. Census Bureau, *Income and Poverty in the United States: 2014*, by Carmen DeNavas-Walt and Bernadette D. Proctor (Washington, DC: U.S. Department of Commerce, 2014).

As proven, to take from those with low or average incomes and give to the financially privileged is unethical in itself, but it is also important to consider how this issue is exacerbated when local governments provide stadium subsidies inefficiently. In North America, the four major professional sports leagues have a total of 122 different teams competing in either the NFL, MLB, NHL, or NBA. In 2012, a total of 110 different stadiums or arenas were used for these 122 teams to play in.¹⁵ This is very inefficient since it is well known that the majority of North American host cities usually have two or more different professional sports franchises. For a local government to publicly fund numerous different stadiums when professional franchises could easily share one is undoubtedly inefficient. Thus, the emergence of single-use venues has made providing stadium subsidies even more morally wrong. An excellent example of this is Miami, Florida. The city is home to four different professional sports franchises, the Miami Heat (NBA), the Miami Marlins (MLB), the Miami Dolphins (NFL), and the Florida Panthers (NHL). They are all located within the city, yet because each franchise has a different owner, they each have a separate stadium.¹⁶ In cases like Miami, a vast amount of taxpayer money would need to be spent by the city when they are pressured by owners for public subsidization. This is very inefficient, and simply put, since local governments have moved in a direction of approving stadium subsidies for single-use facilities, it has only made providing them even more morally wrong, and an even worse investment. Even though most would think that accumulating such a vast amount of wealth would generally disqualify rich owners from receiving public alms, this is not the reality. It is important to consider why this is, and to do so it is necessary to look at the primary objection to my view. In essence, the argument claims that professional sports stadiums are beneficial because they help

¹⁵ Ibid., 161.

¹⁶ City of Miami, *Visitors: Sports Links*, (Miami, Florida: City of Miami, 2016).

the local economy in two ways. First, they inject many jobs into the city, such as construction jobs during the building of the stadium, stadium attendee jobs, and team employee jobs post-completion.¹⁷ These occupations provide citizens with more money to spend, and spending in the local economy is therefore increased. Secondly, professional sports venues help the local economy by attracting visitors and other businesses to situate or spend money in and around the area.¹⁸ This spending acts as a multiplier, leading to more job creation, and even further spending. As a result, it is argued that professional sports stadiums will produce enough economic impact to pay off the stadium subsidies as well as generate additional wealth, therefore making them a beneficial investment for cities.¹⁹

However, the second negative aspect of providing stadium subsidies is essentially the fact that this claim is false. In other words, professional sports venues consistently do not cause the economic growth they are presumed to create. Over twenty years of investigation has shown that regardless of the city or geographical location chosen, notwithstanding any variables used, there is virtually no evidence to show that professional sports franchises and their venues have a beneficial impact on the economy.²⁰ In fact, academic studies that test the economic impact of stadiums are strikingly consistent, even to the point that Temple University sports economist Michael Leeds stated, “If you ever had a consensus in economics, this [lack of impact] would be it.”²¹ Leeds performed a study of Chicago which, with two MLB teams and one NBA, NHL, and NFL team respectively, is as big a sports city as there is. In his findings, he determined that

¹⁷ Elaine S. Povich, “Why should public money be used to build sports stadiums?” *PBS News*, July 13, 2016.

¹⁸ Jeffrey Dorfman, “Publicly Financed Sports Stadiums Are A Game That Taxpayers Lose,” *Forbes*, January 31, 2015.

¹⁹ Roger G. Noll and Andrew Zimbalist, “Sports, Jobs, Taxes: Are New Stadiums Worth the Cost?” *The Brookings Review* 15.3 (Summer 1997): 36.

²⁰ Coates and Humphreys, “Do Economists Reach a Conclusion,” 302.

²¹ Ben Bergman, “Are pro sports teams economic winners for cities?” *Marketplace*, March 19, 2015.

if every professional sports team left the city, the impact on Chicago's economy would be a fraction of one percent.²² With such marginal change to the economy, it is evident that professional sports franchises do not have the tangible economic impact that advocates of stadium subsidies believe they do.

Additionally, it is important to note that advocates claim the spur in the local economy primarily occurs on 'game days', when home games bring people to the area.²³ Knowing this, it is necessary to examine the impact of professional baseball teams specifically, as they have by far the most home games with an annual average of 81. In sticking with a densely-populated sports city like Chicago, Leeds determined that, "a baseball team has about the same impact on a community as a midsize department store."²⁴ Clearly the economic impact of professional sports stadiums are exaggerated, as the sport most likely to generate an impact hardly effects communities. With the billions of dollars in public money being granted through stadium subsidies, the empirical evidence confirms that cities are not getting their money's worth in return.

Not only is there consistently no economic growth seen, but studies have shown that professional sports stadiums can also have negative effects on a local economy. For example, in 2003 an analysis was conducted to examine the impact of the Los Angeles Lakers basketball team moving from Inglewood to downtown Los Angeles. The study compared the sales tax revenue in Inglewood before and after the move, and by doing so, the analysis revealed that economic activity actually increased in the town once the Lakers left.²⁵

²² Ibid.

²³ Povich, "Why should public money be used."

²⁴ Bergman, "Are pro sports teams economic winners."

²⁵ Bergman, "Are pro sports teams economic winners."

A more extreme example of a negative local economic impact is St. Louis. In this case, the city endured the consequences of a disastrous stadium subsidization agreement. In 1995, St. Louis agreed to publicly fund the Edward Jones Dome in order to lure an NFL team back to the city.²⁶ These stadium subsidies required St. Louis to bear all the risk, and because of this, the city is still paying 6 million dollars in debt per year to-date – even though the team left for Los Angeles in 2015. To make the situation worse, the city had been paying off this debt primarily through taxes on ‘game day’ revenues like concessions and parking.²⁷ Now that there are no longer ‘game days’ at the stadium, it makes the situation much more difficult. If St. Louis had not agreed to provide stadium subsidization and instead forced the owner to pay for this venue, the city’s economic situation would be in much better standing. Therefore, because stadium subsidies have consistently shown not to cause economic growth, and often even have a negative impact, it is evident that they are not a beneficial investment for cities.

Finally, it is important to consider the reason why professional sports stadiums and stadium subsidies do not provide economic growth. To do so, the final negative aspect must be introduced. As mentioned earlier, this aspect is the fact that other businesses see a decrease in sales with the emergence of professional sports venues. Economists insist that the biggest reason for the lack of economic growth is because professional sports stadiums do not spur new spending, but instead take spending from other businesses.²⁸ This is based on the fact that people have a limited entertainment budget, and that they will therefore have to sacrifice spending in other areas to attend games.²⁹ In other words, the dollars being spent when people go to professional sports games is money that they would have spent elsewhere. When spending

²⁶ Povich, “Why should public money be used.”

²⁷ Ibid.

²⁸ Bergman, “Are pro sports teams economic winners.”

²⁹ Dorfman, “Publicly Financed Sports Stadiums”

patterns shift in this way, it is the businesses that would have otherwise allowed for more money to stay in the local economy that often see the decrease in revenue. These include businesses such as local restaurants, movie theatres, and other small shops.³⁰ This is undoubtedly a negative aspect of professional sports stadiums, as it changes the spending pattern of citizens in a way that money is being spent less diversely. Thus, when cities provide stadium subsidies they are essentially using public money to decrease the sales of local businesses, and this makes them a bad investment.

Additionally, as seen in recent years, stadium subsidies can be even more damaging for several types businesses like local restaurants. The consultants who draw up reports advocating for large stadium subsidies make the claim that fans would spend their money patronizing local bars and restaurants surrounding the venue, however, as stated by James T. Bennett in his book, *They Play, You Pay*, this is not the case.³¹ Instead, savvy owners have realized that by spending a more money upfront, stadium operators can capture the majority of the food industry on game days as well.³² By spending this money, which is often billed to the taxpayers, venues can be built with an abundance of food options that are much more convenient. For example, the Rogers Centre – the baseball stadium of the Toronto Blue Jays – has over 60 different food and beverage locations within the stadium.³³ They range from gourmet restaurants to pizza and hotdog stands, and exist in addition to the countless numbers of vendors who will conveniently bring food right to your seat. Professional sports stadiums now offer both variety and convenience, making it difficult for local restaurants to compete.

³⁰ Bergman, “Are pro sports teams economic winners.”

³¹ Bennett, *They Play, You Pay*, 2.

³² Ibid.

³³ The Toronto Blue Jays, *Rogers Centre Amenities Map* (New York, NY: MLB Advanced Media, 2016).

Not only do professional sports stadiums take spending away from local businesses in order to draw to their own, but they can actually decrease spending in a community altogether. This occurs because professional sports games cause significant crowds and traffic congestion that deter people from coming to the area. As a result, citizens who have no intention of going to games stop going to other events in the area as well. Inglewood is an excellent example of this. When the town saw an increase in sales tax revenue after the Los Angeles Lakers left, sports economist Victor Matheson determined that this was because the games were actually repelling people from going to the area.³⁴ Since Inglewood is one of the poorest neighbourhoods in LA, many citizens in the community were unable to afford to attend the games. However, their money could still have been spent on cheaper forms of entertainment in the area, but this was not occurring because they did not want to deal with the significant crowds and congestion.³⁵ When providing stadium subsidies, most lawmakers consider all the spending that will be done, but fail to see the spending that will not be done. Once this is recognized, it is evident that professional sports stadiums decrease sales for other businesses, and make the local economy less diverse. Knowing this, providing public funding for the construction of professional sports venues is a bad investment for cities.

Clearly, local governments should not provide stadium subsidies. The fact that they are morally wrong, do not spur economic growth, and decrease sales for local businesses prove that they have too many negative aspects to be a beneficial investment. However, the remainder of this paper will focus on how because of rare circumstances, Edmonton's subsidization agreement has uniquely made them the exception to this rule.

³⁴ Bergman, "Are pro sports teams economic winners."

³⁵ Ibid.

In 2013, after five years of negotiations, Edmonton's City Council approved plans to build a new NHL arena called Rogers Place. The owner of the Edmonton Oilers and chairman of Katz Group of Companies, Daryl Katz, promised to invest in private commercial development around the site if the council agreed to help fund the 613.7 million dollar project.³⁶ However, the city was originally concerned that providing stadium subsidies could not be viewed as a viable economic revitalization strategy for the downtown, and this caused negotiations to stall.³⁷ Although Katz had threatened to move the team to Seattle, he really wanted the franchise to stay in Edmonton, the city where he was born and raised. To accomplish this, he established private commercial development plans for Ice District, a 2.5-billion-dollar development project with Rogers Place as the focal point. The plans would turn the area into Canada's largest mixed-use sports and entertainment district, which would revitalize the downtown.³⁸ In addition, Katz would be able to capitalize on the spurred economic development in the area, making the deal favourable for both sides. It is because of these rare circumstances that Edmonton is the exception to the rule.

To appreciate why Edmonton is an exception, it is important to understand what made their provision of stadium subsidies a beneficial investment. In general, as jobs and business activities leave urban centers, crime, poverty, and desolation set in. This has caused Edmonton, and numerous other cities to face the need for revitalization of their downtown.³⁹ In other words, Edmonton's stadium subsidization agreement was a beneficial investment because it answered the city's desperate need for downtown revitalization.

³⁶ Josh Wingrove, "Edmonton City Council approves deal to build new NHL arena," *The Globe and Mail*, January 23, 2013.

³⁷ *Ibid.*

³⁸ Ice District Properties, *The Vision*, (Edmonton, Alberta: Ice District JV Inc., 2016).

³⁹ Weiner, "Financing Techniques," 41.

However, it is important to note that in the past many cities have utilized stadium subsidies to attract professional sports franchises to the area, with hopes that their stadiums could be used for downtown revitalization.⁴⁰ But, as explained throughout this paper, these stadiums did not generate the presumed economic growth, and as a result failed in their goal of revitalization. So the question remains, what makes Edmonton's situation different from the numerous other cities that used stadium subsidies in the past to no avail?

To answer this question, one must first examine the characteristics that all revitalization strategies have in common. In so doing, it is evident that stadiums and all other strategies and projects of revitalization have one overarching goal: To create the conditions necessary to attract people and businesses back to the area.⁴¹ Therefore, the reason that stadium subsidies have been unsuccessful at downtown revitalization in the past is because they do not create the necessary conditions to bring people and businesses back to the urban center. This is where the Edmonton situation is different. By providing stadium subsidies, the city was able to reach an agreement that established Ice District, and this mixed-use sports and entertainment district created the conditions that attract people and business back to the area. As a result, the stadium subsidies are a viable strategy for downtown revitalization and thus a beneficial investment to the city. This, of course, makes Edmonton's rare circumstances an exception to the rule.

It is essential to provide evidence of how Ice District has created these necessary conditions in a way that stadiums alone were previously unable. Katz has done so by establishing a variety of unique 'anchors' that will attract people to the area. This is combined with an abundance of housing options and opportunities for other local businesses to locate in the district. For example, as of 2016, Ice District is already home to Rogers Place, Ford Hall, the

⁴⁰ Ibid., 42.

⁴¹ Ibid.

Edmonton Downtown Community Arena, Edmonton Tower and the Grand Villa Edmonton Casino. Each of these attractions act as anchors that will undoubtedly bring people into the area.⁴² With Rogers Place currently being the most advanced sports and entertainment venue in North America, it is obvious how it is an anchor. But, by offering 60,000 square feet of world-class gaming, dining, and live entertainment through the Grand Villa Edmonton Casino, 24,000 square feet of public event space through Ford Hall, and a 27-storey building to house two-thirds of downtown Edmonton's employees through the Edmonton Tower, Ice District will attract people for an array of different reasons.⁴³ To achieve this variety, several of these anchors will be cheaper entertainment options for citizens as well. By 2019, Ice District will include Cineplex UltraAVX and VIP Cinemas, as well as the 50,000-square-foot Public Plaza offering a cost free vibrant gathering place open 365 days a year to all.⁴⁴ By including a variety of anchors to attract people to the area, Ice District clearly creates the necessary conditions for downtown revitalization.

As already mentioned, Ice District is successful because it combines these anchors with an abundance of housing options, and opportunities for other local businesses to locate in the area. For example, by 2018 Ice District will be home to the JW Marriott, which will offer 356 suites and be the downtown's first luxury hotel in 30 years.⁴⁵ Additionally, located above the hotel will be premium condominiums known as, "The Legends Private Residences." Ice District will also include the Stantec Tower Residences, located in Edmonton's tallest office tower. Beginning on the 28th floor of the 60-storey building, the 481 residence units will boast Alberta's tallest residential offering. Finally, on top of the retail podium that will house

⁴² Ice District Properties, *Phasing Plan*, (Edmonton, Alberta: Ice District JV Inc., 2016).

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

Cineplex UltraAVX and VIP Cinemas, there will be a 600-unit residential tower.⁴⁶ By creating this variety of unique places to live, there will be numerous reasons for citizens and businesses alike to occupy the area. This is unlike any other city's revitalization plans, which only include a stadium.

Finally, because there are a variety of opportunities for local businesses to locate in the 'heart of the action', they can compete with the professional sports stadium and have a better chance at seeing an increase in sales. Most of the time, cities use stadium subsidies to build up the success of a single stadium, and this has been seen to decrease the success of other businesses. However, because Edmonton is using their stadium subsidies to build up the success of an entire district, local businesses can locate in the area and be successful as well. The Ice District website boasts over 300,000 square feet of premium retail space, and this will undoubtedly draw people and business to the area.⁴⁷ There are several important opportunities available: The west side of the Public Plaza, which has over 170,000 square feet of retail space for shops and restaurants; the Stantec Tower Retail Attractions, which has over 85,000 square feet of retail space; and the Edmonton Tower, which has 40,000 square feet in retail space, and 520,000 square feet of leasable office space.⁴⁸ The variety of opportunities for local businesses to compete, in combination with the variety of 'anchors', and housing options, clearly creates numerous reasons to go to the downtown area. This makes Ice District a viable strategy for downtown revitalization, and therefore causes the City of Edmonton's agreement to provide stadium subsidies in return for Ice District to be a beneficial investment.

⁴⁶ Ibid.

⁴⁷ Ice District Properties, *Retail*, (Edmonton, Alberta: Ice District JV Inc., 2016).

⁴⁸ Ice District Properties, *Phasing Plan*.

In conclusion, providing subsidization for the construction and maintenance of professional sports venues is generally not a beneficial investment for cities. Based on empirical evidence it has been proven that stadium subsidies are morally and ethically wrong, consistently lack the presumed economic growth, and decrease sales for other businesses. When considering this combination of negative aspects, cities should undoubtedly refrain from providing them. However, as seen in Edmonton, rare circumstances have allowed for the city to be an exception to this rule. The fact that Daryl Katz is an Edmonton native and had a desire to keep the team in the city allowed for the city to have much more bargaining power. This caused Katz to establish Ice District, and ultimately gave the city the viable strategy for downtown revitalization that it desperately needed. As a result, Edmonton's rare circumstances uniquely made their provision of public subsidization for the construction of a professional sports venue a beneficial investment for the city.

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Theory in a Contemporary World

Just a Joke or Just White Ignorance? The Rise of Harambe

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Abstract

*After the death of a Western lowland gorilla sparked controversy worldwide, the Internet's response was inevitable. What was not inevitable was how the Internet, through multifaceted tools, reinforced the structural inequalities of society. In this essay, I will argue that the proliferation of Harambe memes by social media outlets elicited an overwhelmingly racist response. To best contextualize this, I will provide an overview of the concept of absent iconography while shedding light on concrete examples of white ignorance. I will focus on arguments from Charles W. Mills' *White Ignorance* with alternative support from conducted studies and a theoretical analysis from Professor Bernard Guerin of the University of Waitako. To follow, I will delve into the meaning of echo chambers and how their preponderance acts as insulation for racist ideology. I will provide the opinions of scholars, Pfeffer, Zorbach and Carley to which they speak about the concepts of 'filter bubbles' and 'algorithms' which guide the information presented on forms of social media. I will also explain echo chambers in the context of Harambe's emergence on social media outlets such as Facebook. I will use the reasoning of Nadia Yusuf, Nisreen Al-Banawi and Hajjah Abdel Rahman Al-Imam, professors from King Abdul-Aziz University, as to why there has been a lack of access to factual data and politically correct rhetoric on social media. Within this essay, I mention the work of renowned professor from Hebrew University, Limor Shifman to explain how memes are transmitted and thereby, internalized by online audiences. Finally, I will use Jeong Yoon's contention that memes use humour to produce a social commentary to explain how Harambe's humorous appeal worked so effectively. Following this argument, I will address the subversive activities of trolling, mockery and satire and after defining each, I will frame them in the context of two social movements: the alt-right and rise of Harambe movement. Lastly, I will explain how the rise of Harambe goes far beyond traditional characteristics of a social movement and resembles more a SMOC (Social Movement Community Online). I use developing theories on social movements from scholars such as Mario Diani, Pete Simi and Robert Futrell to support this argument. Overall, I contend that the Internet fosters a perfect environment for a growing phenomenon, whether it be inherently racist or not.*

On May 28th, 2016, a three-year-old boy climbed into the gorilla enclosure of the Cincinnati Zoo and was captured by Harambe, a 17-year-old western lowland gorilla. In an attempt to save the boy, a zoo worker decided to shoot and kill Harambe. Since the incident was filmed and posted on the Internet, the response has been one of controversy. Namely, the critique put forth was that the killing of Harambe was not necessary and other choices were available to the zoo keeper. Since it was considered as an animal rights issue, the question of whether the killing of Harambe was ethical was regularly contested. It was later confirmed that the decision to kill Harambe was appropriate since testimonies from various primatologists verified that the child would have died if Harambe was not killed. Evidently, the death of this gorilla ensured the birth of something else: the Harambe meme. The response to Harambe was one of outrage coupled with humour, and it further produced a phenomenon that became viral online. Hashtags such as #JusticeForHarambe and #RIPHarambe, albeit satirical in nature, surfaced on all forms of social media. The Harambe meme sat at the apex of 2016's greatest memes and it was seen as something so ridiculous that it was hard not to find it funny. Although, a question arises: Do our interpretations of Harambe ensure a dichotomy of what is funny and what is not or does it dictate that we are intrinsically racist beings? Whether it be the killing of a gorilla or the killing of a guerilla, our response to popular online news must be analyzed carefully, because if neglected, the repercussions will likely produce unwanted social change.

This essay will demonstrate how Harambe memes have used social media's ability to proliferate culture to reinforce structural inequalities of society. Firstly, I will look at absent iconography and what this reveals about white ignorance in society. Secondly, I will examine how the spread of Harambe memes and the prevalence of echo chambers create an online social

collective that perpetuate racist ideology. Lastly, I will indicate how subversive activities, such as trolling, mockery, and satire have effectively been used by social movements, and how the rise of the Harambe meme online has embodied this dynamic.

Absent Iconography as a Form of White Ignorance

Various markers of white ignorance show how there has been a failure to recognize the social and racial realities of iconography and this can be defined as ‘absent iconography.’ The prevalence of absent iconography demonstrates how the “white delusion of racial superiority insulates itself against refutation.”¹ More simply, white people ignore that racial connotations are often associated with things like language, mascots, monuments, and various aspects of social media. At first, the killing of Harambe does not seem like a beacon of racism nor does the quick rise of the Harambe meme on social media signal that there should be cause for concern. However, the African origin of the name Harambe alongside the symbolism of Harambe as a gorilla connects it to a long-standing perception of black people by society. In retrospect, black people were depicted as apes, which implied that they were less-evolved.² When people do not connect these historical factors to Harambe when viewing a meme, Donaldo Macedo and Panayota Gounari argue that they are ‘dehistoricizing’ race since they neglect how, when, and where racism has been manifested.³ Those who do not believe that there has been a history of racism promote a deceiving discourse on race and inevitably have an effect on those naïve enough to believe such inaccuracies. While some people do not believe that racism existed in the past, others contest that presently racism is not a social issue. Scholars studying the effects

¹ Charles W. Mills, “White Ignorance,” in *Race and Epistemologies of Ignorance 2007*, ed. Shannon Sullivan and Nancy Tuana (New York: State University of New York Press, 2007), 19.

² Sarah Salih, “Filling up the space between mankind and ape: racism, speciesism and the Androphilic ape,” *ARIEL* 38, no. 1 (2007): 98, accessed November 30th, 2016.

³ Donaldo Macedo and Panayota Gounari, *The Globalization of Racism* (New York: Routledge, 2016), 3.

colour-blind racial ideology (CBRI) suggest that there is a dominant belief which asserts that racism is not relevant in contemporary society and, further, there is no such thing as “institutional racism.”⁴ Ultimately, the maintenance of these beliefs contribute to the problem of absent iconography in our society. For example, the use of indigenous peoples as the name or mascot for university, college, or professional sports teams has elicited major controversy. To put it in perspective, around 1,400 institutions in the United States use symbols to objectify American Indians and their traditions.⁵ A study was conducted at the University of North Dakota to discover if there was a link between CBRI and sensitivity to the offensiveness of American Indian misappropriated mascots.⁶ The results show that there is, in fact, a link between a greater CBRI and a lower sensitivity to the offensiveness of the University of North Dakota’s mascot, ‘The Fighting Sioux’.⁷ Those who do not believe that having the university’s mascot as an indigenous figure is racist have the same mentality as those who do not see how Harambe holds racial connotations. While mascots are known to be a proper representation of absent iconography, we can classify language as a means with which racist sentiment can also be elicited. Bernard Guerin of the University of Waitako argues that racist language persuades people to believe and reinforces racial stereotypes: A way to divulge a hierarchal power structure between a dominant group and a marginalized group.⁸ He also suggests that, although racist jokes may not have the intention of getting someone to do something racist, they

⁴ Spanierman, Neville, Yeung, Todd and Tamilia D. Reed, “Color-Blind Racial Ideology and Beliefs About a Racialized University Mascot,” *Journal of Diversity in Higher Education* 4 no. 4 (2011): 236, accessed December 3rd, 2016.

⁵ Ibid., p. 238.

⁶ Ibid.

⁷ Ibid.

⁸ Bernard Guerin, “Combating Prejudice and Racism: New Interventions from a Functional Analysis of Racist Language,” *Journal of Community & Applied Social Psychology* 13 (2003): 33, accessed December 3rd, 2016, doi:10.1002/casp.699.

indirectly normalize racism and frame racism in the context of a joke.⁹ The Harambe meme's humorous appeal does just this. It merely presents itself as 'just a joke' and overall is devoid of any true consequences since the majority of people are ignorant of its racist connotations.

In his book, *The Racial Contract*, Charles W. Mills argues that through white normativity, an ethnocentric dynamic ensues and there becomes a "virtually unassailable framework, a conviction of exceptionalism and superiority that seems vindicated by the facts."¹⁰ International monuments and statues that celebrate the lives of racist white males serve as a model of white ignorance and white normativity, respectively. As Mills suggests, the inability to permeate the framework of white superiority is a burgeoning global issue. Recently, the #RhodesMustFall social movement at the University of Capetown presented the implications of commemorating certain figures, such as Cecil Rhodes who was an advocate for white supremacy and the apartheid movement.¹¹ By creating a movement formed against absent iconography within statues, #RhodesMustFall demonstrates how a collective movement can inculcate positive social change. #RhodesMustFall is a movement with an aim to raise awareness of society's ignorance to the effects of colonization; the Harambe meme acts as its antithesis. By neglecting the racist undertones of Harambe's memes, white ignorance combats the desire for social progress and unconsciously perpetuates racism.

⁹ Guerin, "Combating Prejudice and Racism," 35.

¹⁰ Mills, "White Ignorance," 25.

¹¹ Onyekachi Wambu, "Beyond #FeesMustFall," *New African* (2015): 98, accessed December 2nd, 2016.

Echo Chambers and the Rise of the Meme

The growth in the influence of social media has created a shift in the online communication paradigm. Social media outlets provide online forums, not for the user's pleasure but rather, to shape the opinion of users so that they conform to a specific narrative. Pfeffer, Zorbach and Carley argue that social media networking sites amplify the effects of opinion in the context of politics, media, and the populace.¹² The power of social media extends far beyond liking your friend's picture or posting a status. Social media powerhouses instrumentally create 'filter bubbles' to which "algorithms inadvertently amplify ideological segregation by automatically recommending content an individual is likely to agree with."¹³ These filter bubbles utilized by social media networking services are known as 'echo chambers'. Zeynep Tufekci, a professor at the University of North Carolina, asserts that in these echo chambers, Facebook algorithmically places specific information on people's timelines and often buries important news.¹⁴ He notes that, most recently, echo chambers have filtered out news on the Black Lives Matter social movement.¹⁵ It is important to note that the peak of this social movement occurred at the same time as the death of Harambe. Echo chambers ensured that the primary focus on social media was on what they thought their users would enjoy more, which was predictably humorous memes of a dead gorilla. In this context, social media echo chambers filtered out news on the shootings and multiple killings of black citizens by white

¹² J. Pfeffer, T. Zorbach and K. M. Carley, "Understanding online firestorms: Negative word-of-mouth dynamics in social media networks," *Journal of Marketing Communications* 20 no. 1-2 (2014): 122, accessed December 2nd, 2016.

¹³ Seth Flaxman, Sharad Goel and Justin M. Rao, "Filter Bubbles, Echo Chambers, and Online News Consumption," *Public Opinion Quarterly* 80 (2016): 299, accessed December 4th, 2016.

¹⁴ Zeynep Tufekci, "Facebook Said Its Algorithms Do Help Form Echo Chambers, and the Tech Press Missed It," *New Perspectives Quarterly* 32 no. 3 (2015): 10, accessed December 5th, 2016.

¹⁵ *Ibid.*, p.11.

policemen and instead provided news on Harambe. By fusing together social media and white ignorance, attention was diverted away from news about the overt racism going on in North America and instead focused upon a covertly racist meme. Scholars at King Abdul-Aziz University contend that students rely heavily on the accessibility of information on social media and use the Internet to provide answers.¹⁶ If young people turn to the Internet to learn things, echo chambers on social media limit access to real news, factual data, and politically correct rhetoric. Overall, Internet users only see what like-minded individuals post and it reinforces belief systems that may, in fact, be racist.

While echo chambers contribute largely to what people see, Internet tools such as memes are found within these distinct echo chambers. In his book, *Memes in Digital Culture*, Limor Shifman defines memes as “pieces of cultural information that pass along from person to person, but gradually scale into a shared social phenomenon.”¹⁷ More specifically, an ‘Internet meme’ is defined as a piece of culture, usually a joke, that gains influence through online transmission.¹⁸ According to Yoon, Internet memes use humour to generate a social commentary, and if successful, they “reach people at a high speed, get attention from the public, and ultimately raise awareness on a social practice or event.”¹⁹ Since memes transmit cultural and social influence in the guise of a joke, they effectively target Internet users and these individuals subconsciously process memes without realizing their underlying meaning.

¹⁶ Nadia Yusuf, Nisreen Al-Banawi and Hajjah Abdel Rahman Al-Imam, “The Social Media as Echo Chamber: The Digital Impact,” *Journal of Business & Economics Research* 12 no. 1 (2014): 7, accessed November 30th, 2016.

¹⁷ Limor Shifman, *Memes in Digital Culture* (Cambridge: The MIT Press, 2013), 18.

¹⁸ Patrick Davison, “The Language of Internet Memes,” in *The Social Media Reader 2012*, ed. Michael Mandiberg (New York: New York University Press, 2014), 122.

¹⁹ In Jeong Yoon, “Why is it not Just a Joke? Analysis of Internet Memes Associated with Racism and Hidden Ideology of Colorblindness,” *Journal of Cultural Research in Art Education* 33 (2016): 96, accessed November 28th, 2016.

According to Shifman, at a macro-level, memes shape the mindsets, behaviour, and actions of social groups.²⁰ The alt-right, short for the alternative right, is a group that uses both memes and echo chambers as a tactic to draw support for their social movement. Known as the rebirth of the white supremacist movement, the alt-right directive is not limited to the narrow contours of white supremacist ideology but also includes antifeminism, Islamophobia, homophobia, and anti-Semitism.²¹ Their popularity can be attributed to their ability to create and build walled communities that avoid interaction with the real world. Given their distaste for mainstream media, the alt-right instead uses online forums such as 4Chan and Reddit to target people, specifically racist subgroups like neo-Nazis. Alt-right online forums become mini echo chambers which encourage hate speech, racism, and discrimination. Williams, Oliver, Aumer, and Meyers argue that memes are a prime example of racist micro aggressions and that through their humorous appeal they can render extremely harmful consequences.²² The alt-right uses racist memes as an indirect way of indoctrinating online users, and with this they normalize the use of racist micro aggressions.

Using technology-based manipulation such as Photoshop, memes are ‘remixed’ and the meme is combined with different material to create new content.²³ Within alt-right forums, Harambe memes have been remixed to become more overtly racist, often associating Harambe with black people. For example, a meme comprised of two photos, one of Michelle Obama and the other of Harambe, show how this connection is made. A caption, “They shot the wrong

²⁰ Ibid., p. 95.

²¹ Nicole Hemmer, *Tweedy racists and “ironic” anti-Semites: the alt-right fits a historical pattern*. Vox, December, 2016.

²² Amanda Williams et al, “Racial microaggressions and perceptions of Internet memes,” *Computers in Human Behavior* 63 (2016): 425, accessed December 1st, 2016.

²³ Shifman, *Memes in Digital Culture*, 22.

gorilla,” was found on the meme, which in turn depicted the First Lady as inferior and less-evolved.²⁴ The alt-right has used memes like this to garner support and recognition. The use of political references in memes has allowed the alt-right to accrue massive support for political figures, like Donald Trump during the U.S federal election. The spillage of these memes from alt-right forums to mainstream media show how technology is an ideal tactic to expand the mandate of a social movement.

Trolling, Satire, and Mockery

The use of memes is not the only effective online tactic known to mobilizers of social movements. As long-standing subversive activities, trolling, satire, and mockery have superseded rudimentary methods of mobilization. Each activity has a specific function, but their collective use has proven to be the most effective. To better understand each activity and their intersections, their functions will be outlined in the context of two social movements: the alt-right and the rise of Harambe.

Trolling is a process used to lure others into pointless and time-consuming discussion.²⁵ Interchangeable with provoking, the sole purpose of trolling is to elicit a negative or angry response from those that are being trolled. Alternatively, satire is a process “aimed at ridicule and critique in order to expose the flaws of – often – religion or politics.”²⁶ Synonymous with parody, satire often exaggerates an issue and further uses humour and irony as a means for

²⁴ Charles Pulliam-Moore, *Your favourite Harambe memes are racist. It's time to stop using them.* Fusion Magazine, September, 2016.

²⁵ Susan Herring et al, “Searching for Safety Online: Managing “Trolling” in a Feminist Forum,” *The Information Society* 18 no. 5 (2002): 372, accessed December 3rd, 2016.

²⁶ Liesvet van Zoonen, Farida Vis and Sabina Mihelj, “Performing citizenship on YouTube: activism, satire and online debate around the anti-Islam video *Fitna*” *Critical Discourse Studies* 7 no. 4 (2010): 256, accessed December 2nd, 2016.

ridicule. On the other hand, mockery uses teasing and sarcasm to ensure those being mocked feel personally belittled. When more than one person participates in these activities, the collectiveness of such pernicious actions produce lasting effects.

As previously mentioned, the alt-right social movement acquires power by way of effective online maneuvers. Although memes have helped the movement gain momentum, their use of trolling, satire, and mockery have further secured their power online. As the main spokesperson of the alt-right, Milo Yiannopoulos, has been known to use trolling as a way to prompt reactions from those he offends. For example, after harassing *Ghostbusters* actress Leslie Jones online with racist and bigoted threats, she decided to block him and he then proceeded to tweet “rejected by another black dude.”²⁷ The comment was a method of trolling and was meant to elicit a negative reaction from both Jones and those who saw it as offensive. Trolls often use satire as a means to discredit social norms, since the use of humour is more relatable and enjoyable. Those who oppose the alt-right are known to Yiannopoulos as ‘social justice warriors’ and are the alt-right’s direct opponents.²⁸ In an interview with the Rubin Report, Yiannopoulos stated he is a critic of third-wave feminism and throughout the interview he consistently framed patriarchy in a satirical manner.²⁹ Specifically, he blames women for their hardships and discredits all statistics proving that sexism exists in society.³⁰ In saying this, he makes a joke of the social movement built on the promotion of both women’s rights and gender equality, which he knew would spark controversy. Supporters of the alt-right see satire as the only way to approach liberals, or social justice warriors, since they assert that leftist

²⁷ Marko Milosavljevic and Sally Broughton Micova, “Banning, Blocking and Boosting: Twitter’s Solo-Regulation of Expression,” *Medijske Studije* 7 no. 13 (2016): 51, accessed December 3rd, 2016.

²⁸ The Rubin Report. “Milo Yiannopoulos Hates Feminism.” Filmed [October 2015].

²⁹ Ibid.

³⁰ Ibid.

ideology should not be taken seriously. The alt-right movement also uses mockery as a way to demean those that challenge them. A Vox article on the alt-right suggests that Yiannopoulos and another alt-right leading figure, Allum Bokhari, use their mockery to incite outrage and mayhem.³¹ They claim that this further legitimizes the assertion that the left overreacts and should be viewed as irrational.³² Given the popularity of the alt-right, trolling, satire, and mockery can rightfully be deemed as effective tools to mobilize like-minded individuals while providing an ideal way to challenge adversaries.

The Harambe meme contains satirical and mocking features and its rise can be attributed to the effects of Internet trolling. In an article on trolling in feminist forums, the authors posit that the goal of trolls is to draw in vulnerable or naïve individuals in an effort to shape their opinion.³³ In the case of the Harambe meme, those who create and spread the meme, and know of its racist origins, act as Internet trolls. When a specific meme becomes popular, online users begin tagging each other on the photo which creates a domino effect. Internet trolls use the growing popularity of the meme as an opportunity to get a reaction from those who do not see the meme as funny or enjoyable. Gabriella Coleman suggests that some trolls use hacking as a weapon for mockery.³⁴ Specifically, Harambe trolls took to Twitter to not only threaten the Cincinnati Zoo account but also to hack it. In this instance, trolling and mockery were combined in an effort to humiliate and condemn the Cincinnati Zoo for Harambe's death. Since the Harambe meme is simply seen as an exaggeration of the death of a gorilla, it also contains

³¹ Hemmer, Vox article.

³² Ibid.

³³ Herring et al., "Searching for Safety Online," 381.

³⁴ E. Gabriella Coleman, "Phreaks, Hackers and Trolls: The Politics of Transgression and Spectacle," in *The Social Media Reader 2012*, ed. Michael Mandiberg (New York: New York University Press, 2014), 114.

satirical underpinnings. The reaction to the meme is a complete satire of social media outrage culture: it echoes the unfortunate reality of what we think should be upheld as important. The continual mocking of Harambe's death online can also be discerned. While memes are an ideal way to mock something, mocking can be done in various ways. Recently, the Harambe phenomenon has been extended to online merchandise and petitions, 'Harambe' songs, and candlelight vigils in honour of his death. 'Dicks out for Harambe' and 'Justice for Harambe' can be found on all corners of the Internet and are ostensibly seen as sincere words that pay homage to Harambe. Rather, these celebrations are a mere mockery of the death of a western lowland gorilla. More importantly, mockery of a species with a critically endangered status.³⁵ The use of trolling, satire, and mockery, while shown as effective tools, may in fact be effective for all the wrong reasons.

Harambe as a Social Movement

The rise of Harambe memes on the Internet fulfill the characteristics of a traditional 'social movement community' (SMC) while also exuding the unique qualities of a 'social movement online community' (SMOC). According to Mario Diani, social movements are linked by dense informal networks, share a distinct collective identity, and involve conflictual relations between identified opponents.³⁶ The rise of the Harambe meme satisfies these aspects of the conventional social movement criterion. Social media sites act as dense informal networks; collective identity can be asserted as one of white ignorance; and opponents are those who spread the memes versus those who are disparaged by the very effects of the memes. Due

³⁵ "Western Lowland Gorilla," *World Wide Fund for Nature*,

³⁶ Donatella della Porta and Mario Diani, *Social Movements: An Introduction* (Malden, MA: Blackwell Publishing, 2006), 117.

to the virtual nature of Harambe memes, the movement also aligns with the unique criteria of a SMOC. Criteria of SMOCs include geographic diversity, capacity for rapid growth and decline, and the use of openness and anonymity.³⁷ According to Simi and Futrell, the Internet holds a “special attraction for those in search of a ‘virtual’ community to compensate for the lack of critical mass in their own locale.”³⁸ The use of technology and online networking sites transcends geographic boundaries and allows for a diverse population to partake in an online collective. Further, SMOCs have the capacity to grow and decline rapidly.³⁹ Since the popularity of a meme is contingent on whether or not people respond to it, it can either become temporary or unabridged. The inception of the Harambe meme began subsequently after his death in May 2016 and its rapid growth signifies that it created a social movement online community. Due to its pervasiveness online, Harambe memes can still be found on all forms of social media and its decline is not likely near. The creators of memes usually retain an anonymous identity and generally the memes are not subject to a specific audience. Those who post controversial Harambe memes usually have Facebook aliases; therefore, they “adopt movement-specific identities, while simultaneously maintaining a less stigmatized public identity for face-to-face interactions.”⁴⁰ By anonymously posting a meme, they get fulfillment from its popularity and do not have to deal with any consequences. The combination of these three unique features of a SMOC sets Harambe memes apart from its offline counterparts.

³⁷ Neal Caren, Kay Jowes, Sarah Gaby, “A Social Movement Online Community: Stormfront and The White Nationalist Movement,” *Research in Social Movements, Conflicts and Change* 33 (2012): 165, accessed December 3rd, 2016.

³⁸ *Ibid.*, 170.

³⁹ *Ibid.*, p. 171.

⁴⁰ *Ibid.*, p. 171.

Conclusion

This essay has demonstrated that the social media attention given to Harambe, and his popularity as a meme, contribute to the spread of racist ideology. I began with providing an overview of various types of absent iconography and discussed how these are forms of white ignorance. Then, I examined how Internet memes and echo chambers are effective technological tactics that work to magnify ideas. Last, I discussed how the alt-right have used trolling, mockery, and satire as their prime strategies for mobilization and recognition, and have further applied these tactics to that of the Harambe meme.

Whether or not one sees Harambe as a social movement is not of importance. Instead, the central focus should be on the means that have allowed this phenomenon to grow. In an age where social media is the norm, our complacency is inevitable. The viral possibilities of the Internet ensure that we will never know what the next phenomena will be. So, for now, #ClicksOutForHarambe.

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Global Affairs

Contemporary Human Rights in International Relations

Written by Lauren Paparousis

Abstract

The global discussion surrounding human rights makes it clear that human rights are a concept that is easier to endorse than it is to enforce. This becomes clear through analysis of the existing global human rights framework in order to understand their strengths and weaknesses. This will include analysis of the history of global human rights, with emphasis on the Universal Declaration of Human Rights (UDHR) and the role it has played in spreading the philosophy of human rights on a global scale. While the principle of universality is the cornerstone of international human rights law, it is also highly contentious, as is made clear by the 'westernization' of human rights and the heavily disputed nature of cultural relativism in cases of female genital mutilation for example. This friction between cultural relativism and universalism in human rights is lessened by the rise of regional enforcement mechanisms such as the European, American, and African frameworks whose respective strengths and weaknesses also play a key role in shaping the current landscape of the global human rights regime. While many lament over the lack of enforcement mechanisms for compliance to global human rights standards, this essay will demonstrate that, while flawed, the existing global human rights framework is emblematic of a global shift towards the institutionalization of human rights. Furthermore, this essay will demonstrate the importance of maintaining the language of human rights in global discourse.

Human rights have consistently remained a highly contested concept in the field of international relations. To analyze the existing human rights mechanisms, it is important to establish the distinction between conceptual human rights and substantive human rights. Conceptual human rights deals with the abstract philosophical conceptions of human rights while substantive human rights focuses on a practical and concrete set of human rights as enshrined in text and law.¹ Human rights only become meaningful when they gain political content and, for this reason, this paper will concern itself only with the latter.² Documents asserting individual human rights, such as the Magna Carta, the English Bill of Rights, the French Declaration on the Rights of Man and Citizen, and the US Constitution and Bill of Rights are the written precursors to many human rights documents of the present day.³ The modern human rights movement is generally agreed to have begun after the atrocities of the Second World War created the conditions necessary to strive towards protecting human rights on a global scale. From the Holocaust, to the carpet-bombing of non-combatants, to the use of nuclear weapons for the first time in human history, the Second World War epitomized the largest-scale violation of human rights in modern history.⁴ Since the adoption of the Universal Declaration of Human Rights in 1948, a substantial number of declarations and binding treaties containing in-depth standards of human rights have come to fruition, both at the global and regional level. In the present day, nearly all states in all regions of the world, at all levels of development, proclaim their commitment to human rights on some level. This essay will set out to prove that present day human rights are substantiated by global and regional mechanisms and, although each is faced

¹ Eleanor Roosevelt, "General Assembly Adopts Declaration of Human Rights," in Department of State Bulletin, Dec. 9, 1948.

² Lynn Hunt. *Inventing Human Rights: A History* (New York: W.W. Norton & Co., 2007): 21.

³ James Nickel, "Human Rights" *Stanford Encyclopedia of Philosophy*, (2014).

⁴ Sally Engle Merry, "Changing Rights, Changing Culture," in *Culture and Rights: Anthropological Perspectives* (Cambridge: CUP, 2002), 39.

with a variety of contentions, they are emblematic of the general global movement towards the institutionalization human rights.

Although the Universal Declaration of Human Rights (UDHR) does not represent the culmination of human rights law, it has spread the philosophy of human rights and inspired numerous legal texts, therefore making it an effective starting point for analysis.⁵ Eleanor Roosevelt predicted the legacy of the Declaration as she claimed it, “set up a common standard of achievement for all peoples and all nations,” and “might well become an international Magna Carta of all mankind.”⁶ Drafted as a common standard of achievement for all peoples and nations, the Declaration defines human rights as the inherent dignity of every human person that is inalienable and imprescriptible and is the main document for articulating the most broadly accepted perception of human rights.⁷ The Declaration contains thirty articles, each one detailing diverse rights ranging from the right to life, to the right to work, to the right to freedom of movement.⁸ The influence of the UDHR on global society has been substantial as its underlying principles have been incorporated into the national constitutions of most of the 193 member states of the United Nations.⁹ Although a declaration is not a legally binding document, the UDHR has achieved the status of customary international law because people regard it “as a common standard of achievement for all people and all nations.”¹⁰ The Declaration functions as a foundational instrument in constituting and enforcing human rights in legislation and practice,

⁵ Hunt, 207.

⁶ John Humphrey, *Human Rights and the United Nations: A Great Adventure* (Transnational Publishers, 1984): 42-43.

⁷ UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948.

⁸ Stephen C. Ropp and Kathryn Sikkink, *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999): 2.

⁹ Christopher McCrudden, “Human Dignity and Judicial Interpretation of Human Rights,” *European Journal of International Law* Vol 19, No. 4 (2008): 673.

¹⁰ Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), 93.

and has been the subject of inspiration for a number of conventions further outlining human rights.

The UDHR, along with its two Covenants—the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) are collectively known as the International Bill of Human Rights (IBHR).¹¹ The ICCPR is based on ‘first-generation’ rights, those being rights that are regarded as the most fundamental and basic for human beings such as the right to life and liberty while the ICESCR is focused on ‘second-generation’ rights, which include the right to education, social security, and appropriate housing among others.¹² With the exception of a few, these documents have been ratified by most UN member countries, suggesting that most states have expressly agreed to be bound by the standards established within these texts.¹³ The ICCPR is further strengthened by two optional protocols, the first of which “recognizes the competence of the (Human Rights) Committee to receive and consider communication from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant”¹⁴ This protocol substantially strengthens the capacity of the Human Rights Committee to place pressure on the state to comply with the Covenant since, without the protocol, individuals must rely on states to bring complaints against themselves before the committee.¹⁵ In addition to the IBHR, there are nine core international human rights treaties that constitute the core international human rights instruments of the United Nations. All states have

¹¹ Tom Farer, “The United Nations and Human Rights: More Than a Whimper Less Than a Roar”. *Human Rights Quarterly* Vol. 9, No. 4 (Johns Hopkins University Press, 1987): 558.

¹² Franke Wilmer, *Human Rights in International Politics: An Introduction* (Boulder: Lynne Rienner Publishers, 2015): 21.

¹³ The ICCPR had 168 parties and 74 signatories while the ICESCR had 162 parties and 70 signatories (Wilmer, 21).

¹⁴ UN General Assembly, *Optional Protocol to the International Covenant on Civil and Political Rights*, 19 December 1966, United Nations, Treaty Series, vol. 999, p. 171.

¹⁵ Franke Wilmer, “Human Rights in International Politics: An Introduction” (Boulder: Lynne Rienner Publishers, 2015): 21.

ratified at least one, and 80 percent of states have ratified four or more, of the core human rights treaties of the UN.¹⁶ Overall, the various treaties and covenants implemented by the UN reflect the fact that the UN apparatus has created binding legal obligations to promote human rights and thus given a concrete expression to their universal nature.

While the principle of universality of human rights is the cornerstone of international human rights law, it is also its greatest point of contention. During the drafting stage of the Declaration, the concept of universality was a significant goal to ensure the international consent and implementation of the text.¹⁷ However, many critique the UDHR for upholding Western ideals and imposing them on non-Western countries, some going as far as to insist that asserting these rights as ‘universal’ constituting an act of cultural imperialism.¹⁸ Many pointed to the lack of diverse input in the formation of the UDHR as the only representatives from non-Western countries in the drafting committee were Chang Peng-Chung of China and Charles Habib Malik of Lebanon – both of whom had been educated in American universities which allowed Western ideas to permeate their contribution to the debates.¹⁹ Contemporary debates surrounding the UDHR primarily focus on the issue of cultural relativism, an idea first outlined by anthropologist Franz Boas, the central concept being that “in recognizing the values set up by every society to guide its own life, (cultural relativism) lays stress on the dignity inherent in every body of

¹⁶ These treaties are: The International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, International Convention for the Protection of All Persons from Enforced Disappearance, Convention on the Rights of Persons with Disabilities. What Are Human Rights, *Office of the United Nations High Commissioner for Human Rights*.

¹⁷ Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting, and Intent* (Philadelphia: University of Pennsylvania Press, 1999): 4-5.

¹⁸ Declan O’ Sullivan, “Is the Declaration of Human Rights Universal?” *The International Journal of Human Rights* Vol. 4, No. 1 (2000): 26.

¹⁹ An-Na’im, Abdullahi. “Problems of Universal Cultural Legitimacy for Human Rights,” in *Human Rights in Africa: Cross-Cultural Perspectives*, (Washington DC: Brookings Institute, 1990), 350.

custom, and on the need for tolerance of conventions, though they may differ from one's own."²⁰

In this sense, it is impossible to evaluate distinct cultures based on universal values and, while the existing international human rights system may be acceptable in terms of its fundamental elements and framework, it fails to account for distinct cultural practices.

The issue of cultural relativism is perhaps best illustrated through the issue of female genital mutilation and whether it qualifies as a cruel and inhumane act of torture under Article 5 of UDHR and Article 7 of ICCPR. Female genital mutilation (FGM) is currently practiced in 29 African and Asian countries on approximately 3 million girls a year and the World Health Organization estimates that between 100 million and 140 million girls have been subjected to the procedure which has further resulted in health complications ranging from urinary tract infections to infertility.²¹ The debate surrounding whether FGM is a form of torture or, alternatively, a practice protected by the right to cultural self-determination highlights the underlying contradictory nature of the UDHR and its lack of true universality. Instead, the argument can be made that, while the UDHR does not legitimize the universality of human rights, its significance lies in the fact that the global community's willingness to acknowledge the text generates universal appreciation for its underlying message and principles. The UDHR has propelled human rights into international political discourse, a process strengthened by the Helsinki Final Act of 1975, thus aiding in tying respect for human rights to international legitimacy.²² Furthermore, while some lament over its lack of enforcement mechanisms, this may be viewed in a positive light as repressive states agree to be bound by human rights laws in

²⁰Alison Renteln, "International Human Rights: Universalism versus Cultural Relativism," *Penn State International Law Review* Vol. 9: No. 1 (1991): 65.

²¹ World Health Organization, 2014a "Female Genital Mutilation"

²² Daniel C. Thomas, *The Helsinki Effect: International Norms, Human Rights, and the Demise of Communism*. (Princeton : Princeton University Press, 2001): 30.

the belief that they can gain international legitimacy without substantial requirements for compliance and, this seemingly empty commitment nonetheless promotes local, transnational and interstate processes that undermine continued repression.²³ Overall, while the UDHR may not be truly universal, it is significant in its ability to institutionalize the concept of human rights on the world stage.

In an effort to reconcile the debate between cultural relativism and universalism, regional human rights regimes have begun to rise alongside the UN's global efforts, as human rights values cannot be entirely divorced from their cultural contexts.²⁴ While there are many regional human rights regimes, the primary ones exist in Europe, the Americas and Africa, however it is notable that similar developments have failed to occur in the Middle East and South and East Asia.²⁵ The European framework, which is the oldest and most encompassing, has two main institutions: the Council of Europe (CE), founded in 1949 with 50 member states, and the European Union (EU), with 27 members, and the Organization for Security and Cooperation in Europe (OSCE). The CE structure is further broken down into the European Court of Human Rights and the European Convention on Human Rights (ECHR). The main objectives of the ECHR are to protect and promote human rights, the rule of law and democracy. In pursuit of this goal, the ECHR seeks to supervise and monitor the protection of human rights and fundamental freedoms, support and promote democratic, political, and legislative reforms, cultural diversity and training on human rights.²⁶ Being one of the oldest human rights systems, the ECHR was the first comprehensive human rights treaty to institute an international complaint accessible by any member states, NGOs, and individuals who claim to be victims to violations of the convention,

²³ Ibid, 3.

²⁴ Renteln, 35.

²⁵ Wilmer, 120.

²⁶ Luzius Wildhaber, "The European Court of Human Rights in Action," *Ritsumeikan Law Review* (2004): 83.

and hence has the world's most extensive regulations on human rights.²⁷ Final judgments are binding on the country concerned and the Committee of Ministers of the Council of Europe is responsible for supervising whether the State takes adequate measures for the judgment.²⁸ The OSCE has its roots in the 1973 Conference on Security and Co-operation in Europe, which was created as a forum to mitigate Cold War tension between Eastern and Western Europe.²⁹ In 1975 the conference culminated in the adoption of the Helsinki Final Act which declared ten guiding principles for relations among European states including equal rights, self-determination, and respect for human rights, therefore explicitly introducing human rights discourse into the mainstream of American-Soviet relations.³⁰ For some scholars, without the canonization of human rights language in the Helsinki Accords, human rights may have been relegated to minor advocacy groups rather than a primary focus of international discourse.³¹ By propelling human rights into the global spotlight, the Helsinki Accords fostered accountability for basic principles of human rights and subsequently facilitated the rise of dissident movements in Poland and the Czechoslovakia.³² Although its standards do not impose enforceable international legal obligations, the OSCE provides a multilateral mechanism for the supervision of the human rights dimension of the ECHR and a regional forum for the evaluation of human rights.

Another key regional human rights regime is the Inter-American System, predicated on the Organization of American States (OAS).³³ The primary objective of the OAS is to strengthen collaboration among its member states, promote peace, security, democracy, socio-economic

²⁷ Philip Alston and Henry Steiner, *International Human Rights in Context, Law, Politics, and Morals* (Oxford: Oxford University Press, 2008): 786.

²⁸ Wilmer, 126.

²⁹ *Ibid*, 123.

³⁰ *Ibid*.

³¹ Samuel Moyn, *The Last Utopia: Human Rights in History*. (Cambridge: Harvard University Press, 2010): 149.

³² Wilmer, 123.

³³ Organization of American States (OAS), *Charter of the Organisation of American States*, 30 April 1948.

development and alleviate poverty. The most important institutions under the OAS are the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights. As of 1965, the commission has been authorized to hear complaints on issues of human rights from individuals, NGOs, or governments and its decisions are binding on all 35 member states of the OAS.³⁴ The Commission is also charged with investigating countries of particular concern regarding human rights abuse, conducting on-site visits, collecting data, and producing reports.³⁵ For instance, between the years 1996 and 1999, the commission issued 19 precautionary measures to the government of Columbia in order to address the surge of drug-war related violence.³⁶ The Inter-American system of human rights has gained prestige in recent years, especially since it has been linked to the phenomenon of most military dictatorships in Latin America being replaced by elected civilian governments.³⁷

The human rights system in Africa is the most recent and least developed of the primary regional human rights regimes especially since support for national political institutions tends to take priority over regional organizations.³⁸ The Organization of African Unity (OAU) adopted the African Charter on Human and People's Rights in 1981 and, at the time of formation, the organization's primary concern was eradicating colonialism by supporting the struggle for political independence in each African colony.³⁹ However, the OAU was unsuccessful in addressing the issues of post-colonial struggle and disbanded in 2001, and was succeeded by the African Union (AU) in 2002.⁴⁰ Presently, 53 states, with the notable exception of Morocco, are

³⁴ Wilmer, 121.

³⁵ Ibid.

³⁶ Ibid., 122.

³⁷ Peter Mckenna, *Canada and the OAS: From Dilettante to Full Partner* (Ottawa: Carleton University Press, 1995): 144.

³⁸ Wilmer, 126.

³⁹ Ibid., 127.

⁴⁰ Ibid.

members of the AU whose primary goal is the economic, social, and cultural integration of the continent.⁴¹ The AU's commitments to human rights primarily stem from the African Charter on Human and Peoples' Rights (ACHPR) which requires member states to cohesively strive to improve and achieve a better life for the people of Africa as well as promote international cooperation in line with the UN Charter and the UDHR.⁴² The ACHPR differs from the Inter-American Court, as it takes cases from individuals and NGOs only if they are recognized with observer status.⁴³ It is also notable that the ACHPR is the only international human rights apparatus to recognize collective people's rights and its jurisdiction covers all human rights mechanisms signed by its member states.⁴⁴ Overall, given that some of the worst human rights violations in recent history have occurred in Africa, it is imperative that these regional mechanisms are strengthened as change in the African system has immense potential to improve human rights for a large segment of the global population. A key issue in need of reform is the precedence that regional human rights in Africa give to political and civil rights over social and cultural ones. This tendency is inconsistent with international standards and working to develop stronger social and cultural human rights within the African regional system would help reduce the friction created by cultural relativism with the West and improve the lives and of a significant number of individuals on a global scale.⁴⁵

In practice, human rights can only exist insofar as they are protected by international law. While nearly all institutions formed to protect human rights are riddled with controversy, it is important that the language of human rights continues to be part of international discourse and

⁴¹ Ibid., 126.

⁴² Alston, 121.

⁴³ The African Court on Human and Peoples' Rights: Towards the African Court on Justice and Human Rights, *International Federation for Human Rights* (2010).

⁴⁴ Wilmer, 128.

⁴⁵ Morris M. Kiwinda, *International Human Rights and their Enforcement in Africa*, (Kenya: Law Africa Publishing Ltd, 2011): 409.

that institutions continue to strive to protect basic human dignity. Human rights is simply a concept that is easier to endorse than to enforce and the continuous stream of treaties condemning genocide, slavery, the use of torture, and racism, and for the protection of women, children, and minorities, shows that human rights remain an important area of focus.⁴⁶ While the global human rights framework — consisting of international bodies, international courts, and international conventions — might be inefficient in addressing these issues, it is currently the only structure available to work towards promoting and protecting international human rights and therefore must continue to be adapted, strengthened, and disseminated to preserve global human rights.

⁴⁶ Hunt, 213.

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The Dragon Stirs: The Growing Chinese Influence in the South China Sea

Written by Duncan Spilsbury

Abstract

The territorial dispute in the South China Sea poses significant risk to the stability of the region, with adverse effects impacting the economic, diplomatic and peace amongst the claimants. China's aggressive claims in the region are a threat to not just the surrounding states, but to America as well, the dominant hegemon in the world. China is successfully challenging America's influence in South-East Asia through breach of international law, military expansion and their ability to deteriorate the American economic and diplomatic influence. China is infringing on the surrounding country's Economic Exclusive Zones, violating the United States Freedom of Navigation Program and Article 17 of the Law of the Sea, all which America upholds and enforces globally. These laws however, have not been enforced against China's actions in the South China Sea, indicating that America's role as the global police is not as strong as it once was. Additionally, China has also begun a large military expansion along its southern coast of the South China Sea. Through a large increase in their annual military expenditure, the construction of a new naval base, and the creation of artificial land masses in the Spratly island region, China is solidifying its military dominance in the area. The Chinese influence is also growing with soft power tactics. The surrounding ASEAN member states have seen an increase in trade with Chinese markets, reducing their dependence on the American economy.

For hundreds of years, the waterways within the South China Sea have been a vital passageway for migration, commerce, and military activity. The area today has developed into a contentious issue, due to the multiple claims of rightful ownership by neighboring countries; with China being the most notable. China has claimed sovereignty over a large U-shaped area of the sea, which they call the “nine-dashed line.” The claim over this area originated from a historic map that was drawn in 1947, which provided historic statements of century long Chinese activity on the island regions in the Sea. Currently, the South China Sea acts as a highway for a third of all global trade, it is also suspected to hold vast amounts of untapped natural resources and has strategic military significance.¹ The countries who are challenging the Chinese claim include: Vietnam, Philippines, Brunei, Malaysia, Indonesia, and the unrecognized state of Taiwan. The majority of the smaller states are only claiming what is legally theirs under international law and claiming legitimacy from such laws. Whereas China is legitimizing their claims from historical documentation.² Due to the strategic significance of the region, China’s claims have an inevitable impact on states that are not physically present in the region, especially the United States of America. With the fall of the Soviet Union, the US has positioned itself as the dominant hegemon in a unipolar world order, whose interests expand far greater than their physical borders. This begs the question: Are the claims of sovereignty and the incidences of conflict enough for China to successfully challenge the US’s hegemony? This paper argues that China is effectively challenging US hegemony in South East Asia; through their challenging actions toward international law, military expansion, and their ability to deteriorate the American economic and diplomatic influence within the South China Sea.

¹ Sheldon W. Simon, “Conflict and Diplomacy in the South China Sea,” *Asian Survey* 52.6 (2012): 996.

² *Ibid.*

American interests in the South China Sea lie in their current economic transactions with Asia, the stability and interests of ASEAN states, as well as the ‘right of freedom of navigation’.³ Due to China’s aggressive territorial claims, the American interests in the region are at stake. The potential for armed conflict has grown, which could ultimately determine whether China’s rise to power will be passive, or aggressive; ultimately aiding in providing evidence to prove, or disprove the power transition theory.⁴ China’s challenge towards the American hegemony in the South China Sea is extremely important; not just for the stability and security of the region, but for the rest of the world as well.

The United Nations Convention on the Law of the Sea (UNCLOS) was drafted in 1979, and adopted in 1982. The treaty outlines the international obligations that states and relevant actors are legally bound too, as well as providing a protocol for the access to natural resources present within the ocean.⁵ Since the treaty’s conception, 163 states have ratified the treaty, including China.⁶ The United States is a prevalent supporter of the treaty, routinely exercising their rights allowed to them through various means. They also play a key role in enforcing these laws through their Freedom of Navigation Program (Department of State), NATO missions, and their anti-piracy acts in the horn of Africa, the Gulf of Guinea, and in the South China Sea (Fighting Piracy). However, the US, has done little to mitigate and punish the Chinese for their UNCLOS violations in the South China Sea. The United States realizes the growing power of the Chinese and are hesitant to take any action that could jeopardize their position in Asia. While the

³ Thomas B. Fargo, "Walking the Talk in the South China Sea," *Asia Policy*.21 (2016): 60.

⁴ W. Kim and S. Gates, "Power Transition Theory and the Rise of China," *International Area Studies Review* 18.3 (2015): 221.

⁵ Patrick J. Bonner, "Neo-Isolationists Scuttle UNCLOS," *The SAIS Review of International Affairs* 33.2 (2013): 136.

⁶ *United Nations Treaty Collection*. The United Nations, 2016.

Americans remain docile, China is effectively challenging their hegemony through the continual, unpunished violations of the international law that America supports.

One of the sections in the treaty that China is currently violating in the South China Sea is Part 5, the Exclusive Economic Zone (EEZ). The EEZ is a vague, 200 nautical mile area, protruding from a country's coast line. The state does not have sovereignty claims over this 200 - nautical-mile area, however, it does have the ability to exploit any resources that are present above, below and throughout the water. This legally bars any other state from exploiting the resources present, unless permission is granted from the state where the EEZ stems from.⁷ The nine-dashed line that China is claiming, encompasses the majority of the Sea, infringing on the EEZs of the neighbouring countries. The most recent, and prominent violations of a state's EEZ by China, was in May of 2014 when the Chinese oil rig, Haiyang Shiyou 981, was dispatched to the Paracel Islands, 80 nautical miles into Vietnam's EEZ (Chan and Li 43).⁸ The oil rig dropped anchor, and began to drill below the sea floor. This action was a direct violation of UNCLOS and of Vietnam's EEZ; as China was exploiting resources that legally were not theirs. This act by the Chinese was committed just days after the Pentagon released a statement condemning any future action in the area, "Under the U.S. options, any new moves in the region by China to assert its claims unilaterally would be met by an American military challenge intended to get Beijing to back down".⁹ Despite receiving strong condemnation from America, China proceeded with its plans to solidify its territorial claims, effectively challenging the American statement. The

⁷ *United Nations Treaty Collection*.

⁸ Irene Chan, and Mingjiang Li, "New Chinese Leadership, New Policy in the South China Sea Dispute?" *Journal of Chinese Political Science* 20.1 (2015): 43.

⁹ Baohui Zhang, *China's Assertive Nuclear Posture: State Security in an Anarchic International Order*, (New York: Routledge, 2015): 154.

incident brought forth no repercussions against the Chinese, setting a precedent for future international violations.

In addition to the EEZ violations, China has been seen disrupting and preventing the United States' Freedom of Navigation Program, and Article 17 of the Law of the Sea, the Right of Innocent Passage. Both pieces of legislation allow the passage of any vessel through a state's territorial waters, as long as they do not pose a threat to the "peace, good order, or security of that state".¹⁰ China is currently claiming that in order for a state to pass through its EEZ, regardless of its intentions, it must obtain prior permission from the state itself, which is contradictory towards the United Nations and American laws. This was seen in July of 2010, when a planned joint-military exercise between the United States, and South Korea was to be undertaken in the Yellow Sea, west of mainland China. Through protest and warnings from the Chinese government, as well as its people, the exercise was moved to the eastern side of the Korean Peninsula.¹¹ After the relocation of the exercise, Hong Lei, a Chinese Foreign Ministry spokesperson, stated "We hold consistent and clear-cut stance on the issue. We oppose any party to take any military acts in our exclusive economic zone".¹² The protests within China, by their people and their government, had enough influence to move the American naval exercise. Through soft power, China was able to effectively disallow the Americans from fulfilling their own Freedom of Navigation Program. It is not known whether America refrained from executing the exercise in the Yellow Sea, for fear of a military or an economic response. However, the Chinese were able to ward off the Americans for fear of potential retaliation or diplomatic

¹⁰ "Part II – Territorial Sea and Contiguous Zone," *Division for Ocean Affairs and Law of the Sea*, UN.

¹¹ John R. Crook, "U.S. Naval Forces Contest China's Claims to Exclude Foreign Naval Vessels from its Exclusive Economic Zone," *The American Journal of International Law* 105.1 (2011): 136.

¹² Johnson, Ian, et al. "China Addresses Rising Korean Tensions, but With a Warning to the U.S.," *The New York Times* 27 Nov. 2010.

conflict. The Chinese were able to deter America from fulfilling their Freedom of Navigation Program, successfully questioning America's hegemony.

An argument that could be made against the accusation, that America fails to deter the Chinese from violating international law; is that America has not been legally bound to enforce the laws that China has violated. This however, can be disproven by studying the Reed Bank, and the dispute between China and the Philippines. In late February of 2011, two Chinese naval ships were reported to have harassed, and fired upon a Filipino fishing vessel sailing in the Spratly Islands, specifically at the Reed Bank.¹³ This was a direct act of aggression towards the Philippines by China, and even then, America responded with nothing. However, this lack of action, is a violation of the Mutual Defense Treaty, which America signed with the Philippines in 1951. The treaty states that "each party recognizes that an armed attack in the Pacific area on either of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes".¹⁴ The US is aware of the strength that the Chinese navy has been accumulating, and is therefore hesitant to make any decisive actions towards them, even if that means not abiding by a bilateral treaty.

In addition to the challenges towards international law, China is also challenging American hegemony in the region with an increase in its military presence. Since the end of the Gulf War, China has increased its drive to accomplish the goal of 'military modernization'.¹⁵ After seeing the success that the modern American army had in the Gulf War, China realized that

¹³ Rommel C. Banloi, "Philippine Solution to the South China Sea Problem: More Problems, Less Solutions?" *Paper presented at the International Conference on "Security Environment of the Seas in East Asia: From the East and South China Seas – Power Shift and Response," S. Rajartnam School of International Studies, February 2012.* Singapore, 2012: 5.

¹⁴ "Mutual Defense Treaty Between the United States and the Republic of the Philippines; August 30, 1951." *The Avalon Project - Documents in Law, History, and Diplomacy.* Yale Law School.

¹⁵ Mohd Aminul Karim, "China's Power Politics and Modernization: Implications for Taiwan and the South China Sea," *Pacific Focus* 29.2 (2014): 191.

despite having the largest standing force in the world, the modernity of its equipment was well behind the major powers. Thus, spurring a movement by the government to update its military, navy and air-force. Since 1989, China's defence budget has grown on an average annual rate of 12.9%; going from roughly 18 billion dollars, to 146.7 billion dollars in 2016.¹⁶ While this number is trivial in comparison to the American defense expenditure, it is impossible to reject the reality that China is now a major player in the security of the world. The rapidity in which the Chinese armed forces have grown, pose a direct challenge to America, as they are seen in the South China Sea as a state that provides security and stability within the region.¹⁷ As the Chinese armed forces continue to grow, the neighboring states may succumb to China's sovereignty claims, as realization of a potential arms race would be disastrous for the region.

On the province of Hainan, the most southern point of China, the Chinese completed construction of the Yulin Naval base in the mid-2000's.¹⁸ This base has strategic significance as it allows the Chinese Navy to have an extended reach into the South China Sea; decreasing the response time and the logistical stress, should a conflict ensue. This base is home to various surface warships, and nuclear submarines; including the Type-094, one of the most sophisticated naval weapons in existence.¹⁹ As the Hainan province protrudes deeply into the South China Sea, the Chinese submarines could be deployed and strike from concealed positions just off the coast – adding a factor of uncertainty to the American naval operation within the region. Just down the coastline from the Yulin Naval base, the Chinese have also finished constructing a state-of-the-art facility in Yalong Bay. The facility boasts two 1000 metre piers, 4230 metre piers, and a

¹⁶ *Ibid.*, 193.

¹⁷ Pavin Chachavalpongpun, *ASEAN-U.S. Relations: What Are the Talking Points*, Singapore: Institute of Southeast Asian Studies, 2012: 72-73.

¹⁸ Nalanda Roy, "Dragon-Elephant Relationship in the South China Sea Imbroglio," *Journal of Third World Studies* 32.1 (2015): 184.

¹⁹ *Ibid.*

submarine tunnel with an unknown amount of holding bays inside.²⁰ The island of Hainan has become the pinnacle for Chinese operations in the South China Sea. With the addition of these two naval facilities, the Chinese have secured their stake in the region, and obtained an operational advantage against the Americans.

In addition to the Naval bases that have been constructed on mainland China, the Chinese have also been partaking in the creation of artificial islands in the Spratly island chain. They are creating these islands out of existing coral reefs, and doing so at an incredibly quick pace. In just a few years, Chinese engineers have been able to construct 8 separate islands in the Spratly region.²¹ These islands feature radar domes, satellite dishes and gun emplacements; with some including working airstrips, having the ability to accept complex military-sized aircrafts. The islands were constructed for the sole purpose of gaining a strategic foothold in the region, through military, surveillance, and geographic means. With surveillance stations in operation, the Chinese will be able to contend with the American surveillance program that is currently running in the region.²² The islands could also act as a housing base for the Chinese Navy and Air-force, opening up the more southern region of the South China Sea for patrolling and surveillance.

Since the beginning of the effort to modernize the Chinese army, we have seen a substantial investment into China's South Sea Fleet. They have constructed and deployed 11 destroyer and frigate class vessels, all of which have the missile and surveillance capabilities to cover even the most southern portions of their territorial claims.²³ They have also enhanced their sub-surface capabilities, adding 10 new submarines, with two of them running off nuclear

²⁰ Felix K. Chang, "China's Naval Rise and the South China Sea: An Operational Assessment," *Orbis* 56.1 (2012): 25.

²¹ Bill Hayton, *The South China Sea: The Struggle for Power in Asia*, 1st ed., New Haven: Yale UP, 2014: 140.

²² Fargo, 64.

²³ Chang, 23.

energy.²⁴ If a conflict were to ensue on one of the island states, the Chinese navy would also be able to conduct an amphibious landing, as they have also constructed two new Yuzhao-class landing vehicles, improving their already sophisticated sea-to-shore operational capabilities.²⁵ Their landing vehicles have the future potential to provide support in the contested regions of the Spratly and Paracel Islands. However, the most significant addition to the South Sea Fleet, has been the commissioning of the CV-16 Liaoning aircraft carrier. The carrier was purchased from Ukraine, following the end of the Cold War, and sat idle; until it refurbished in 2012 (Bana 44).²⁶ This carrier not only provides the ability to house radar and missile installations but it can hold up to 20 fighter jets and 24 helicopters, thereby increasing the flight range of these aircrafts significantly. With the increased investment in modernizing their military, and through the construction of naval and surveillance facilities, China is effectively challenging the US' navy, and their ability to provide stability and security to the region.

A contentious argument frequently presented is the ability of the smaller Chinese navy to contend against the superior American navy. However, this is a futile argument as the majority of the American navy is not within the proximity of the South China Sea. Due to the large number of diplomatic ties that America has globally, they have security obligations that they are required to attend to. The Chinese however, have little international responsibilities, allowing the majority of their naval fleet to be based at their homeport locations, with the majority facing the South China Sea.²⁷ Ronald O'Rourke, a specialist in naval affairs for the Congressional Research Service, states "In a U.S.-China conflict inside the first island chain, U.S. naval and other forces

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Sarosh Bana, "Sea Power: The Rise of the Aircraft Carrier in the Asia-Pacific," *World Affairs* 178.3 (2015): 44.

²⁷ Ronald O'Rourke, "China Naval Modernization: Implications for U.S. Navy Capabilities - Background and Issues for Congress," *Congressional Research Service* (2015): 54.

would be operating at the end of generally short supply chains.” Stress resulting from a conflict taking place away from the main operating base puts immense strain on logical systems. If a conflict were to ensue in the South China Sea, China would be at an advantage to the Americans as their ability to acquire additional resources would be greater, stemming from the fact that their facilities are within a more reasonable distance.

Furthermore, the economic and diplomatic interests of America are being challenged by the Chinese in the South China Sea. While this argument is not as hardened as the violations of international law and the increased military presence, the American economic and diplomatic interests that will be jeopardized should a conflict occur, are significant. The American economy is very reliant on importation of goods from China. In 2015, America imported 41.9 billion dollars’ worth of goods from China, making up approximately a fifth of their total imports.²⁸ If a conflict were to ensue between America and China, China could theoretically halt all exports to North America, creating a product and goods deficit, which would have an inevitable effect on the American economy. While this would not be a rational move for China, as it would also negatively affect their economy, they could execute this if they felt as if they had no other option.

In addition to the harm that China could potentially have on the American economy, they also have the ability to deteriorate the relationships that the United States has built with the ASEAN states. China has created important economic ties with the surrounding ASEAN member states; as these states acquire the majority of their imports from China. In 2013, ASEAN states were running a 45-billion-dollar trade deficit with China, with only two countries trading

²⁸ "Foreign Trade," *U.S. Top Trading Partners*, United States Census Bureau, 12 Dec. 2015.

in a surplus, Thailand and Malaysia.²⁹ This large deficit makes it apparent that the surrounding economies rely on Chinese imports more than China relies on their exports. If a conflict were to occur between America and China, the neighbouring states would be pressured to align with either country. Professor Hugh White, of the Australian National University, believes that the states in the Asia-Pacific are becoming increasingly dependent on their economic relationship with China, and that this dependence “will probably lead them to gravitate towards, or bandwagon with, Beijing”.³⁰ Another factor as to why the ASEAN states would side with China, as opposed to America, is the fear of displeasing China and increasing the risk of losing support from the Asian Infrastructure Investment Bank. The bank was created in June of 2015, with the aim of providing Infrastructure funding to developing countries in order to boost their economy, and improve their standard of living.³¹ The Chinese have significant interest invested into the bank as the bank was initially proposed by the Chinese president, Xi Jinping; the bank sees the greatest financial contribution from China, and the headquarters are located in Beijing.³² It is evident that China has a large influence on the proceedings of the bank and if an ASEAN state were to side with the Americans, they could potentially lose investment in their infrastructure. Due to the economic and diplomatic ties that China has created, they would be able to challenge American hegemony if the situation escalated.

Since the end of the Cold War, America has enjoyed a lengthy period of being the world’s hegemon. Today, this is being challenged by China in the South China Sea. Through violations of international law which continually go unpunished, the significant strengthening of

²⁹ Nargiza Salidjanova and Jacob Koch-Weser, "China's Economic Ties with ASEAN: A Country-by-Country Analysis," *U.S.-China Economic and Security Review Commission* (2015): 3.

³⁰ Rosemary Foot, “Constraints on Conflict in the Asia-Pacific: Balancing ‘the War Ledger,’” *Political Science* 66.2 (2014): 132.

³¹ "History of AIIB – AIB," *Asian Infrastructure Investment Bank*.

³² A. D. Ba, “Is China Leading? China, Southeast Asia and East Asian Integration,” *Political Science* 66.2 (2014): 162.

the physical and logistical aspects of the Chinese Navy, and through the potential deterioration of American alliances in the region, China is effectively challenging the United States' hegemony. If the US sees this challenge as a threat to the security and stability of the world, there is a possibility that it will take a hard powered approach to mitigating China's rise. If a hard powered approach is taken, the landscape of the international community will drastically change in the coming years. In the meantime, China will continue to assert its growing dominance in the South China Sea, securing its territorial claims in the process.

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Canadian Politics

A Memorable Debate: Religious Arbitration in Ontario

Written by Alana Cameron

Abstract

The enactment of the Arbitration Act of 1991 and the banning of religious arbitration enforceable under law in 2006 had a significant impact on Ontario politics. Currently, religious arbitration is allowed as a form of dispute resolution but any agreements produced are not enforceable under the law. Both policies generated intense conflict and debate between Ontarians, organizations, and the government. The debate was focused on whether the protection of all religious arbitration should continue in Ontario. The supporters argued for the protection of all religious practice and for a commitment to multiculturalism as protected under the Charter. The opposition fought against this right on the grounds of the controversy of the nature of Sharia law and/or religious law, and the worry of individual rights violations particularly concerning women. Equal protection is intrinsic to the Charter, Canadian and Ontarian values, and a liberal democratic society. An alternative legal system de-legitimizes a fair and equal-protecting legal system that has tiredly been built in Ontario. Therefore, the banning of faith-based arbitration was a necessary move by the Ontario government to enforce Ontario law, to ensure equal protection among all Ontarians, and to uphold essential Charter rights.

The enactment of the Arbitration Act of 1991 and the banning of religious arbitration enforceable under law in 2006 had a significant impact on Ontario politics. Ontario laws had already allowed for religious arbitration to be practiced prior to 1991.¹ The Arbitration Act reduced legal controls over family and inheritance law disputes because these matters were considered personal to the parties involved, and should be settled based on their own values and religious beliefs.² In 2006, the passing of the Family Statute Law Amendment Act mandated that all family and inheritance law matters were to be settled under one system of law.³ Currently, religious arbitration is allowed as a form of dispute resolution but any agreements produced are not enforceable under the law. Both policies generated intense conflict and debate between Ontarians, organizations, and the government. The debate was focused on whether Islamic Sharia law and the protection of all religious arbitration should continue in Ontario, and can be understood from two positions. The first position focuses on freedom of religion and a commitment to multiculturalism. These rights are guaranteed to Canadians under the Charter within reasonable limits and enforce a commitment to the respect of people's lives and choices. Therefore, Muslims and all religious people have the right to practice their religious beliefs so long as their practices align with the law in the Arbitration Act and do not violate other sections of the Charter. Any disagreement among other people on other people's beliefs are not a valid reason to restrict religious practice and cannot interfere with people's right to practice their religion. The second position focuses on women's rights and the patriarchal nature of religion, particularly seen in Islamic practice and leadership within Muslim communities. The allowance of faith-based arbitration puts religion and multiculturalism before women's rights and equal

¹ Nicholas Walter, "Religious Arbitration in the United States and Canada," *Santa Clara Law Review* 52.2 (2012): 528.

² "The Great Debate 2006," *Ontario Justice Education Network* (2006): 7.

³ Walter, "Religious Arbitration in the United States and Canada," 537-538.

protection exposing them to harm and abuse that will be unprotected by the law. This essay will explore several topics; how those who oppose allowing religious arbitration have stronger arguments, how the supporters of religious arbitration have weak arguments, the problems with the 1991 Arbitration Act, and how the political choice to eliminate all religious arbitration was the best possible choice to end this conflict and promote fairness among all Ontarians. This essay will argue that the banning of faith-based arbitration was a necessary move by the Ontario government to enforce Ontario law, to ensure equal protection among all Ontarians, and to uphold essential Charter rights.

A Split Ontario on Religious Arbitration

This debate uncovered a significant split in the Ontario population and represents one of the most intense clashes between religion, the public, and the government that has ever occurred in the province of Ontario. The intense conflict and debate involved government, religious communities, non-religious Canadians, women's rights activists, and various organizations on both sides of the debate. The obvious existence of this split between Ontarians is relevant insofar as it caused clashes *between* these different groups but also *within* these groups.

The supporters for religious arbitration and/or Islamic Sharia law in Ontario includes Muslims, government officials, and other religious communities. The supporters argued for the protection of all religious practice and for a commitment to multiculturalism as protected under the Charter. The whole debate started when a group called the Islamic Institute of Justice arose in 2003.⁴ The group planned to open a business that would offer Islamic faith-based arbitration for

⁴ Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010): 180.

family law cases.⁵ This plan erupted into the media and was met with extreme opposition from the public. The announcement of creating Islamic tribunals came unaccompanied of any sort of government support, since the group made the decision on its own without any sort of permit or discussion with any sector or official of government.⁶ The leader of the Islamic Institute of Justice publicly announced that all 'good' Muslims should use this organization rather than the secular court system.⁷ This specific announcement accompanied with the awareness of this project attracted intense and heated opposition due to its controversial comments against Muslims and bold stance without legitimized support.

The Canadian Islamic Congress and the President of Citizenship and Immigration in Canada also voiced its support for Sharia tribunals as a voluntary option for Muslims in family law and inheritance disputes. The President of Citizenship and Immigration Canada Mohamed Elmasry sparked controversy when he stated, in response to moderate Canadian Muslims that rejected the establishment of Sharia tribunals, "{do not} make a cause of publicly deriding their religion, badmouthing the Prophet, ridiculing the Qur'an and mounting uninformed crusades to smear their Islamic Law, the Shariah."⁸ The Muslim Canadian Congress responded to President Elmasry condemning his statement as it takes away a Muslim's right to choose, accuses Muslims of false accusations and therefore defames their reputation. His comments, moreover, endangered Muslims internationally, because they accused these people of blasphemy, which is illegal and can involve the death penalty in many Islamic countries where they may be

⁵ Natasha Bakht, "Arbitration, Religion and Family Law: Private Justice on the Backs of Women," *National Association of Women and the Law* (2005): 5.

⁶ Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," 181.

⁷ Larry Resnick, "Family Dispute Arbitration and Sharia Law," *BC Civil Liberties Association* (2007): 6.

⁸ Marina Jimenez, "Sharia Opponents Demand Apology for Elmasry's Critical Remarks," *The Globe and Mail*, October 26, 2016.

travelling.⁹ President Elmasry marked these responses as an overreaction and gave no apology for his actions.¹⁰ Several Muslims throughout Canada felt alienated by these public comments against their beliefs that they felt were as intrinsic to their identity as they are to any other Muslim.¹¹

Most Christian and Jewish groups believed in the establishment of Islamic tribunals, as the only fair option to include all religious groups under the Arbitration Act.¹² The fear of these religious communities was that if Muslims were excluded from their right to practice religious law it would lead to the ban of all religious practice in Ontario. A specific Jewish tribunal, the Beth Din, were publicly against the suppression of Islamic religious law because they believed this suppression would lead to the banning of all faith-based courts.¹³ This group represented the views and fears of most religious groups, both Christians and Jews alike, fighting on the behalf of Islam.¹⁴ However, the reasons for fighting for Sharia tribunals are flawed because it raises the question of whether these groups are fighting for others groups' rights for legitimate reasons. These groups are fighting to protect their own religious rights and are not fighting in the name of all religious protection.

Ontario's Attorney General and former Women's Issues Minister Marion Boyd was instructed by the government to review all arbitration courts in Ontario with a focus on possible

⁹ Marina Jimenez, "Sharia Opponents Demand Apology for Elmasry's Critical Remarks," *The Globe and Mail*, October 26, 2016.

¹⁰ Jimenez, "Sharia Opponents Demand Apology for Elmasry's Critical Remarks."

¹¹ Natasha Bakht, "Were Muslim Barbarians Really Knocking on the Gates of Ontario? The Religious Arbitration Controversy-Another Perspective," *Ottawa Law Review* (2006): 76.

¹² Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010, 168).

¹³ Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," 168.

¹⁴ Natasha Bakht, "Arbitration, Religion and Family Law: Private Justice on the Backs of Women," *National Association of Women and the Law* (2005): 5.

Islamic courts.¹⁵ Her report, “Dispute Resolution in Family Law: Protecting Choice, Promoting Inclusion” concluded that Islamic arbitration courts should be allowed and had found no evidence supporting the idea that violations of women’s rights would occur.¹⁶ This recommendation was extremely controversial and was met with opposition by Muslim women who argued that Boyd, a non-Muslim woman, could not understand their struggles under Sharia law.¹⁷ Many Muslim organizations and individuals criticized her lack of examples where Sharia law was used against women to their detriment, which are widely known incidences to the public and readily available for research.

The opposition against religious arbitration and/or Islamic Sharia law in Ontario included Muslims, non-Muslims, women’s rights groups, government officials, and non-religious people. At the time, Islamic Sharia courts had the legal right to exist and practice their religious law. The opposition fought against this right on the grounds of the controversial nature of Sharia law and/or religious law, and the worry of individual rights violations particularly those concerning women. Several Muslims within the community as well as Muslim-based organizations throughout Canada were a part of the opposition including the Muslim Canadian Congress, the International Campaign Against Sharia, and the Canadian Council of Muslim Women. Several other organizations, particularly women’s rights groups, opposed the allowance of Islamic and other religious courts including the Law Society of Upper Canada, the National Council of Women, the National Association of Women and the Law, and the Canadian Federation of University Women.

¹⁵ Maryam F. Razavy, “Faith-Based Arbitration in Canada: The Ontario Sharia Debates,” (PhD diss., University of Alberta, 2010, 171).

¹⁶ “The Great Debate 2006,” *Ontario Justice Education Network* (2006): 11-12.

¹⁷ Natasha Bakht, “Were Muslim Barbarians Really Knocking on the Gates of Ontario? The Religious Arbitration Controversy-Another Perspective,” *Ottawa Law Review* (2006): 69.

The Canadian Council of Muslim Women opposed Sharia tribunals because of the presence of extreme and offensive religious views that would work to the detriment of Muslim women, the high presence of male arbitrators not trained in proper Canadian and Islamic arbitration, and the lack of female adjudicators that would be present in the religious tribunals.¹⁸ This group argued on the fact of first-hand experience in Sharia law as women and the human rights violations that would undoubtedly occur.¹⁹ The National Association of Women and the Law opposed all religious arbitration because of the lack of provincial control over its practice, its susceptibility to abuse against vulnerable groups with an emphasis on women, the lack of democratic decision in religious law, and the segregation it causes within society rather than the integration of different cultural groups.²⁰

Many Muslim and non-Muslim people with a large presence of women attended large and public protests against religious arbitration and/or Sharia tribunals. The protests were concentrated in Ontario's larger cities and gained massive media attention in Ontario, Canada, as well as internationally. Samira Mohyeddin, the spokesperson for the Canadian Committee for Democracy in Iran, states "[Sharia Law in Canada] is a slap in the face to all of those who've immigrated to this country in search of a safe haven. [Muslim women] would, at best, be treated like second-class citizens."²¹ The leader of the International Campaign against Sharia Homa Arjomand stated that "[Premier Dalton McGuinty is putting] the lives and safety of women and children in danger. Shame!"²² Both these comments bring the experiences of Muslim women into the public sphere, expose the problems with Sharia law, and force a discussion on the

¹⁸ "The Great Debate 2006," *Ontario Justice Education Network* (2006): 11.

¹⁹ Shirish P. Chotalia, "Arbitration Using Sharia Law in Canada: A Constitutional and Human Rights Perspective," (PhD diss., University of Alberta, 2011, 65).

²⁰ "The Great Debate 2006," 12.

²¹ Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010, 1).

²² Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," 2.

legality of religious arbitration.

For several years, Christians and Jews in Ontario had the legal option to create and participate in religious dispute courts rather than the secular court system in place. The existence of such courts in modern history were unknown by the majority of the public and therefore criticism of the practice could not follow.²³ The public announcement by the Islamic Institute of Justice brought the practice of religious arbitration into the spotlight. While much of the opposition focused on Sharia law specifically, much of the criticism also focused on the whole practice of religious arbitration. Individual protestors motives are hard to evaluate since their intentions and opinions are unknowable, however the majority of organizations against Sharia law were Muslim-based organizations fighting against a religious system they came from, and are familiar with. Other organizations, attacked all religious arbitration to avoid bias against one particular group of people.

This debate in Ontario history is a rare moment when Muslims and non-Muslims came together over a social issue and fought on the same side. Women of vastly different backgrounds and beliefs acknowledged the similar discrimination seen in Sharia law and all religious law in general. This connection strengthened the opposition because these concerns were presented by non-Muslims, who may have biases and viewpoints that are inherently flawed due to a lack of understanding, but also by people within the religion and culture with first-hand experience. The concerns of the all the activists and organizations are legitimate and accurate because they present real problems in Sharia and/or religious law with limited bias.

Problems with the Arbitration Act of 1991

An alternative legal system de-legitimizes a fair and equal legal system that has been

²³ Natasha Bakht, "Were Muslim Barbarians Really Knocking on the Gates of Ontario? The Religious Arbitration Controversy-Another Perspective," *Ottawa Law Review* (2006): 72.

built in Ontario. Equal protection is intrinsic to the Charter, Canadian and Ontarian values, as well as a liberal democratic society. The presence of legal pluralism in Ontario becomes apparent as seen in its commitments to diversity, individual rights, and accommodation.²⁴ However, legal pluralism, the right to religion, and equal protection are often going to come into conflict with each other. The allowance of religious arbitration as outlined in the Arbitration Act violates the concept of equal protection.²⁵ In theory, Canada is expected to accept alternate religious legal systems due to its commitment to multiculturalism and religious freedom. However, in many cases, theory does not always fully transcribe into practice as seen in the case with Ontario's current enforced limits on all religious legal practice.

Ontario offers a specific court system in matters of resolving family and inheritance disputes. The methods used in dispute resolution by the Ontario court system include mediation, conciliation, and arbitration.²⁶ Arbitration involves a person or group of people known as arbitrators who are responsible for gathering various forms of information such as legal documents, briefings, and testimonies. The arbitrators must make a ruling based on this information that is binding upon all parties. In these cases, the arbitrators are completely neutral in their position and are forced to follow a law that appeals to equal protection and outcome. Any alternative system may simplify these personal conflicts into a win-lose outcome, lack neutrality, and not guarantee equal protection.²⁷

The Arbitration Act of 1991 places less control over religious arbitration and fails to ensure equality in disputes. Inequality or unfair decisions are likely outcomes in these personal

²⁴ Anab Whitehouse and Syed Mumtaz Ali, "Oh! Canada: Whose land, Whose Dream?" *The Canadian Society of Muslims* (1991): 4.

²⁵ Shirish P. Chotalia, "Arbitration Using Sharia Law in Canada: A Constitutional and Human Rights Perspective," (PhD diss., University of Alberta, 2011, 65).

²⁶ "The Great Debate 2006," *Ontario Justice Education Network* (2006): 11.

²⁷ Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010, 170).

conflicts due to the negative nature and vulnerability of the participating parties.²⁸ Ontario law has always allowed for and encouraged the use of arbitration in family and inheritance law matters. This legal allowance was accompanied by “as long as both parties agree to the methods without coercion, and as long as the rulings do not contravene with Canadian civil law.”²⁹ However, this guarantee is not protected under law due to many sections of the act. The existence of an alternative court system results in the ignorance of the social pressure placed upon women with dealings in religious arbitration. The option to voluntarily participate in these tribunals fails to acknowledge that many religious households are organized around the authority of the men and therefore the voluntary nature of these tribunals becomes flawed.³⁰ It also fails to remember that family and inheritance law are sensitive legal cases, because the people involved are almost always vulnerable. Also, many Muslim women are new immigrants with limited language skills and knowledge of their rights in Canada furthering their limited autonomy in choosing which legal system to partake in.³¹ The Arbitration Act does not list any qualifications that a person who is arbitrating must possess, and does not require the arbitrator to produce a written statement for their decision.³² The act stipulates that the arbitrator must hold a neutral position but this neutrality is unenforced and unprotected by the law. The allowance of such laws accepts and ignores the problems with these religious practices rather than merely encouraging multiculturalism to flourish.

In 1990, a Uniform Law Conference of Canada was held to reform and harmonize

²⁸ Natasha Bakht, “Arbitration, Religion and Family Law: Private Justice on the Backs of Women,” *National Association of Women and the Law* (2005): 18.

²⁹ Maryam F. Razavy, “Faith-Based Arbitration in Canada: The Ontario Sharia Debates,” (PhD diss., University of Alberta, 2010, 171).

³⁰ Shirish P. Chotalia, “Arbitration Using Sharia Law in Canada: A Constitutional and Human Rights Perspective,” (PhD diss., University of Alberta, 2011, 65).

³¹ Bakht, “Arbitration, Religion and Family Law: Private Justice on the Backs of Women,” 16.

³² Chotalia, “Arbitration Using Sharia Law in Canada: A Constitutional and Human Rights Perspective,” 67.

commercial disputes within the provinces.³³ The point of the conference was not to address family or inheritance law disputes. The recommendation of a Uniform Arbitration Act's adoption was endorsed by the federal government.³⁴ The intention of the legislation was to resolve the business disputes concerning religious matters.³⁵ Ontario adopted a request known as the 1991 Arbitration Act which addressed commercial disputes related to religion and was also extended to family law and inheritance law disputes. Ontario already allowed for religious arbitration to occur before the passing of this act, but this legislation allowed for religious arbitration to be less restricted and more enforceable under law. This extension was flawed in itself because the same methods for solving business-religious disputes were used for solving family and inheritance law disputes, which are unrelated.³⁶ A significant aspect that was addressed in commercial disputes is the difference in power structures between a boss and a worker and how the Arbitration Act evened the playing ground.³⁷ However, in family and inheritance law, the act caused the secular legal system and religious law system to have an uneven relationship, where religious law took precedent over the secular Canadian law. The laws of the province are set up to promote equal protection, and granting power to religious rights over provincial laws creates a discriminative atmosphere. The act ignored other power structure problems such as men over women, and religion over individual rights.

Many religions in the world can possess many intolerant and discriminating factors against protected persons under Ontario law including women, the non-religious, and different

³³ "The Great Debate 2006," *Ontario Justice Education Network* (2006): 7.

³⁴ "The Great Debate 2006," 11.

³⁵ Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010, 171).

³⁶ Larry Resnick, "Family Dispute Arbitration and Sharia Law," *BC Civil Liberties Association* (2007): 2.

³⁷ "The Great Debate 2006," 7.

religious groups.³⁸ Under Islamic arbitration courts, women could be the disadvantaged group, as Islamic law or Muslim leaders have many patriarchal and out-dated beliefs.³⁹ Activists against Sharia law and/or all religious law have listed several ways that these religious law systems could, and do disadvantage women. This includes that it is usually only a man's right to end a marriage, that a women's inheritance is only about half that of a men's in most cases, and that child custody tends to lean towards men who are seen as the primary parent.⁴⁰ Many religious groups believe their religious law is above all other forms of law and this attitude fails to acknowledge their residence in a secular, liberal society with its own legal system.⁴¹ Ontario's laws are there to protect all people in the name of fairness and equality. Alternately, religion appeals to a divine figure or dogmatic literature to practice law.⁴²

Religious courts in the past that have attempted to integrate religion into difficult legal cases have been led to ill-informed decisions. Faith-based arbitration allowed for more determinations and interpretations of religious law and a complete separation from secularist ideas. Religious law is not explained by one set of laws and can be different from person-to-person and arbitrator-to-arbitrator.⁴³ Religious law is very much inconsistent and contentious.⁴⁴ An example of this is a divorce case reviewed under the Batei Din, a Jewish tribunal. Their decision would state that a husband must return all of the dowry that the wife had before the

³⁸ Nicholas Walter, "Religious Arbitration in the United States and Canada," *Santa Clara Law Review* 52.2 (2012): 545.

³⁹ Larry Resnick, "Family Dispute Arbitration and Sharia Law," *BC Civil Liberties Association* (2007): 6.

⁴⁰ Resnick, "Family Dispute Arbitration and Sharia Law," 7.

⁴¹ Bhikhu Parekh, "The Rushdie Affair: Research Agenda for Political Philosophy," *Political Studies* 38 (1990): 701.

⁴² Anab Whitehouse and Syed Mumtaz Ali, "Oh! Canada: Whose land, Whose Dream?" *The Canadian Society of Muslims* (1991): 13.

⁴³ Shirish P. Chotalia, "Arbitration Using Sharia Law in Canada: A Constitutional and Human Rights Perspective," (PhD diss., University of Alberta, 2011, 68).

⁴⁴ Chotalia, "Arbitration Using Sharia Law in Canada: A Constitutional and Human Rights Perspective," 68.

marriage.⁴⁵ In the case of children, if there are both sons and daughters, the daughters receive none of the possessions in the marriage except sometimes for the purposes of wedding expenses.⁴⁶ This decision is inherently sexist towards the women in the family because of an unequal split of the possessions collected during the marriage and because the decision for supporting a wedding is decided at the expense of the arbitrator's interpretation. Interpretation opens the door for abuse and the possibility of misinterpretation.⁴⁷ This reality is seen in many of the decisions made in Jewish and Christian courts, where decisions were attacked on the basis of discrimination, misinterpretation, and inconsistency.⁴⁸ Mainstream laws have precedent and cannot be changed without extensive debate and discussion within government. The government is responsible for eliminating these legal systems that do not fit democratic ideals and fail to maintain legitimacy.

Conclusion: The Unsolvable Debate and the Perks of Current Family Law Arbitration

The current system of arbitration in Ontario promotes a fair and equal dispute system for all parties involved. While it does not fit into all people's religious beliefs, it does hold up common Ontarian and Canadian values for equal protection. Currently, arbitration stipulates that agreements must be in writing, must lay out options for appeal, are conducted under no other law but that of Ontario, that all parties must have received legal advice, that the arbitrator certifies that domestic violence or power imbalances are not present in the dispute and if so this must

⁴⁵ Nicholas Walter, "Religious Arbitration in the United States and Canada," *Santa Clara Law Review* 52.2 (2012): 537.

⁴⁶ Walter, "Religious Arbitration in the United States and Canada," 537.

⁴⁷ Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010, 15).

⁴⁸ Walter, "Religious Arbitration in the United States and Canada," 538.

affect their decision, and that all arbitrators must receive the proper training for their position.⁴⁹

Concerning religious arbitration, it is not completely banned per se but rather is not enforceable in law. Ontarians may seek out religious officials and organizations to resolve their family and inheritance disputes privately.⁵⁰ However, any decisions made would not be valid in the court of law and all parties would have the right to dispute any of these decisions at any time.⁵¹ Religious leaders can be trained to be proper arbitrators as an option for religious people but all their decisions will align with Ontario law.⁵² This option allows for religious people to seek out people in times of need who will understand their situation, promotes respect for religious people and their beliefs, and upholds Ontario law all at the same time.

The goal is not to argue against the right of religion and completely dismiss the reality of the power of religious belief. To do so would ignore four realities in Ontario. Firstly, religion continues to thrive even in areas with secular governments.⁵³ Secondly, there has been a rise in religious conservatism by several different groups. Thirdly, there has been an influx of immigrant groups into Canada with strong ties to religion.⁵⁴ Lastly, religion continues to be a compelling force beyond the private realm in government, policy, and social movements due to and the right of religion in a liberal democratic society.⁵⁵ The right of religion must be protected but not at the expense of equal protection, individual rights, and Ontario law. Reasonable limits allow for the restrictions on the practice of religious law and arbitration without violating the

⁴⁹Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010, 320-321).

⁵⁰ "Ontario Bans Religious Arbitration in Family Law," *National Association of Women and the Law* (2006): 1.

⁵¹ "Ontario Bans Religious Arbitration in Family Law," 1.

⁵² Shirish P. Chotalia, "Arbitration Using Sharia Law in Canada: A Constitutional and Human Rights Perspective," (PhD diss., University of Alberta, 2011, 68).

⁵³ Bhikhu Parekh, "The Rushdie Affair: Research Agenda for Political Philosophy," *Political Studies* 38 (1990): 701.

⁵⁴ Parekh, "The Rushdie Affair: Research Agenda for Political Philosophy," 702.

⁵⁵ Harvey Simmons, "One Law for All Ontarians," *The Star*, September 14, 2010.

Charter and the law itself.

The problems with religious arbitration focus on much of the problems with Islamic Sharia law. The overall debate centred around the problems specifically in Sharia law, with less focus on other religions. However, while the criticism may have had some bias regarding certain cases, it does not change the fact that real problems were exposed in all religious tribunals. Additionally, the banning of Sharia law only would be unjust and serve to discriminate against a marginalized group. Premier McGuinty's banning of all religious arbitration settles these complications, ends a heated debate, protects women's rights, makes all citizens equally accountable under Ontario law, creates an equal message against religious law rather than against one group, and boldly states the need for one law for everyone.⁵⁶

Wahida Valiante, a famous activist, argues that "You are creating two classes of citizens one [Jews and Christians] who have certain rights and others [Muslims] who don't have certain rights."⁵⁷ Samira Mohyeddin the spokesperson for the Canadian Committee for Democracy in Iran states, "[Muslim women] would, at best, be treated like second-class citizens."⁵⁸ The answer to these arguments is the banning of all religious arbitration to preserve all Ontarians rights. The issue of religious arbitration in Ontario politics is highly complicated and a balanced approach does not seem possible without violating the Charter, Canadian values, and Ontario law.

⁵⁶ Harvey Simmons, "One Law for All Ontarians," *The Star*, September 14, 2010.

⁵⁷ Maryam F. Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," (PhD diss., University of Alberta, 2010, 2).

⁵⁸ Razavy, "Faith-Based Arbitration in Canada: The Ontario Sharia Debates," 1.

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Gender and Media: A New Challenge for Canada's Political Women

Written by Sigma Khan

Abstract

This essay offers both an analytical and theoretical framework for understanding how mass media poses as an obstacle for Canadian women in the political arena. Despite comprising a majority of the Canadian population, women only hold 25% of the seats in the House of Commons, and in a liberal democracy, a gender imbalance of this scope is problematic. Although there are numerous variables that deter women from politics, this essay narrows in on media, as this is an era characterized by collective communication. The essay attempts to use statistics, theorists as well as the narratives of notable female Canadian politicians including Belinda Stronach, Olivia Chow, Elizabeth May and Kathleen Wynne, as examples and evidence to further explore the specific role mass media plays in this socio-political issue. Through identifying: the portrayal of women in the media, arguing that modern media diminishes female autonomy and reasoning that media culture is largely defined in patriarchal terms this essay's overall aim is to demonstrate the way media perpetuates the underrepresentation of women in the Canadian parliament. This essay is a combination of original analysis with references to classic scholars such as Simone de Beauvoir and other current studies such as the mentioned survey of British Columbia's female politicians. Through uniting feminism, mass culture and Canadian politics, this essay strives to convey that ultimately, our westernized liberal democracy with its ideas of freedom of speech and gender equality has failed to bridge the gap between the two pillars, thus media arising as a new challenge for Canada's political women.

The objective of this paper is to demonstrate how mass media plays a significant role in perpetuating the underrepresentation of women in the Canadian parliament, as the media bolsters gender-biases in society by favoring male political candidates while trivializing females.

In order to understand the significance of why the status quo is problematic, it is important to look at the history of women in Canadian politics. In Canada, first-wave feminism and the women's suffrage movements in the 1900's focused on giving women the right to vote.¹ A significant change in the year 1920, due to pressure from advocacy groups. The Dominion Elections Act was passed by Borden's Conservative government, giving women the right to run for the parliament.² Since then, there has been a steady rise in the number of female candidates elected to the political elite; however, women make up 50% of Canada's population while only holding 25% of the seats in the House of Commons.³ Although legislation like the Dominion Elections Act has codified women's involvement in politics, Canadian women are still struggling to achieve political gender parity.⁴ A concern that arises from this is how in a liberal-democratic society - where the people's control over politics is emphasized and individual rights, as well as political engagement are pillars - that half of the population remains proportionately underrepresented in their government?⁵ While scholars and political analysts have numerous theories proposing potential answers regarding the marginalization of Canadian women in

¹ Kathy Megyery, *Women in Canadian Politics: Toward Equity in Representation*. Vol. 6. Toronto: Dundurn Press, 1991, 4.

² Ibid.

³ Elizabeth Goodyear-Grant. "News Media Coverage of Elections Contributes to Women's Political Under-Representation." *Women Suffrage and Beyond: Confronting the Democratic Deficit*. November 18, 2013. Accessed January 28, 2016. <http://womensuffrage.org/?p=22202>

⁴ Carol Down. "Women in Municipal Politics: Barriers to Participation." *Local Government Program*, 2008, 1-55. Accessed January 29, 2016, 1.

⁵ Mavin, Sharon, Patricia Byrans, and Rosie Cunningham. "Fed-up with Blair's Babes, Gordon's Gals, Cameron's Cuties, Nick's Nymphets: Challenging Gendered Media Representations of Women Political Leaders." *Gender in Management: An International Journal* 25, no. 7 (November 7, 2010): 550-69. Accessed January 29, 2016. Emerald, 551.

politics, this essay will be focused around the role of mass media. For the purpose of this essay, mass media is defined as methods of communication that disseminate messages to a collective audience via television, radio, newspapers, or the internet, and can report news as well as convey entertainment or advertising.⁶ Today, the media's role in politics is as a tool for political candidates to connect and champion their ideas to the voting population.

This essay will discuss the controversy of female stereotypes in media; the controversy of media's stereotypical portrayal of women will be debated,⁷ the argument that the media subconsciously diminishes female autonomy will be analyzed,⁸ and the idea that both politics and the media culture are largely defined in patriarchal terms will be presented.⁹ These themes are all connected to answer why the media plays a role in the underrepresentation of women in the Canadian government system.

A significant institution such as the media, which is responsible for socializing generations of people, showing a bias to one gender over the other will lead to an ongoing struggle to achieve gender equality and proper political representation. This is noteworthy, as a dilemma such as this challenges and could arguably limit the liberal-democratic legitimacy of this nation.¹⁰

⁶ Heather McIntosh. "Women and Politics in the Media." *Global Media Journal - Canadian Edition* 6, no. 2, 99-104. Accessed January 29, 2016, 99.

⁷ Julia Woods *Gendered Media: The Influence of Media on Views of Gender*. Wadsworth Publishing, 1994, 8.

⁸ Simone de Beauvoir; translated by Constance Borde and Sheila Malovany –Chevallier; abridged with an introduction by Judith Thurman. *The Second Sex*. New York, USA: Random House, Inc., 2011, 2.

⁹ Cynthia Carter, Gill Branston, and Allan Stuart eds. *News, Gender and Power*. London and New York: Routledge Taylor and Francis Group, 2014, 2.

¹⁰ Megyery, *Women in Canadian Politics*, 10.

The Media's Portrayal of Women

Whether reading the news for political commentaries, watching a sitcom for entertainment or reading through a magazine for the latest runway products, women portrayed in media often share stereotypical characteristics which result in the public viewing female candidates the same way.¹¹

Media has created archetypes of women, which fall into the categories of “good” and “bad” women.¹² Good women are depicted as being pretty, deferential, focused on the home, family and caring for others. They are also subordinate to men, shown to be incompetent or powerless and are the characters who are victims, martyrs, or loyal wives.¹³ On the contrary, bad women are shown to have the characteristics of a “bitch” that is hard, cold, aggressive and ambitious.¹⁴ However, when men are portrayed in the media, there is a switch in these characteristics. Men who are “good” men are shown to be dominant, aggressive, confident and powerful.¹⁵ Moreover, men that have the characteristics of being gentle, passive, and timid are falsely labelled “bad” men.¹⁶ This relates back to the underrepresentation of women in the Canadian government, because when female candidates are running for office, the media influences the way that the public views candidates. This results in the opposite archetypes to be anomalies of society, such as females interested in politics and stay-at-home dads. Therefore, politics in Western societies, such as Canada, becomes an arena where men who display the hyper masculine, heteronormative traits are allowed to participate; while women who do not fit their expected societal roles are left unelected, as the media has painted their personality traits to

¹¹ Woods, *Gendered Media*, 32.

¹² Ibid, 33.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid, 32.

¹⁶ Woods, *Gendered Media*, 2.

be inappropriate.

The coverage women receive in the media is far more gender-oriented than their male counterparts.¹⁷ When female political candidates in the media are portrayed, they commonly are placed into roles that are sexualized, or traditional mothers and wives.¹⁸ News coverage perpetuates gender-biased rhetoric, which subjugates women, because when women receive coverage it can either be due to their connection to a powerful, male politician or from the novelty of a women stepping away from her typical gender role and moving towards a new identity - as a politician.¹⁹ In Canada, this is seen with many prominent women involved in politics. Former Conservative MP and Cabinet Minister Belinda Stronach's media image demonstrates this gender-oriented coverage. The media frequently gives emphasis to her appearance, personal life, wealth and relationship to her father, the powerful business icon Frank Stronach.²⁰ This places Stronach in a sexualized light, rather than that of a legitimate political operative. New Democratic Party MP Olivia Chow's gendered coverage involves the mention of her marriage to the former NDP leader Jack Layton, the media has categorized her as 'the wife'.²¹ The Green Party leader Elizabeth May in the past Canadian election received coverage not as a candidate for Prime Minister, like her male competitors, but as "the only female running".²² Research has shown that newspaper articles are "more likely to comment on the outfits or haircuts of a female candidate than a male one, a female politician's clothing, hairstyle and emotional demeanor tend to overshadow her formation of arguments, opinions on policies or projections for future endeavors" unlike her male competition²³. As exemplified by MP Kathleen

¹⁷ Goodyear-Grant, *News Media Coverage*.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ Good-year Grant, *News Media Coverage*.

²² *Ibid.*, 6.

²³ McIntosh, *Women and Politics in the Media*, 100.

Wynne, the media was more focused on debating the rumours of her sexual orientation than on questioning her platforms. This kind of coverage by the media leads to a stereotypical portrayal of women, which may result in the underrepresentation of women in the Canadian House of Commons. This is because women are not publicly described through their goals, career aspirations or political platforms, but rather by irrelevant categories that take away from their political aspirations. This leads to more males being elected, which in turn takes away from gender-balance in Canada's government.

Scholars that downplay the role the media plays in perpetuating the underrepresentation of women in parliament state that the media portrays males in stereotypical ways as well. The media displays male candidates with the traditional traits of power, dominance and aggression, and males that are uncomfortable or do not share these traits are disadvantaged in politics.²⁴ Male candidates are often also sexualized, with the current Prime Minister of Canada, often being regarded as glamorous, young, and attractive. Prime Minister Trudeau is often compared to his father, former Prime Minister Pierre Elliot Trudeau, and the media implies that it would not have been possible for Justin Trudeau to succeed without this connection. This is similar to how the media emphasizes the connection to powerful men with female politicians. Therefore, if men are stereotyped in the media as women are, then how can media imagery be liable for the underrepresentation of women in parliament?

To refute the critics, the media's imagery of women and its consequences will be compared with those of men. Although stereotypes for both genders exist and are perpetuated, women are still at an unfair disadvantage. Traditional female characteristics are not suitable for the political world that the public has in their minds. The idea being that a woman, represented as

²⁴ Woods, *Gendered Media*, 32.

a helpless submissive housewife, cannot compete in government as well as the traditional dominant, powerful male can.²⁵ Statistically the media targets women's appearances twice as much as men.²⁶ Justin Trudeau's appearance and connection to a powerful man has led the public to appreciate his charm and political father, while Belinda Stronach and Olivia Chow have been categorized into the female roles of sex object and wife.

The underrepresentation of women in parliament can also be brought back to media, as women are underrepresented in daily programming. Reality is distorted as women and men makeup a fairly equal population in society however on television there are three times as many white men as women.²⁷ In North America, women make up 16% of newscasters. If women are underrepresented in a political tool such as the media - where candidates share ideas – than less women in politics could be receiving coverage.²⁸ The argument is that women report on women, and if there are no women reporting, no women are being reported on. This is highlighted in an academic paper speaking on challenging the gendered media representations of female political leaders, because women are a minority in government now, these problems of underrepresentation will not be acknowledged because there aren't enough people experiencing it at levels where change happens.²⁹

The facts and arguments regarding women's stereotypical media portrayal show that the media is gender-biased and in doing so, trivializes female political candidates which results in it being responsible for perpetuating underrepresentation of women in the Canadian government.

Media Diminishes Female Autonomy

²⁵ These are the characteristics media creates for the genders as explained in paragraph 7.

²⁶ Woods, *Gendered Media*, 31.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Mavin, Byrans and Cunningham, *Fed-up with Blair's Babes*, 551.

Many veterans of feminist theory as well as contemporary scholars on gender identity, write on female autonomy. Autonomous feminism has become a theory of the third generation of feminism captured in the writings by scholars like Martha Chamallas.³⁰ This is relevant to women, media, and politics, as we have established that the media portrays women and how society sees them; now it is essential to highlight how females make decisions and see themselves due to media, which further affects how politically engaged they then choose to be. For this argument, feminist autonomy is defined as women being agents of their own destiny, meaning women are able to make their own choices to escape societal oppression and judgement.³¹ Politically, this autonomy allows women to run as candidates and make decisions. However, feminist scholars theorize how societal institutions, such as the media, diminish autonomy by forcing women to make strategic choices within constraining structures and ideologies.³² This results in women being “partial free agents”.³³

Media outlets create a constraining structure and socialize women to follow certain ideologies. Many of the role models for today’s political female candidates were in traditional mother or wife roles. Media has become a socializing unit that limits women, and the depictions of women in politics are often controversial. Negative depictions of women lead more women to then make the autonomous choice of staying out of politics. For example, a study that explored the experiences of women who have been elected to local government in the Canadian province of British Columbia, shows that women have had restricted choices due to how they see themselves and their roles because of socialization. This study is relevant as these women are

³⁰ Feminist scholar whose work was mainly used to refer to autonomy and feminism.

³¹ Martha Chamallas *Introduction to Feminist Legal Theory*. 3rd ed. Aspen Treatise Series. Wolters Kluwer, 2013, 25.

³² Chamallas, *Introduction to Feminist Legal Theory*, 25.

³³ *Ibid.*

directly involved in the Canadian government. Alice, a woman involved in politics, when interviewed stated “‘politician’ to my ears and my gut, my chi – is like the most horrible swear word to me. I absolutely detest the fact that what I am doing is labeled being politicians. I have very little faith in politicians, I never understood what politicians were all about, and I didn’t understand how government worked until I was in it.”³⁴ This quote suggests, from a woman’s experience, that she had been socialized from various sources to stay away from the government, and in today’s day and age the media is a top socializing source. Because the media has socialized women and limited the freedom to make a choice without constraints, women are hesitant to identify themselves as potential candidates for government.³⁵

Further, the media limits autonomy by expecting female candidates to have certain ideas, there arguably is little choice for platform. For example, when male candidates run there is little question or pressure on them from media journalists to really emphasize issues regarding men or children, however, when female candidates are questioned by the media they are expected to have a platform for women’s issues. Female politicians are therefore not just standing as an individual, but also are required to represent women as a group.³⁶ This leads to little autonomy, as women must have these ideas ready in order to be elected. Due to this expectation, women also tend to run with ideas or for parties geared more towards the left on the political spectrum. This leaning is clearly demonstrated in Canadian politics during the 2006 elections. In 2006, 33% of women were elected into the Bloc Quebecois, 11% into the Conservatives, 20% into the Liberals and 41% in the NDP.³⁷ From these statistics, it can be seen that the highest number for

³⁴ Catherine McGregor and Darlene Clover. "Unsettling the Gendered Power Paradigm: Discomfort, Dissonance and Dissent among Women in Local Government." *Canadian Journal of Education* 34, no. 1 (2011): 248-81. Accessed January 29, 2016. ProQuest, 265.

³⁵ "Women in Parliament." Parliament of Canada. July 14, 2010. Accessed January 29, 2016. <http://www.parl.gc.ca/content/lop/researchpublications/prb0562-e.htm#a4>.

³⁶ Woods, *Gendered Media*, 553.

³⁷ "Women in Parliament." Also in 2006 overall 20.8% of women were holding seats in the House of Commons.

women elected were by the NDP party (politically the farthest 'left' and most socialist party) which would suggest women tend to run more for the NDP positions - as they have been socialized by the media to support more liberal ideologies. The 11% of women elected by the Conservative party is the lowest, and this makes sense as the typical expectations for female political platforms and ideas are not in line with the farther right and politically conservative parties. This raises the question of whether female candidates are running with their own ideas and beliefs, or running with limited autonomy, because they are expected as women by the media and society to have more socialist beliefs. This is relevant to the under representation in government problem, as many women with ideas that are different from the current female candidates representing them do not have a female voice support to their political agendas.

Those opposing the idea behind media perpetuating underrepresentation of women are going to claim that the media is not the only socializing factor that limits female autonomy and forces women to make choices in a constrained structure.³⁸

Research into barriers to women's participation in local government has raised many other factors as to why women have little autonomy and desire to be involved with politics.³⁹ In addition to the media, in looking for sources of socialization people may look to cultural norms such as tradition, different socialization patterns, the male dominated political environment, negative gender stereotyping and low socioeconomic status as societal factors that may limit women from participating in government.⁴⁰ These are all reasons for why less women than men run for political office and eventually result in the under representation of one gender in government. A counter argument supporting the media is often that gender representation in the

³⁸ "Women in Parliament."

³⁹ Down, *Women in Municipal Politics*, 1.

⁴⁰ *Ibid*, 29

media has improved in the recent decade to allow women to have more autonomy and present themselves in roles that are traditionally unorthodox.⁴¹

To provide rebuttal to this counter argument, political theories regarding femininity can be applied to both the media and the Canadian political system. Simone De Beauvoir, who was one of the first feminist writers, wrote *The Second Sex*, a theory on the politics of male-female dynamics.⁴² De Beauvoir writes about the traditional roles of men and women. Although, the counter argument to media perpetuating the underrepresentation of women brings forth the argument for media to be an outlet for unorthodox female roles, De Beauvoir's theory can disprove that to some extent.⁴³ *The Second Sex* explains how in the economic sphere men and women make up two different castes with men on the higher end; in politics men hold more positions, and traditionally men are seen as the sovereign and they will provide for women.⁴⁴ This theory would explain why the Canadian NDP party has more female candidates than the PC party. Women tend to be on the lower end of the socio-economic scale, which the NDP favors. Again, women are pushed to make platform choices because of where they stand in society. These ideas are perpetuated by modern media. Since women are in a disadvantaged position culturally and socioeconomically, men run the filtered skewed media, which favors male political candidates while downplaying female candidates. The male centric social policies are still shown today, with the 'weaker' woman being rescued by the man. All the other factors aside from media that the counter arguments points at for underrepresentation of women are still channelled through the media. Media acts as the portal, therefore is crucially responsible. De Beauvoir further comments on how "writers and satirists from her time have delighted in

⁴¹ McIntosh *Women and Politics in the Media*, 100.

⁴² de Beauvoir, *The Second Sex*, 6.

⁴³ De Beauvoir, *The Second Sex*, 6.

⁴⁴ Ibid.

showing up the weaknesses of women”, and now in today’s age that role is being filled by the media.⁴⁵ De Beauvoir’s writing is crucial to the point of female autonomy, saying “The situation of a woman...a free and autonomous being like all human creatures nevertheless finds herself living in a world where men compel her to assume the status.”⁴⁶ This quote reiterates that female autonomy is diminished by a media biased towards men. Therefore, although some scholars may claim other factors show the positive side of media, by interpreting theory in our current times, media is still more threatening to a woman’s autonomy than it is supportive. This unfortunately results in women’s politics to be gendered, and contributes to underrepresentation of women in Canadian government.

The media diminishes female autonomy through certain expectations and constraining choice. It can be further proven that media perpetuates underrepresentation of women in the Canadian parliament by trivializing female candidates, sometimes causing young women to be hesitant about entering politics.

Western Politics and Western Media Defined in Patriarchal Terms

While the focus thus far has been examining how the media portrays women, and how women’s choices are affected by the media, this section will look at the male norms behind media which subjugate women and help create an underrepresentation of women in Canadian parliament. It is essential to understand how the media favors male candidates.

Politics and the media are interrelated; among other things they are both arenas defined in patriarchal terms. This means they concern themselves with the words “power”, “authority”, and “leadership”, terms that are often associated with masculinity and “good men”. Due to these

⁴⁵ Ibid, 9.

⁴⁶ Ibid ,11.

male traits inherent in the linguistics of these institutions, it could be assumed that the exertions of such power would be a male's prerogative.⁴⁷ It could also be assumed that since Canada prides itself on liberalism and westernization, that the political arena is not as male driven, however women's experiences in the Canadian government differ from a traditional understanding of a liberal democratic society. A British Columbian politician commented on the political arena "It's a man's world, it's a toxic hierarchal male underground culture. I guess it's helpful to know it but certainly not buy into it."⁴⁸ This quotation shows why there is an underrepresentation of women in Canadian government, as some Canadian women feel that politics is a man's game. In addition, media culture also perpetuates these norms by being defined in male terms. When assessing a woman's relationship to mainstream media and other media forms, a connection to a woman's status in the real world is found.⁴⁹ Male-skewed media culture defines the status of women in the world and these statuses are far from political authority. In fact studies show that political journalists tend to rely primarily upon white, middle-class, middle-aged, professional males when "expert" opinions are being assessed.⁵⁰ This causes most of the media to be defined in the opinions of men; particularly politically, which of course underrepresents women, leading to media being a prime reason of proportionately fewer women in the government.

Two things that may apply to the study of the prevalence of women in politics, and the role the media plays, are the 'glass ceiling' barrier as well as the discomfort equation. The glass ceiling is a metaphor for how women are being barricaded from powerful positions both in

⁴⁷ McIntosh, *Women and Politics in the Media*, 100.

⁴⁸ McGregor and Clover, *Unsettling the Gendered Power Paradigm*, 249.

⁴⁹ Campus, Donatella. *Women Political Leaders and the Media*. London: Palgrave Macmillan, 2013, 12.

⁵⁰ Cynthia Carter, Gill Branston and Allan Stuart, *News Gender and Power*, 5.

media corporations as well as in politics. Since these two institutions are interrelated, fewer women in positions of influence in the media lead to fewer women in positions of influence in government. This is another demonstration of how patriarchy is the base for media and politics, perpetuating underrepresentation of women in parliament, favoring male candidates and downplaying the importance of female politicians. The discomfort equation holds two pillars; first that women are marginalized in participation in political life, and second that the historical culture and naturalized belief systems about politics are male-centered.⁵¹ These theories underscore the patriarchy behind media and politics. These phenomena are seen in the most recent Canadian federal elections,

Beauvoir writes that women have little place in the politics due to the group as a whole lacking a collective documented history or culture when compared to males.⁵² Similarly, modern feminist theory touches on how the double bind of a naturalized patriarchy and the continual devaluation of democratic processes through the underrepresentation of women in the Canadian parliament have serious consequences.⁵³ In order for Canadian women to have the representation they want in politics, they have to control media outlets, which act as a channel between the public and the politicians. Both these institutions are closed off to women and accessing them requires new education and policies.

The reason the media and politics remain a problem for women, is that they both favor males because of the way the patriarchy has established our culture and institutions.

Conclusion

⁵¹ McGregor and Clover, *Unsettling the Gendered Power Paradigm*, 249.

⁵² Beauvoir, *The Second Sex*, 11.

⁵³ McGregor and Clover, *Unsettling the Gendered Power Paradigm*, 249.

The media perpetuates the underrepresentation of women in the Canadian parliament by favoring male candidates and trivializing women in politics. Through presenting the arguments regarding media's stereotypical portrayal of women, the institutional stripping women's independent power to run for government and the patriarchy surrounding both politics and the media, it is clear that the mass media does play a significant role in creating a gender gap within the government of this nation. If this problematic status quo is not reformed, the larger consequences could be an illegitimate democratic nation where half of the population remains in the political shadows. The myth that shrouds Canada is that it is a westernized society that is highly developed and equal, however the reality is that there are a number of inequalities, which remain unaddressed.

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American Politics

Globalization: A Vehicle for American Imperialism

Written by Rija Choudry

With globalization the world is becoming increasingly integrated, reducing the role of borders as a barrier. It facilitates the exchange of ideas and commodities worldwide and intensifies international relations and interactions that can have localized impacts.¹ Globalization is now the central driving force behind political, social, and economic changes that are seen to reshape the world order.² Although this can be portrayed as beneficial, it is mainly seen to benefit the United States (U.S.). As the controlling power on the world stage, American companies as well as the government have utilized globalization to further promote its own interests of attaining class domination and political power in a borderless world.³ Globalization is no longer a force that benefits its participants; instead it is a form of imperialism used to strengthen American hegemony and influence over the world. It is important to examine the question; “does globalization represent a form of imperialism?”. This paper asserts that globalization represents a form of American imperialism, as it marginalizes nations through political and economic imperialism. The essay will look at economic and political imperialism respectively, and each argument will be followed by a case study. The essay will examine a counter argument against American economic and cultural imperialism, stating that there is a decline in U.S power and this position will be rebutted. The essay will close with a conclusion, which will summarize the findings.

It is critical to analyze the negative impact of globalization on marginalized states. Arguably due to American political, cultural and economic imperialism, countries are exploited and invaded in the name of globalization, leaving millions oppressed and under the control of

¹ Ray Kiely, "Imperialism Or Globalisation? ... Or Imperialism and Globalisation: Theorising the International After Rosenberg's 'Post-Mortem'," *Journal of International Relations and Development*, 17.2 (2014): 277.

² *Ibid.*

³ Spyros Sakellariopoulos, and Panagiotis Sotiris, "American Foreign Policy as Modern Imperialism: From Armed Humanitarianism to Preemptive War," *Science & Society*, 72.2 (2008): 214.

this hegemony. America has effectively used globalization as an interventionist strategy and obtained soft power over global politics, economies and resources, leaving countries vulnerable in the international system. This is a topic of ongoing concern, as the U.S continuously abuses its power and is increasing its influence with military, economic and political force that cannot be checked. Smaller states must take action against this power and recognize that globalization tactics are imperialist in nature and are implemented by America to strengthen their position on the international stage.

Globalization strengthens America both in terms of private economic gain as well as political capital, as it facilitates economic imperialism and lets them control the world's economic structure.⁴ Although it is true that globalization has allowed for the economic progression of developing countries, it has also allowed America to restructure the world economy to benefit its own interests, American companies to accumulate greater profit, and marginalize other states and people.⁵ This is because globalization is driven by the pursuit of profit for the "private accumulation of capital based on the exploitation of labour (and resources) throughout the world" that ultimately benefits America's economic position.⁶ Economic imperialism is accomplished by the United States demand of global uniformity in terms of economic practices.⁷ International organizations such as the International Monetary Fund (IMF), World Bank, and the World Trade Organization (WTO) mobilize American economic imperialism, as they are controlled by the hegemon and reduce investment and trade barriers as

⁴ Ronald M Chilcote, *The Political Economy of Imperialism: Critical Appraisals*, KAP, (Norwell; Massachusetts, 1999): 30.

⁵ *Ibid.*

⁶ Berch Berberoglu, "The Class Nature of Globalization in the Age of Imperialism," *Critical Sociology* 35.6 (2009): 788.

⁷ Silvia Nagy-Zekmi and Chantal Zabus, *Colonization Or Globalization?: Postcolonial Explorations of Imperial Expansion*, Lexington Books, (Lanham; MD, 2010): 158.

well as enforce neoliberal reforms that benefit capitalists.⁸ Economic institutions attract foreign state participation by claiming these policies promote entrepreneurship, economic democracy, free markets, and independence.⁹ Globalization is promoted to help developing countries alleviate poverty, as they can work with developed nations and improve their economy through partnerships.¹⁰ Underdeveloped countries are convinced that increased American capital penetration is necessary for their economic development and growth.¹¹ American controlled financial institutions safeguard the interests of their state and advance corporate global operations, allowing them to have monopoly rule over the world economy.¹²

This system gets America the cooperation of other, less powerful states to join in the international economic system, which is dominated by the hegemon. By endorsing aggressive capitalist policies and globalization through these institutions, America has enabled an open-door policy towards foreign investment, finance and trade.¹³ International organizations require participating states to implement “economically friendly” policies that let the U.S expand and maintain their international activities.¹⁴ These include privatization policies that allow acquiring public enterprises, infrastructure, resources, and other foreign assets at a low price.¹⁵ This lets America strip assets of state ownership and exploit resources for economic gain.¹⁶ Most indebted governments fall victim to this exploitation, as they sell off assets to pay foreign debts and are

⁸ Sakellarpoulos and Sotiris, 216.

⁹ Chen Shuoying, "Super Imperialism: The Origin and Fundamentals of U.S. World Dominance," *World Review of Political Economy*, 1.2 (2010): 342.

¹⁰ M.D. Litonjua, "Third World/Global South: From Development to Globalization to Imperial Project," *Journal of Third World Studies*, 27.1 (2010): 110.

¹¹ John Foster B., and Intan Suwandi, "Multinational Corporations and the Globalization of Monopoly Capital: From the 1960s to the Present," *Monthly Review*, 68.3 (2011): 123.

¹² Berberoglu, 791.

¹³ Kiely, 280.

¹⁴ Sakellarpoulos and Sotiris, 216.

¹⁵ Shuoying, 341.

¹⁶ *Ibid.*

controlled by the IMF and World Bank.¹⁷ To leverage the position of debtor countries, the Washington Consensus was created to economically control these nations.¹⁸ This agreement states that instead of paying back their debt to the U.S they must implement economic policies that will benefit capitalist operations. Although this regime was established to manage government debt, it marked a “shift in world order from national development to globalization”.¹⁹

Thanks to these imperialist strategies, American corporations can now dominate foreign markets that they could not access before.²⁰ Through globalization America has established its presence in the global market and gained entrance to other states cheap labour, consumers, and resources that they use for surplus economic gain.²¹ This is imperialist in nature, as the spread of multinational corporations increase American influence in other countries, and allows them to control states economic flow of capital and resources and establish rules that the world must follow to be part of the global economy.²² Through globalization America has expanded its industries on an unprecedented scale into peripheral areas, “mark[ing] a turning point in the rise of the U.S economy and the emergence of the (U.S) as the leading capitalist/imperial power in the world”.²³ Through globalization, the hegemon of America has the transnational power to extract and externally transfer economic surplus from other states into their own territory.²⁴ Foreign direct investments in developing economies rose from 33% in 2006 to 51% in 2010, and exploiting foreign labour has let corporations earn massive profit margins of over 50%.²⁵

¹⁷ *Ibid.*

¹⁸ Litonjua, 114.

¹⁹ *Ibid.*

²⁰ Nagy-Zekmi and Zabus, 158.

²¹ *Ibid.*, 148.

²² *Ibid.*, 158.

²³ Berberoglu, 789.

²⁴ Ankie Hoogvelt, "Globalization and Post-Modern Imperialism," *Globalizations* 3.2 (2006): 166.

²⁵ Foster and Suwandi, 124-126.

Globalization supports imperialism, as it leads to unequal results in the global accumulation of capital with a majority going to America and American companies. Although countries believe that globalization friendly policies will reduce poverty and lead to economic development, it has instead marginalized countries in the periphery and allowed America to gain enormous wealth.²⁶ Developing countries in total receive less than one-third of the global capital, with only some of the countries receiving most of this small share.²⁷ The U.S protects its position in the economic system by using foreign policy and military intervention to ensure that their power remains non-threatened by the government and population of these exploited countries, or other competing powers.²⁸ As globalization leads to an enormous source of profit for capitalist countries, military intervention has more to do with “guaranteeing capitalist relations of production, property rights, and market friendly policies” as opposed to maintaining positive relations with allies.²⁹ American military intervention is justified with the claim that they will restore failed states, establish policies and institutions that will reduce poverty and promote economic development, or for humanitarian purposes.³⁰ However, U.S foreign policy is used to establish a military presence to safeguard their control over resources in foreign countries, and maintain their economic superiority.³¹ For instance, in order to control international sources of oil, 737 U.S military bases are situated in over 130 countries around the world.³²

This can be seen in the case study of America’s relation with Iraq, and the strategies used to maintain control over their oil supply and economically imperialize their country. To capitalize on Iraq’s oil, America further penetrated into this country and connected Iraq to its

²⁶ Kiely, 294.

²⁷ *Ibid.*, 288.

²⁸ Berberoglu, 788.

²⁹ Sakellaropoulos and Sotiris, 220.

³⁰ Kiely, 294.

³¹ Berberoglu, 789.

³² Litonjua, 126.

global network to exploit this country's resources.³³ This was accomplished by leveraging the Iraqi war reparations payment and external debt as a mean for economic imperialism. In November 2004, the Paris club of creditor states agreed to pardon 80% of Iraq's debt if they complied with the IMF program that was used to bring the state under international regulation.³⁴ This resulted in Iraq institutionalizing and incorporating American economic values, and implementing policies that would reshape their economic structure as desired by the U.S controlled IMF.³⁵ To secure credit from lending institutions Iraq's economic freedom was restricted, as they had to follow rules that strengthened America's position in the economic system. Iraq became locked in the neoliberal economic order that gave America access to their economy and resources, and ultimately served their capitalist interests.³⁶ America then gained control over Iraqi oil, as the IMF endorsed privatization policies that let the U.S control and exploit Iraqi resources. As America has less than 3% of the world's oil reserves, it is 70% dependent on foreign oil and uses one quarter of the world's oil supply to maintain its position as the economic hegemon.³⁷ The U.S military is also heavily dependent on oil to run operations, making control over this resource a critical priority.³⁸ Since the U.S is not self-sufficient in terms of oil production, it became adamant on increasing their presence in Iraq to control this resource, as controlling a rich source of oil would enable them to control the global economy. As this resource became globalized, America significantly increased capital accumulation. America used military intervention to accomplish this imperialist goal, however this purpose was hidden by claims of preventing Iraq's use of weapons of mass destruction, nuclear power, and to punish

³³ Eric Herring and Glen Rangwala, "Iraq, Imperialism and Global Governance," *Third World Quarterly* 26.4-5 (2005): 674.

³⁴ *Ibid.*, 676.

³⁵ *Ibid.*

³⁶ *Ibid.*, 677.

³⁷ Litonjua, 125.

³⁸ *Ibid.*

Saddam Hussein for his alleged ties to the 9/11 attacks.³⁹ Using these reasons, America justified the presence of 138,000 U.S forces in Iraq, which rendered the Iraqi government helpless in defending themselves against the American armed forces that would allow American companies to economically imperialize Iraq.⁴⁰ The American military was used to protect control over Iraqi oil, and prevent competition from other states for this commodity.

Globalization is used as a form of economic imperialism, as it marginalizes other countries and supports America's hegemonic position. By aggressively promoting capitalist policies, restructuring global production, endorsing privatization and integrating economies under institutions controlled by the U.S, this hegemon has become the most powerful economy in the world.⁴¹

Political imperialism is also supported by globalization, as the integration of nations has allowed the U.S to intervene in government affairs of other countries to maintain power. Although critics argue that globalization enables governments to establish partnerships that benefit the international community, many scholars argue otherwise. In order to gain political control over nation-states, the hegemon uses globalization to intervene in governmental affairs, and justifies this based on unrelated reasons such as humanitarian intervention or their commitment to helping allies and establishing relationships.⁴² However, intervention allows imperial policing, control over foreign governments, exploitation of country resources, and establishment of capitalist policies that benefit America.⁴³ Globalization has allowed the "emergence of 'global politics'- the increasingly extensive form of political networks,

³⁹ *Ibid.*

⁴⁰ Herring and Rangwala, 670.

⁴¹ Sakellaropoulos and Sotiris, 216.

⁴² Francis R. Shor, *Dying Empire: U.S. Imperialism and Global Resistance*, vol. 23; (Routledge, New York; London, 2010): 63.

⁴³ *Ibid.*, 69.

interactions, and rule-making activity".⁴⁴ With globalization eroding borders, non-liberal countries have lost their sovereignty and are now absorbed in a trans-national state controlled by the U.S.⁴⁵ Political imperialism is accomplished, as the hegemon convinces the global community that their involvement is required in the periphery. America frames non-conforming countries as being a breeding ground for terrorist groups and a strategic threat that America must address to maintain international peace.⁴⁶ This occurred during the 9/11 attacks that gave America the opportunity to justify military intervention in Iraq for security purposes instead of their quest of oil. This secured public compliance for military attacks on the Middle East.⁴⁷ To reduce the sovereignty of other countries, the U.S also created a Pentagon document that gave them authority to deploy troops abroad to 'save the world', rather than just to respond to conflicts in which they were already involved.⁴⁸

Instead of overtly intervening for their own political interests, America uses the military for 'humanitarian' purposes that justify their brutal acts in other countries. By using media coverage to show the suffering of others in the periphery, the U.S gain support to intervene and disregard the sovereignty of other states, which is considered less important than saving lives.⁴⁹ Political imperialism is then accomplished, as international intervention becomes legitimate with the use of ideological excuses that mask their actual purpose. Thus for humanitarian intervention, the hegemon chooses weak states who can be accused of violating human rights, or states whose instability could harm their imperialist order. 'Violating states' then lose sovereignty and

⁴⁴ Kiely, 277.

⁴⁵ *Ibid.*

⁴⁶ Hoogvelt, 168.

⁴⁷ Richard Saull, "Empire, Imperialism, and Contemporary American Global Power," *International Studies Perspectives* 9.3 (2008): 310

⁴⁸ Hoogvelt, 168.

⁴⁹ Ibrahim S. Shaw, "Historical Frames and the Politics of Humanitarian Intervention: From Ethiopia, Somalia to Rwanda," *Globalisation, Societies and Education* 5.3 (2007): 361.

legitimacy, and their citizens are made to require the hegemonic state's protection.⁵⁰ The international community is made to believe that western liberal democracies can save the world from 'failed states', and the expectation is that intervention will lead to peaceful liberal politics (Kiely 293).⁵¹ The U.S claims that the reason for failure in the periphery is because these states neglected to implement globalization friendly policies.⁵² However, states are convinced that economic development is possible if countries implement liberal democracy, globalize market expansion and implement economically friendly policies, as these are regarded as the best governmental practices. Through globalization, political "imperialism attempts to incorporate 'failed' or 'rogue' states into the liberal international order".⁵³ This transforms political relations with these states, as western style democracy and free-market institutions are imposed, allowing America to take advantage of states that are now under the U.S hegemony. The coercive restructuring of democratic institutions marginalizes governments, as globalization is hierarchical and only benefits the American economy.⁵⁴ Globalization is used to safeguard hegemonic interests, as developing countries are made to enforce economic and political institutions that increase foreign investment and capitalist profitability.⁵⁵

If states are not compliant with political imperial tactics, military force is used and justified on the grounds that it is for good international liberal ideals.⁵⁶ America is friendly with more economically conservative 'rightist' states that integrate their economy in the global structure and allow foreign economic penetration, which benefits the U.S and transnational

⁵⁰ Sakellariopoulos and Sotiris, 220.

⁵¹ Kiely, 293.

⁵² *Ibid.*

⁵³ Kiely, 215.

⁵⁴ Bernd Hamm and Russell Smandych, *Cultural Imperialism: Essays on the Political Economy of Cultural Domination*, (Broadview Press, Peterborough; ON, 2005): 1.

⁵⁵ Sakellariopoulos and Sotiris, 220.

⁵⁶ Kiely, 292.

corporations (Parenti 20).⁵⁷ However, America opposes ‘leftist’ states that promote redistributive and egalitarian policies that benefit common people and disrupt the capitalist class. The hegemon thus labels ‘rightists’ to be pro-market and friendly, and ‘leftists’ to be the axis of evil.⁵⁸ This interpretation of states can be seen in American military actions abroad, which support capitalist countries and dismantle non-capitalist states that are not under the influence of the hegemon. Military force is used to discipline reformist movements and insurgencies in foreign countries that advocate non-capitalist redistributive policies or object imperialism.⁵⁹

This is evident in the case study of Latin America, which posed a political threat to U.S hegemony.⁶⁰ This is because countries in Latin America object capitalist institutions and U.S imperialism, which resulted in America implementing counter-revolutionary policies that would obstruct the “mass mobilization against neo-liberal economic polic[ies]”.⁶¹ To do this, Nixon and Kissinger pursued political imperial strategies to obstruct the reformist government of Salvador Allende in Chile and gain control.⁶² The CIA was instructed by Nixon to organize economic rebellion campaigns and create ties with right wing people in Chile’s military to gain U.S dominance in the region. U.S businesses also had a financial stake in overthrowing Allende and governmental agencies that could influence the public, leading Kissinger to covertly take action to destabilize Chile.⁶³ To the American public Allende was portrayed as a bigger threat than Castro, which justified the military’s action of murdering him and thousands of Chileans who supported his reign.⁶⁴ As a result reform was prevented, and America institutionalized capitalism

⁵⁷ Michael Parenti, *The Face of Imperialism*, (Paradigm Publishers, Boulder; CO, 2011): 20.

⁵⁸ *Ibid.*, 26.

⁵⁹ *Ibid.*, 20.

⁶⁰ John Rees, *Imperialism and Resistance*, (Routledge, London; ON, 2006): 63.

⁶¹ *Ibid.*

⁶² Shor, 61.

⁶³ Chilcote, 62.

⁶⁴ *Ibid.*

in Chile and promoted their political and economic interests. Globalization drives political imperialism, as it allows the U.S to control and influence governments in other countries. By justifying the use of military force for 'humanitarian' reasons, America has gained control over regions and implemented policies that ultimately support its hegemonic position in the global order.

Although America uses globalization to imperialize the world, a counter argument suggests that America is no longer a hegemon. With powers such as China and India, America is no longer the sole influencer of international outcomes.⁶⁵ With emerging capitalist countries, America must struggle to gain dominance over foreign markets, raw material, and political influence, leading to a new balance of power with America no longer alone at the top. Also, globalization tactics have led America to its own demise, as imperialistic goals have negatively affected the American public and economy back home. With increased foreign investments and operations, there has been a decline in local industries and plant closings have deteriorated employment conditions. For pursuit of greater capital, reduced incomes have lowered the standard of living and increased the polarization between the working and capitalist class. This has "afflicted the system with recessions, depressions, and an associated realization crises".⁶⁶ Excessive military spending has also burdened the U.S economy and the working class who have to bear the cost of maintaining U.S hegemonic power.⁶⁷ This has led the American public to retaliate against the capitalist order, and resent the state. Anti-imperialist and civil rights movements are now prevalent and contribute to an anti-globalization movement around the world. This political weapon frustrates U.S imperialism and reduces its legitimacy and support

⁶⁵ Alexander Anievas, "Globalisation, Imperialism and American Hegemony," *Cambridge Review of International Affairs* 19.2 (2006): 204.

⁶⁶ Berberoglu, 792.

⁶⁷ *Ibid.*, 793.

from the world.

This counter argument can be rebutted with facts pertaining to how strong America actually is in the international system. With the strongest military and economy in the world, the U.S remains a uni-polar power. America's economic and political downfall with regards to its population remains miniscule in the grander scheme, and no country can balance their power against this hegemon.⁶⁸ Instead, states such as China are more likely to implement bandwagoning policies and remain under U.S international order. America continues to surpass others in economic and political power, and states remain dependent on exporting goods to the American market.⁶⁹ American influence can even be seen in the handling of foreign debt, as although U.S owes a significant debt to the rest of the world, countries still pay American creditors more money than U.S debtors pay to its international creditors.⁷⁰ America continues to be a hegemon in the global structure, as it has politically and economically imperialized the world for its benefit. This is evident in their international relations with other states that are impacted by this power.

American led globalization does facilitate imperialism through economic and political means. America uses globalization tactics to economically and politically dominate countries, and maintain its hegemonic position in the world. This can be seen in America's actions and relations towards foreign countries and the policies it promotes abroad in order to serve its interests. With its powerful position the U.S has utilized globalization to establish its presence around the world, and bring countries under its hegemonic influence.

There are implications inherent to this topic that must be addressed. As the U.S is an

⁶⁸ Kiely, 282.

⁶⁹ *Ibid.*, 290.

⁷⁰ *Ibid.*

unchallenged uni-polar power, it is important to analyze how their influence impacts sovereignty of other countries, and leaves them vulnerable to exploitation. The marginalization of foreign countries should be recognized, as they are not permitted the power to have control over their own territory and are made to follow hegemonic rules that disadvantage them. Imperialism through globalization has led to numerous fatalities, as millions are killed in America's pursuit of unchallenged economic and political power. This leaves countries powerless to the American superpower. In order to take action against the U.S, smaller states should form alliances to balance this uni-polar power so they are not brought under the influence and control of America. American citizens should be informed about their country's foreign policy, and voice their opinions against oppressive acts by their government internationally. Oppressive acts should be condemned by the international community, and instead of 'bandwagoning' onto American policies, states should balance this power and be critical when allowing the U.S to violate another state's sovereignty. Further research should be conducted to find ways for globalization to actually benefit peripheral states, instead of using this as a force to marginalize developing countries. Globalization can benefit the world in many ways and further research should be conducted to see how this can be used by Third World countries to improve their economic, political, and social standing in the international system. People should discover how to use globalization to alleviate poverty and foster international cooperation, instead of solely using it as a tool to imperialize foreign countries.

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