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The UBC Journal of Political Studies
March 2012
14th Edition

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FOREWORD

I am delighted to write a few words of introduction to the 2012 edition of the UBC Journal of Political Studies.

First and most importantly, thanks to the many people involved in this venture – the students who researched, wrote and submitted essays, the faculty members who assessed them either as term papers or as journal submissions and very importantly, the impressive team of student editors. The contributions of Professor Andrew Owen as faculty advisor are also noted.

Second, the 2012 UBC Journal of Political Studies addresses an impressive range of contemporary political issues including environmental conservation and women's representation in politics. It does so in a manner that is scholarly, relevant and engaging. The Editor in Chief speaks to the Journal's content in her introduction.

Third, the Journal is a major and important part of the Department's annual activities. It represents the collective work of many engaged students and committed faculty. It demonstrates important links between faculty and student research and the Department's enduring commitment to rigorous and relevant undergraduate education.

Congratulations to on this important achievement.

Allan Tupper
PROFESSOR AND HEAD, UBC DEPARTMENT OF POLITICAL SCIENCE

INTRODUCTION

As is true in every edition, this fourteenth edition of the UBC Journal of Political Studies captures the diversity and quality of undergraduate work in the field of political science at the University of British Columbia. This year's submissions cover a wide range of topics, from the role of party quotas in increasing female political representation in Sweden, to a critique of the dichotomous conceptualization of environmental conservation and economic and social development, to an assessment of how technology transfers from multinational corporations can expand or constrain the development of a state.

The main subjects of this year's edition are: gender issues, including the political representation of women and the use of feminist rhetoric in American foreign policy; environmental issues, such as the power of transnational actors in climate change activism; and security issues, such as the justification for and practice of torture and the ability of confidence building measures to ensure regional stability.

The diversity of topics is representative of several characteristics of both the students and professors of political science at UBC. First, it speaks to the diversity of courses offered and variety in fields of expertise within the Department of Political Science at UBC. Second, it speaks to the wide variety of interests of the contributors themselves. The 80 submissions originally received were evenly distributed across the sub-fields of political science: Canadian politics, US politics, political theory, comparative politics and international relations. There was no need for the Editorial Board to actively ensure proper representation of all the sub-fields in this year's edition as the submissions covered the spectrum. Finally, the diversity of topics reflects the variety of interests, academic and otherwise, of the undergraduate students in the Department of Political Science at UBC. I am certain that every reader will discover, as I did throughout this process, that the select published submissions are of the highest quality not only because of their originality, argument or eloquence, but also because of each author's passionate connection to their chosen subject. These submissions are a representation of the concerns, interests and spirit of these students, and serve as a reflection of the ideas of a generation.

I would like to acknowledge the individuals and organizations without which the fourteenth edition of the UBC Journal of Political Studies could not have come to fruition. The Journal could not be published without the support of the Department of Political Science at UBC, to which I offer my sincerest thanks. From the active involvement of our faculty advisor, Dr. Andrew Owen, as well as the faculty referees, to the financial support received from the department itself, the department is an integral partner to the process.

The success of the Journal is also due in great part to the UBC Political Science Students' Association (PSSA) and the trust and unfettered support of its presidents, Jin Young Park and Daniel Lin. I would like to thank the PSSA for providing a fantastic opportunity to undergraduate students of political science to express themselves and refine their academic skills, both as contributors and as editors.

Finally, the Journal could not succeed without the tireless work of the Editorial Board's ten members as well as two graphic designers, without whom I would have been at a loss. It is because of their efforts that the contributors had an opportunity to experience a very effective peer-editing process and a unique opportunity to improve upon their academic work. I can only hope that this year's revitalization of the Journal will be carried through and improved upon for years to come.

Sincerely,
Mieka Buckley–Pearson
EDITOR-IN-CHIEF

EDITOR-IN-CHIEF

Mieka Buckley-Pearson

Mieka is in her fourth and final year of a degree in Honours Political Science with International Relations and a minor in African Studies at the University of British Columbia. She is also the Director of Public Relations for the 21st Session of the World Model United Nations conference, as well as a policy researcher for STAND Canada. She focuses her academic and career interests on the role of global civil society in the sustainable social, economic, and political development of the southeastern region of Africa. These interests have taken her to East Africa as a student on a study abroad program, Swaziland and South Africa as a community development intern, and most recently to her Honours thesis, which is a quantitative analysis of the relationship between political institutions and aid effectiveness in Sub-Saharan Africa. After graduation she intends to gain further practical experience in the field prior to entering a Master's program in International Development and eventually becoming the Secretary-General of the United Nations.

EDITORIAL BOARD

Mark Antczak

Mark is a third year Bachelor of Arts student majoring in Psychology with great interest in political theory and gender studies. Originally from Hamilton Ontario, he aspires to study medicine in the field of psychiatry. He also has an uncanny obsession with penguins, tea, and his blackberry. This is his first year on the Editorial Board for the Journal of Political Studies.

Emily Atkinson

Emily Atkinson is in her final year as an undergraduate at the University of British Columbia, majoring in Honours Political Science and minoring in French. She will be pursuing a Master of Arts next fall in political theory. Outside of school she enjoys outdoor activities and baking. This is her first year on the Editorial Board for the Journal of Political Studies.

Paige Burnham

Paige is finishing her fourth and final year at the University of British Columbia, graduating with a degree in Honours Political Science with International Relations. Her interests include political and international relations theory as well as security studies. Paige hopes to spend the year following her graduation gaining experience in the field and deciding which Master's program she would like to pursue. This is her first year on the Editorial Board for the Journal of Political Studies.

Kelsey Croft

Kelsey Croft is a fourth year student in the Honours Political Science and Spanish minor programs. She is also the Academic Director for the 2013 Canadian Political Science Students' Association national conference, and a Programme Assistant at Humanities 101 Community Programme at UBC. Her academic interests are primarily political theory and action surrounding human rights, poverty, and post-colonialism. She hopes to work as a public interest lawyer on Canadian constitutional law, especially as it pertains to housing and homelessness, drug use, and Aboriginal self-government. This is her second year on the Editorial Board for the Journal of Political Studies.

Rebecca Dhindsa

Rebecca Dhindsa is a third year student in the Honours Political Science program at the University of British Columbia. Her primary academic interests include Canadian politics and public policy, as well as areas of political sociology and behaviour. Next year will be Rebecca's final year as an undergraduate student, although she does plan on pursuing further education. This is her first year on the Editorial Board for the Journal of Political Studies.

Jennifer Lin

Jennifer is a third year undergraduate student who plans to major in Political Science and minor in English Literature. Aside from interests in US foreign policy, public policy, and political theory, Jennifer is fascinated by the way artistic mediums and social media platforms are being utilized to spark transnational social movements, and, perhaps, increase political participation amongst youth in the form of debate. Future career paths will likely include creative writing, film, journalism, or policy analysis. She is currently on Arts Co-op as Editorial and Production Assistant at Canadian Literature. This is her first year on the Editorial Board for the Journal of Political Studies.

Elizabeth MacArthur

Elizabeth is a fifth year Political Science major specializing in East Asian politics, with a particular focus on China. After graduating this spring, she plans to attend Nankai University in Tianjin to further her knowledge of Mandarin and the region. Elizabeth hopes to apply this first-hand experience to her studies of East Asia in graduate school, and eventually to an overseas career in international law. This is her second year on the Editorial Board for the Journal of Political Studies.

Aman Mann

Aman is currently a fourth year Honours Political Science student and will be graduating this spring. Her special interests in the discipline include comparative, immigration and gender politics. She is planning to pursue a challenging career in law with a focus on human rights and international law. This is her second year on the Editorial Board for the Journal of Political Studies.

Zach Swannell

Zach Swannell is a third year student in the Honours Political Science program at the University of British Columbia. His major interests within the discipline are in political theory and international relations. He particularly enjoys late modern and post-modern theory, as well as security studies in international relations. After graduation, Zach plans on attending law school at UBC in hopes of pursuing a career practicing public interest law in Vancouver. This is his first year on the Editorial Board for the Journal of Political Studies.

Jeremy Winter

Jeremy Winter is in his third year of undergraduate studies at the University of British Columbia. He is majoring in Political Science, with a specific interest Platonic political theory and Canadian politics. He is also interested in the international relations side of political science and is volunteering as an assistant chair for the 2012 World Model United Nations, which is being hosted in Vancouver. He has no specific minor but thoroughly enjoys studying languages, including Latin, French, and Spanish, and also enjoys an occasional long walk in the rain. This is his first year on the Editorial Board for the Journal of Political Studies.

Beyond Rhetoric: The Prospects and Challenges of Indo-Pakistani Confidence Building Measures

Michael Barrett

Michael Barrett is a fourth year student at the University of British Columbia, majoring in Political Science with a minor in Economics. His academic interests include conflict resolution, development, American domestic politics and international political economy. Upon graduation he hopes to attend law school.

Spanning a sixty-five year relationship characterized by mistrust and hostility, the tensions between India and Pakistan remain one of the oldest and most complex international disputes. Terrorism, nuclear weapons and Kashmir have emerged as the three most contentious issues between the two nations. While there has been no shortage of confidence building measures, they have generally been aimed at addressing these core areas directly, rather than the underlying lack of trust. This article argues that stability in South Asia can only be achieved by first addressing the systemic issue of trust, and that doing so requires a fundamental shift in diplomacy towards traditionally underdeveloped areas, particularly economic cooperation.

Since the partition of India and Pakistan in 1947, the two countries have viewed each other with great mistrust and apprehension, culminating in four bloody wars. It is widely recognized that major changes must occur in South Asia before harmony can exist. However, this process has often been attempted in a fundamentally flawed manner. The implementation of confidence building measures has occurred on a grand scale in South Asia, but three major challenges have emerged to thwart their efforts: terrorism, nuclear weapons and the territorial dispute in Kashmir. While diplomatic measures directed at these three challenges generate a great deal of media attention, they fall short by attempting to address the symptoms of the problem rather than the systemic issue, namely, a lack of trust. In an attempt to resolve this problem, this paper argues that confidence building measures predicated on non-military issues, grounded in ideas of mutual benefit and reciprocity, will go much further in building trust and improving relations than those aimed directly at the core areas of dispute.

The paper will commence with a discussion of the term of confidence building, which, for the purposes of this essay, will consist of anything that is capable of reducing military tensions and making the actions of either actor more predictable. Next, a brief overview of some of the most significant confidence building measures will be offered, in an attempt to learn from their shortcomings. The views from inside India and Pakistan will then be evaluated, as only by appreciating the rationale behind each side's actions can pragmatic policies be suggested. While militarily orientated attempts to

increase confidence have failed, economic opportunities, perhaps in the form of a cross border pipeline, offer a new sense of hope as interdependence and reciprocity can serve to normalize relations. The three most prominent issues of contention—terrorism, nuclear weapons and Kashmir— will then be discussed. It becomes apparent that the existing level of complexity within these issues is so great that no single measure is ever likely to fully resolve them. While opportunities exist to confront these three core areas of dispute directly, they will be exponentially more effective when coupled with the aforementioned means of confidence building.

Defining Confidence Building Measures

In the most general sense, confidence building refers to an attempt by two parties to make positive gains in mutual trust. A more substantive definition is offered by Higgins who states that "confidence building measures, broadly defined, can be any set of unilateral, bilateral or multilateral actions or procedures that act to reduce military tensions between a set or sets of states, before, during, or after actual conflict."[i] This conception makes the ambiguity of the term apparent, yet it also draws one's attention to the ultimate aim of conflict prevention. Confidence building techniques generally embody one of two structures: military or non-military. As will be further explained in the remainder of this paper, military agreements alone are generally unable to evoke major changes and are much more effective when backed with non-military agreements. Although confidence building measures offer potential

for long and prosperous relations, they must ultimately be grounded in trust.[ii] Grand agreements for nuclear disarmament and conflict resolution may instantaneously crumble under the pressures of distrust, and thus preventative measures are required in order to reduce this possibility. Due to the importance of non-military confidence building techniques, this essay will focus on their potential to create a lasting peace in South Asia.

A Brief History of Indo-Pakistani Confidence Building Measures

The first agreement between the two nations was brokered by the UN as a consequence of the First Kashmir War of 1947, and has since been updated in the form of the November 2003 ceasefire agreement.[iii] The next major set of negotiations arose as a result of the Indus Waters dispute and was signed with assistance from the World Bank; this has remained in effect despite subsequent conflict.[iv] In terms of nuclear issues, a number of agreements have been made to reduce tensions and increase transparency between the two countries. In 1998, each country signed an agreement stating that they would refrain from attacking each other's nuclear facilities, which has since remained enforced.[v] In 1999, they also agreed to inform each other of upcoming nuclear tests as part of the Lahore Declaration, in which the active involvement of the United States was critical.[vi]

Drawing on the aforementioned agreements, a number of themes become apparent in South Asian relations, the first of which is a clear overemphasis on military agreements. The most notable

confidence building measures have been aimed at explicit conflict reduction, yet tensions remain. This indicates that diplomacy must be grounded in something more fundamental to achieve lasting success, especially measures to increase trust through interdependence.[vii] Treaties aimed at reducing tensions, through troop withdrawals or nuclear agreements, require one nation to take the first step; an act that may be internally viewed as inherently irrational, as well as a grave danger to domestic and/or international security. While such policies will always be shrouded in mistrust, those that offer the potential for mutual economic gains do not require such a leap of faith. The second theme is the role of major powers in conflict reduction; when bilateral talks stall, an international mediator has been integral in achieving progress.[viii] Finally, agreements have generally responded to conflict rather than been proactive. Drawing on past experience and observing the present situation, it is clear that reactive military-centric treaties on their own do not reduce tensions to acceptable levels. It can also be concluded that talks brokered by third parties can bypass gridlock and together these two conclusions may offer insight into a potential future for positive relations.

Attitudes Within India and Pakistan

Most Indian policy strategists favour a course of action that encourages reconciliation and stability, permitting India to assume its "predestined" role as a global power.[ix] On the other hand, the extreme right in India opposes closer relations with Pakistan, favouring containment or even coercion, as they believe the

inherent ideological contradictions between the two nations make cooperation impossible.[x] The latter position ought to be feared by those who seek a stable South Asia, therefore, this view must be confronted. The most feasible means of doing so is actively demonstrating the benefits of mutual relations.

The position in Islamabad is grounded on an unwillingness to be marginalized by India; a view entrenched most deeply by the 1971 Bangladesh War. Perhaps the most important result of this conflict was the implicit conclusion that religion alone is unable to provide a stable basis for the state, thus leaving Pakistan with a number of issues concerning its national identity.[xi] Nonetheless, Pakistan undoubtedly has many of the same objectives as India, particularly those that are economically based. These economic objectives should be emphasized, while religious issues ought to be avoided, for it is in conflicts of faith where the two diverge most dramatically.

Economic Interdependence as a Confidence Building Measure

Economics has proven to be one of the most reliable methods of confidence building as it rests on principles of mutual benefit. In the wake of the Second World War, animosity between France and Germany was at an unprecedented level, yet today the two are major allies. The first step in the emergence of this unlikely partnership was The European Coal and Steel Community, where the two engaged in mutually beneficial trade, resulting in what is now the European Union.[xii] A similar situation could likely emerge in South Asia, as trade

dramatically raises the costs of conflict to each nation's economy. Pragmatically, the benefits of Indo-Pakistani free trade are vast, as official trade between the two countries only amounts to $25 million, yet the true number has been estimated at over $2 billion once clandestine trade is included.[xiii] If informal trade routes were made official, the two nations could see a dramatic rise in GDP, perhaps one large enough to discourage unnecessary conflict. In her evaluation of confidence building measures, Higgins notes that the fundamental aim of such policies are to "make the conduct of countries more calculable and predictable."[xiv] Economics appears to be the most capable means of achieving this. Erratic behaviour benefits no one when billions of dollars of trade are at stake, while interdependence provides a strong incentive to engage in bargaining rather than conflict.

The ultimate aim of lasting peace through free and fair trade is nearly impossible en masse, and therefore, this paper proposes that a pipeline of gas from Iran, through Pakistan and towards India, would be a crucial first step. The pipeline is a proposal that originated in 1989, but security concerns on both sides stalled its imposition throughout the following decade. During this period, tensions between the two states were especially high following nuclear tests by both India and Pakistan in 1998, the 1999 Kargil War and an explosion outside of the Indian Parliament in 2001.[xv] As a result, "the Benazir Bhutto government expressed its inability to let the pipeline pass through Pakistani territory" citing a "lack of confidence between itself and

India as the main reason to not to enter into the project."[xvi] A similar sentiment was present in India, thus the two perused alternative sources of energy. Considering the security environment in South Asia at the time, India and Pakistan's aversion to the pipeline was completely rational. In New Delhi, it was perceived that a larger economic reliance on a potentially hostile neighbour would increase uncertainty in regards to their ability to acquire resources, giving Pakistan the ability to cut off their supply and cripple the Indian economy.[xvii] While in Islamabad, India was viewed as a threat to Pakistan's existence, thus their relationship was perceived to be a zero sum game; for one to benefit, the other must necessarily suffer.[xviii] As a result of this adversarial perspective, Pakistan was hesitant to provide India with a more available source of energy.

While animosity between the two states has declined significantly since the 1990s, energy demand has moved in the opposite direction. Given India's current level of economic growth it is estimated that energy needs will grow at a rate of over 10% a year.[xix] What must first be recognized, especially on the part of India, is that its status as a world power will never be actualized without a steady and accessible supply of energy for its growing industrial sector. India currently relies on coal for half of its energy needs, a product that has become increasingly costly to procure, and resulting environmental degradation is of great concern.[xx] Coupled with rising demand, the increased aversion to the use of coal has made India increasingly eager to secure a stable and cost effective

solution to its domestic energy needs. As for Pakistan, an influx of foreign currency from transport fees is desperately needed to improve infrastructure.[xxi] What differentiates the proposed pipeline from bilateral trade agreements is the physical nature of the project, making it virtually irreversible. While free trade pacts can be shut down with the mark of a pen, a pipeline would force the two nations to actively work though their disputes, rather than avoid communication.[xxii] As India's industrial sector continues to grow, necessity will make the proposed pipeline difficult to ignore, and it is unlikely that Pakistan would turn down such a valuable economic opportunity. While militarily focused confidence building measures have been undermined due to the opaque nature of the benefits, the same cannot be said for economic agreements.[xxiii] Proposals such as an Indo-Pakistani pipeline provide tangible benefits that would likely result in further agreements, hopefully cumulating in eventual peaceful relations between the two countries.

Cross Border Terrorism

The potential for peace through confidence building measures is encouraging, but a number of challenges stand in their way, including the ongoing problem of cross border terrorism. This problem receives considerable attention in the Indian media, where the issue dominates headlines of the Indo-Pakistani conflict.[xxiv] Pakistan's role as an Islamic nation in South Asia has made it more prone to religious extremism, a major point of contention with India. Kashmir has become the epicentre of this

phenomenon as "mercenaries from across the border have resulted in the loss of nearly 40,000 lives, loss of public and private property and unaccountable misery to the people of the state."[xxv] These attacks have been viewed by India as deliberate attempts by the Pakistani government to weaken an already tenuous peace. The most prominent example of this phenomenon, and the one that most severely strained Indo-Pakistani relations, was the Mumbai attacks on November 28, 2008. Investigations revealed that the attackers were all Pakistanis with possible linkages to the Inter-Services Intelligence, connections that Islamabad fervently denied.[xxvi] Considering that terrorism is such a highly publicized issue in New Delhi, efforts on the part of the Pakistani government for perhaps even a partial acceptance of blame would go a long way in mending the divide.[xxvii] The roots of extremism in Pakistan run quite deep, and are not only difficult to eliminate, but require a level of political capital and trust with India that is presently non-existent.

Currently, the most relevant confidence building measure aimed at confronting terrorism is the Joint Anti-Terrorism Mechanism. The act was signed in 2006, but was abandoned in the wake of the Mumbai attacks.[xxviii] Although new measures are evidently required to mend relations, they would require a great deal of political capital, especially in Pakistan where strong sympathy exists for the Islamic cause. It is argued that terrorism persists in Pakistan because of the power of the Islamic movement, and more pragmatically, the benefit some military leaders see in using terrorism as a tactic against

India.[xxix] Economic agreements enable a certain level of goodwill to emerge, which creates the potential for more substantive measures to combat terrorism to be implemented. As stated by Shankar Bajpai, if "the two countries had developed a strong economic interaction there would be powerful vested interest at work in both countries to keep tensions from getting out of hand."[xxx] Economic cooperation normalizes relations, and it is probable that with increased integration there would be powerful incentives inside Islamabad to crack down on religious extremism in the interests of their economy. Furthermore, the less India is perceived as a threat, the weaker the argument becomes for using terrorists to pursue political ends.

A crackdown on extremism is by no means a fool-proof strategy and therefore measures must be put in place to facilitate healthy discussion if another Mumbai style attack were to occur. Although the initial tendency may be to shut down borders following an attack, this could prove counterproductive, further alienating hostile minorities in Pakistan.[xxxi] Military responses have also proven unsuccessful as illustrated by India's reaction to the 2001 parliament attacks in which they mobilized the army and withdrew the High Commissioner, only worsening the situation.[xxxii] Aimed at the issue of cross border terrorism, a direct approach to confidence building should include mechanisms which facilitate communication in the event that an attack does occur, which would help avoid reactionary measures on either side. In the long run, both countries ought to build off the aforementioned strategy of

Nuclear Weapons

The second substantial obstacle limiting the effectiveness of in Indo-Pakistani confidence building measures is the threat of nuclear war.[xxxiii] While it should be acknowledged that a number of important agreements have been reached, including increases in transparency on both sides and agreements to inform the other of upcoming nuclear tests, these alone provide little to no safeguard against nuclear war. It is unlikely that either state will ever give up the nuclear option, in part because the possession of atomic weapons has become tied to elements of nationalism on both sides of the border. As Nizamani states, "nuclear weapons programmes in both countries have evolved into integral means of safeguarding national identities" and "external security threats would remain unable to explain the politics of nuclear weapons on the subcontinent."[xxxiv] Thus, dismantling nuclear arsenals is much more than relinquishing a deterrent against foreign aggression, it becomes a loss of national pride. While there certainly are other elements that make disarmament difficult, if not impossible, in South Asia, as stated by the United States Institute for Peace, there is great "pessimism regarding the possibility of disarmament in South Asia" and there must be a search for other means of mitigating the threat of nuclear war.[xxxv]

In order to do so, we must consider methods outside the military sphere that improve relations in general. As Higgins argues, "the two countries must rethink the process of CBM" or confidence-building measures.[xxxvi] Steps that can be taken in the atomic sector ought to include "preventative measures to minimize conflict escalation; [and] measures to assist in crisis management at times when tensions are heightened."[xxxvii] Considering the symbolic importance of atomic weapons, an emphasis should be placed on communication rather than disarmament. This area has much to gain from an increase in economic cooperation, which could foster goodwill and promote healthy dialogue. What are needed are improvements in trust and cooperation rather than summit meetings. As previously stated, the conventional measures of building confidence must be reevaluated. Rather than becoming overly concerned with the possession of the weapons themselves, the focus should be placed on how the states engage with one another, allowing the nuclear arms to remain a symbol of pride and cease to be representations of aggression.

Kashmir

Since its accession to India in 1947, Kashmir has remained at the forefront of Indo-Pakistani relations, and it is difficult to conceive of lasting peace between the two nations without its resolution. As it stands, a leader from neither side can accept the status quo and remain politically relevant. This paper holds that no decisive resolution on this issue is able to come forth without prior inroads made in other sectors. There have been over seventy attempted confidence building measures directed at the issue in Kashmir, yet only a small minority have actually been implemented.[xxxviii] Like the issue of terrorism, confronting Kashmir requires a great deal of political capital and trust that come from years of mutually beneficial relations. A possible first step in easing tensions would be a return of sovereignty privileges to Indian Kashmir. By granting it a certain level of autonomy, Pakistani fears of a suppressed Muslim population would be quelled.[xxxix] Small issue specific actions such as these, alongside other means of confidence building, will go a long way in improving the status quo. Contrary to popular opinion, resolving Kashmir ought to be the conclusion, rather than introduction, to peaceful Indo-Pakistani relations, as this is the only feasible option.

Conclusion

This paper has demonstrated that three main issues stand in the way of a lasting peace in South Asia: terrorism, nuclear weapons, and the border dispute in Kashmir. The most important lesson to be drawn from the historic evidence provided is that confidence-building measures directed solely at this triumvirate are largely ineffective. The reason for such a lack of productivity lies in an absence of trust between the two nations— a leap of faith appearing irrational on both sides. To confront this mistrust, one must divorce oneself from traditional measures and look to new opportunities, such as economic cooperation in the form of the proposed pipeline. The tangible benefits of increased trade in the larger framework of South Asian relations cannot be understated, while the costs remain relatively minimal. Similarly to the European Coal and Steel

Community, these are the humble beginning of stable long-term relations, rather than cyclical improvements that will decay over time. Thus, confidence building measures aimed at economic cooperation offer Indians and Pakistanis alike the most tangible opportunity to replace fear with trust in South Asia.

Notes

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v PM Kamath, India-Pakistan Relations: Courting Peace from the Corridors of War (New Delhi: Bibliophile South Asia, 2005), 64.
vi Ibid, 114.
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viii Khan, "Prospects for Indian and Pakistani Arms Control," 110.
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xv Toufig Siddiqi, "India and Pakistan: Pipe Dream or Pipeline of Peace," Georgetown Journal of International Affairs 5 (2004): 38.
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xviii Siddiqi, "India and Pakistan," 38.
xix Pandian, "Energy Trade," 309.
xx Ibid., 310.
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xxiii Higgins, "Applying Confidence Building Measures," 109.
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xxv Kamath, India-Pakistan Relations, 72.
xxvi Arvind Gupta, "India–Pakistan Relations After the Mumbai Terror Attacks: What Should India Do?" Strategic Analysis 33 (2009). 320.
xxvii Rodrigo Tavares, "Resolving the Kashmir Conflict: Pakistan, India, Kashmiris and Religious Militants," Asian Journal of Political Science 16 (2008): 284.
xxviii Khan, "Prospects for Indian and Pakistani Arms Control," 119.
xxix Shankar Bajpai, "Untangling India and Pakistan," Foreign Affairs 82 (2003): 118.
xxx Ibid.,123.
xxxi Gupta, "India–Pakistan Relations," 321.
xxxii Ibid., 321.
xxxiii Higgins, "Applying Confidence Building Measures," 112.
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xxxvi Higgins, "Applying Confidence Building Measures," 113.
xxxvii Ibid., 111.
xxxviii Ghosh, "Two Decades of Indo-Pak CBMs," 2.
xxxix Tavares, "Resolving the Kashmir Conflict," 284.

Women's Representation in Sweden's Legislature and the Causal Role of Party Quotas

Elliot Carter

Elliot Carter is a fourth year undergraduate student at the University of British Columbia. He is currently completing a major in philosophy and a minor in political science. His interests in philosophy centre around questions within the philosophy of mind and cognitive science, and his interests in political science concern how empirical research can be brought to bear on questions about social policy. After graduating, he plans to continue studying philosophy in graduate school.

This article examines how party gender quotas have contributed to the high levels of gender equality in Sweden's legislature. It considers what kind of causal role can be attributed to quotas in achieving these levels. Establishing specific causal claims about party quotas and gender equality in Swedish politics is difficult because of the non-coercive nature of party quotas. This article argues that quotas are best understood as one factor that contributes to Sweden's levels of gender equality in government, but one that is supplemented by complex, contingent social and political circumstances.

This essay focuses on the question of how and to what extent party gender quotas have contributed to the relatively high levels of gender equality found in Sweden's political parties and legislature. Since the 1970s, Sweden has been a global leader in terms of gender equality in government. Currently,

Sweden is ranked fourth out of all countries, with forty-five percent of its unicameral legislature consisting of women.[i] In what follows, this essay will consider what kind of causal role can plausibly be attributed to voluntary party quotas in facilitating Sweden's development towards gender equality in government, and what factors besides quotas need to be considered. This essay will also attempt to engage with the theoretical literature on gender quotas and frame the Swedish case within the discourse. Despite its high level of female representation in government, Sweden does not have any constitutional or electoral laws guaranteeing women's representation. Moreover, levels of female representation in Sweden's Riksdag were rising steadily since the 1970s, while gender quotas were only formally adopted by parties from the early 1980s onwards.[ii] Is the Swedish case an example of the efficacy of voluntary party quotas and other non-coercive measures, or is Sweden exceptional in that the social and political culture became conducive towards greater gender equality independently of the adoption of party quotas?

The main hypotheses of this paper are (1) that the adoption of party gender quotas has played an important causal role in the achievement of Sweden's current levels of gender equality but (2) that establishing any specific causal claims about party quotas and gender equality in Swedish politics is difficult because of the non-coercive nature of party quotas and the high degree of variability in their results. Because of this, quotas are best understood as one important factor that contributes to Sweden's levels of gender equality in government, but one that is supplemented by complex, contingent social and political circumstances.

The first section of this paper sketches the historical context of women's involvement in Swedish politics, leading up to the adoption of party quotas in the 1980s. The second section describes the current gender balance in Swedish politics, and introduces questions concerning the causal role of party gender quotas. Finally, the third section frames the Swedish case within the broader literature on gender quotas. Here, questions are raised regarding whether lessons from Sweden's approach can be generalized to other cases.

1. Historical Development Towards the Adoption of Party Quotas in Sweden

The historical process through which women went from political exclusion to making up nearly half of Sweden's parliament was a long one. Universal suffrage was introduced in Sweden in 1921, and it took over fifty years for women's representation in parliament to reach twenty percent.[iii] This is not to say that the early years of women's suffrage were devoid of debate about women's under-representation in politics. Gender quotas were first considered by a major Swedish party in 1928, when the National Federation of Social Democratic Women suggested to the congress of the Social Democratic Party that quotas be adopted in order to ensure that women would be included in electoral lists and put into races that they stood a reasonable chance of winning. The suggestion was rejected, and the reasons cited were ones that would later become familiar in the contemporary debates on quotas. The Social Democratic Party saw quotas as an infringement on equality of opportunities, and as a violation of meritocratic principles, because they had the potential to replace male candidates with female candidates who were less qualified.[iv]

While concerns about women's political representation did not disappear, gender quotas were not widely advocated by either women or men between the 1920s and the 1960s.[v] During this time, developments towards greater gender equality and attempts to recruit and nominate more female candidates happened mostly within the women's sections of political parties. During the 1970s, several factors contributed to a shift in Sweden's political climate that led to dramatic increases in women's representation in government and opened up discussion about the implementation of party gender quotas. The first of these factors was competition between major parties to attract more female voters. In 1972, gender equality was put on the political agenda as an election issue during the competition between the Liberal Party and the Social Democratic Party.[vi] The incumbent Social Democratic Party, under Prime Minister Olaf Palme, acknowledged the issue by promising the creation of a central gender policy unit in government. This move pressured the Liberal Party, under leader Gunnar Helén, to respond by making a formal recommendation that forty percent of positions in its party boards and committees be occupied by women.[vii] The increases that occurred during the 1970s and continued through till the present were facilitated by a party contagion effect – inter-party

competition pressured parties on both the left and the right to adopt measures to increase women's representation.[viii]

The second factor that contributed to a major shift in women's representation in Swedish politics in the 1970s was the emergence of favourable attitudes towards gender quotas. Slow increases in women's representation had led to frustration within women's federations, and quotas began to be seen not as compromises to democratic principles but as remedial measures to compensate for democratic deficiencies. Women in parties began reconsidering the possibility of party quotas as early as the 1960s.[ix] While quotas would not be implemented in any major national parties until the 1980s, local parties began implementing quotas in the 1960s and 1970s. Stockholm's local Social Democratic Party created principles ensuring that one in three candidates on electoral lists would be a woman in 1968 and 1970, and in the 1970s, the Social Democratic Party in Järfälla introduced a recommendation that their electoral lists would alternate between men and women candidates.[x]

The 1970s were characterized by competition between parties on the issue of gender equality, but the measures they implemented were targets and recommendations for increased gender balance rather than gender quotas. Major parties only began adopting quotas in the 1980s. A major influence on quota adoption at this time was the debate on legislated quotas in the public service. This issue became especially visible when Minister for Gender Equality at the time, Anita

Gradin, created a commission of inquiry to assess possible methods to improve women's representation on state boards and committees. After weighing the arguments for and against quotas, the committee decided to recommend quota adoption.[xi] Quotas were once again a focus of political debate. The first national party to adopt a gender quota was the Green Party. From its creation in 1981, the Green Party implemented a quota ensuring that forty percent of the members of internal boards and committees comes from each sex, and that the chair of the party is shared by a man and a woman. This was extended to electoral lists in 1987 and in 1997, quotas were increased to fifty percent plus or minus one candidate.[xii] Also in 1987, the Left Party introduced a quota stipulating that the proportion of women on the electoral list in a district must match the proportion of women in the party in that district. This was extended in 1990 to a mandate of forty percent from each sex on electoral lists, and again in 1993 to fifty percent.[xiii]

Sweden's largest party, the Social Democratic Party, did not adopt quotas until 1993. A recommendation of forty percent of electoral lists from each sex was in place since 1987 (and extended to a recommendation of fifty percent in 1990), but this was extended in 1993 to a zipper system: a quota provision to ensure that electoral lists alternate between men and women candidates.[xiv] The adoption of the zipper system may have been partially due to a renewed concerns about issues of gender equality in 1991, after elections in which women's representation dropped from thirty-eight to thirty-four percent.

Of the three parties on the left and centre-left that have introduced gender quotas – the Green Party, the Left Party and the Social Democratic Party – none have created any penalties for failures to comply with the quota rules.[xv] Still, these are stronger measures than those introduced and maintained by parties on Sweden's right or centre-right. The parties on the right have all adopted some measures that stop short of actual quotas (sometimes called 'soft' quotas) to promote women's representation. The Liberal Party created recommendations in the 1970s that its party boards, committees and electoral lists include forty percent from each sex, and the Christian Democratic Party adopted similar recommendations in 1987. In the 1990s, the Centre Party and the Conservative Party adopted informal goals of forty percent representation from each sex. More recently, in 2007 the Conservative Party created a recommendation that the top four positions on electoral lists contain equal numbers of men and women.[xvi]

Several recurring themes emerge in the literature on the historical development of women's representation in Sweden. Lena Wängnerud highlights two of these: an integrative approach and a step-wise development.[xvii] Wängnerud sees the process as integrative, since the debates on women's equality and the pressures to adopt quotas and other reforms happened largely within Sweden's political parties, as opposed to a process in which independent civil society organizations and women's groups pressured government from the outside. She characterizes the process as a step-wise development,

because, except in the case of the Green Party, the adoption of quotas was preceded by more moderate measures. This distinguishes the Swedish case from those of other countries that implemented legislative quotas through a constitutional reform. Another recurring theme from the literature is that the party quotas of the Green Party, the Left Party and the Social Democratic Party are generally not seen as responsible for the surge in women's representation that began in the 1970s and continued to the present, since the quotas were only adopted after the surge was already well underway. By the time major parties were adopting quotas, women's representation in parliament was already breaching the thirty percent mark. If the voluntary party quotas have played a causal role with regards to the high levels of women's representation in Swedish government, their role has been one of maintaining these levels, rather than pushing women's representation across a threshold or serving as an initial catalyst.

2. The Contemporary Situation with Regards to Gender Equality in Swedish Government

The Inter-parliamentary Union currently ranks Sweden as fourth worldwide in terms of the percentage of women in its parliament, with forty-five percent of Sweden's Riksdag consisting of women.[xviii] The only Western country ranked higher is Andorra. In terms of particular parties, women are better represented in parties on the left, where voluntary quotas are in place, than in parties on the right that have adopted less coercive measures such as recommendations.[xix] The

parties without quotas are also more susceptible to fluctuations in the proportion of women candidates, whereas in the parties with quotas, the percentage of women candidates is fairly stable. All parties tend to follow their own imperatives with regards to women's representation, whether these are quotas or less formal recommendations. The Conservative Party was an exception in 2006, when it only satisfied its own recommendations in half of its electoral districts.[xx]

For the parties that have adopted them, quotas have been largely effective at getting women elected. For instance, the Green Party, whose quota mandates that fifty percent of its electoral lists are women, has elected women candidates at levels of forty-five to fifty-nine percent between 1998 and 2006, excepting the year 2004 in which the party won only a single seat.[xxi] Between 1994 and 2006, the Social Democratic Party's zipper system resulted in percentages of women in parliament ranging from forty-seven to fifty percent. Importantly, these relatively balanced levels of representation are consistent across different levels of government. In 2008, the executive boards of each party ranged from forty to fifty-six percent women, and in 2006 forty-five percent of cabinet members and thirty-six percent of state secretaries and top administrators were women.[xxii]

Another indicator of Sweden's high levels of gender balance in politics is that since 1976, women consistently vote in slightly larger numbers than men.[xxiii] Even in levels of party membership and metrics of political interest where men still rank higher than women,

the gender gap has become slight. Wängnerud's recent research has focused on the traditional gender division in the content of political work in Sweden. She has found that although there is still a sexual division of political work in Swedish politics, the differences are quickly disappearing. Women often report that they prioritize such historically 'masculine' issues as employment policy, and men increasingly report that they prioritize such historically 'feminine' issues as social policy.[xxiv] Differences are more pronounced among older MPs, and differences among the younger generation of MPs are very slight. Moreover, male representatives often claim that their political priorities include the promotion of women's interests. The competition for women's votes that began in 1972 between the Social Democratic Party and the Liberal Party has now expanded to include all parties, and revealingly, most political leaders – men as well as women – identify themselves as feminists.[xxv]

Sweden's high levels of gender equality in government must be seen as one aspect of a broader political culture of substantive democratic principles, civil liberties and political rights. Freedom House ranks Sweden highly across practically all measures of democracy, including the representation of women and religious and ethnic groups in parliament.[xxvi] This is not to say that deficiencies in equality between genders have been eradicated across all spheres of life in Sweden. While eighty percent of women are employed outside the home, women still do not receive the same pay as their male coworkers. In the public sector, women's earnings

only amount to seventy percent of men's, and in the private sector, women's earnings make up just seventy-six percent of men's.

While it would be over simple to understand Sweden's high levels of gender equality in politics as caused by the voluntary gender quotas, it would be naïve to dismiss the quotas as merely token gestures or as completely epiphenomenal. As discussed above, quotas have been effective at getting women elected and maintaining high levels of representation within those parties that have adopted them. A more difficult question might be whether the strategy of quotas has proven itself to be substantially more effective than alternative, more moderate strategies such as recommendations. While parties on the left tend to respect their own quotas, the parties on the right tend to respect their own recommendations as well. As Mona Lena Krook notes in her book *Quotas for Women in Politics*, because party quotas are less coercive than legislative quotas, the effects of party quotas can vary wildly between parties and countries where they are implemented. [xxvii] For instance, party quotas in Sweden have been significantly more effective than party quotas in the UK. It is true, in the case of Sweden, that women are better represented in the parties on the left that have adopted quotas, and that the levels of women's representation in these parties is more stable. However, the possibility that this difference could be explained in terms of another variable, such as ideological differences between the parties, rather than differences in their particular rules, remains open. As Miki Caul notes, it may be the case

that parties with high numbers of female members may be the ones that are most likely to adopt quotas in the first place, since willingness to adopt quotas and willingness to include more female members are closely related. [xxviii] As is often the case in political science research, establishing specific causal claims about the role of quotas in Swedish politics remains difficult. That said, the questions at hand are not about whether or not party quotas have some effect, but about the degree to which quotas have contributed to gender equality, and how quotas interact with other causal factors.

3. The Swedish Case and the Literature on Quotas

While Swedish politics is not devoid of inequalities between genders, it is difficult not to see the Swedish case as exemplary of a successful development towards gender equality. As Wängnerud notes, the number of female representatives in Sweden's parliament tripled in the thirty years after the 1972 debates on gender equality between the Liberal Party and the Social Democratic Party. [xxix] Still, in light of recent global developments in gender quota adoption, especially since the Beijing Platform for Action in 1995, the Swedish developments towards equal representation in government are increasingly seen as comparatively gradual. Drude Dahlerup and Lenita Freidenvall now argue that trying to generalize lessons from Sweden's (and other Scandinavian countries') success to the cases of other nations, and particularly developing nations, is often a mistake.

Dahlerup and Freidenvall distinguish between two kinds of developments towards greater

representation for women in government: the fast track and the incremental track. [xxx] The fast track is exemplified by countries that have made sudden leaps in women's representation, or those in which some level of women's representation is guaranteed from the initial establishment of a democratic system. The incremental track is exemplified by countries such as Sweden, where the process of increasing women's representation has been gradual and can be seen as divided into distinct steps. Dahlerup and Freidenvall argue that fast track and incremental track approaches differ not just in the kinds of strategies employed by their advocates, but in the underlying theoretical assumptions about women's parliamentary representation that underlie these strategies. A key disagreement between proponents of these divergent approaches is about whether women's representation historically increases with some degree of inevitability, or whether the historical facts about women's inclusion into the political sphere are highly contingent. [xxxi]

If the latter is the case – the facts about increases in women's representation are not guided by any degree of historical necessity – then the Swedish case might look highly unusual, at least when considered from an abstract level. Given a cursory overview of the history of women in Swedish politics, it might look like women's representation rose over time with some degree of inevitability. However, even in the case of Sweden, to view the process as one of historical necessity would be unwarranted. As we have seen so far, the adoption of the party

quotas and other measures in Sweden has been facilitated by a variety of highly contingent factors: an opening up of attitudes towards quotas from the debates concerning quotas in the civil service in the 1980s, increasing frustrations from women's movements both inside and outside of political parties and a contagion effect driven by competition for women's votes between major parties, to name just a few. Another theme in the literature on quotas is that proportional representation systems such as Sweden's are more likely to produce party quotas than other electoral systems.[xxxii] Moreover, the factors that have helped quotas and other measures to work effectively seem to be highly contingent as well – for instance, a willingness of parties to follow their own voluntary rules and recommendations and a tendency for the public to vote for women roughly as often as for men (ensuring that equality on electoral lists translates to equality in seats). All of these factors that have helped to ensure that quotas and other measures have been effective in Sweden might have been otherwise, so any appearance of a necessary development towards gender equality is illusory. In the cases of other nations where women are under-represented in parliaments, those who oppose coercive measures such as legislative quotas on the grounds that women's representation will inevitably improve as history runs its natural course cannot point to the case of Sweden as an example.

In her paper "Candidate Gender Quotas: A Framework for Analysis", Krook describes four narratives that have been used in the literature to explain quota adoption.[xxxiii] Three of these are fairly clear fits for the case of Sweden. The first narrative is about women mobilizing in favour of quotas.[xxxiv] As discussed above, the adoption of quotas in Sweden was influenced by women's groups both within and outside of political parties. The second narrative is about political elites viewing quotas as strategically advantageous.[xxxv] This is more or less equivalent to the contagion effect created by inter-party competition for women's votes, discussed above. The third narrative Krook discusses is about quotas being consistent with some emerging or established conception of substantive equality.[xxxvi] This seems at least consistent with the fact that quotas were once (in the 1920s) resisted by Swedish politicians as undemocratic. Once the notion of quotas was re-introduced in the 1960s and 1970s, these concerns began to gradually dissolve. Freidenvall and Krook argue that the "sex role debate" of the 1970s led to re-evaluations of women's roles in society. Arguments were raised that token gestures of including some women in parliament were insufficient, and that substantive equality meant that women must be represented equally.[xxxvii]

In these three respects, Sweden seems like a fairly typical story of quota adoption, according to Krook's analysis. However, it is harder to see the Swedish case as fitting into Krook's fourth narrative. This last narrative is about international norms and "transnational sharing" supporting quota adoption.[xxxviii] It is true that quota adoption in Sweden's major, left-wing parties happened after the United Nations' Convention for the Elimination of All Forms of Discrimination Against Women in 1979. However, quota adoption also happened before the Beijing Platform for Action in 1995, which is often seen as a major catalyst for global trends in quota adoption.[xxxix] So while it may be argued that the Swedish case does fit this fourth narrative, it is less of a clear-cut case than the first three, and the case of Sweden is less of clear fit than other nations, many of which are in the developing world, many of which have adopted gender quotas more recently.[xl] The themes that emerges from Krook's analysis are, in a sense, fairly similar to those that emerge from Dahlerup and Freidenvall's; Sweden's history fits into the traditional narrative of quota adoption, but looks less typical in light of more recent trends. Despite Sweden's relative success, trying to extract general lessons from the Swedish history with gender quotas remains difficult, and must be done with an awareness of the particular contingent conditions that made the Swedish case successful.

Conclusion

The high levels of gender equality in Sweden's parliament (relative to global levels) can be attributed to a variety of causal factors, and of these, voluntary party quotas in three of the main parties are significant. However, statements about the causal role of party quotas in the achievement of Sweden's current levels of women's representation must be qualified, since the quotas were only adopted once levels of representation were already above thirty percent, and rising steadily. Furthermore, less formal measures than quotas have been fairly effective in

putting women into competitive races and parliamentary seats for the parties on Sweden's right. The effectiveness of voluntary party quotas has been shown to vary significantly between those countries in which they are implemented.

In light of all these points, the case of Sweden serves only as weak evidence for the effectiveness of non-coercive measures such as voluntary party quotas in general. It serves as stronger evidence for the effectiveness of these measures conditional on certain contingent factors, such as the presence of a party contagion effect and the willingness of political parties to respect their own rules and recommendations. Researchers, activists and policy-makers in countries such as Canada, that lag behind in terms of women's parliamentary representation might look to Sweden's party quotas as an attractive strategy for increasing women's representation. However, unless these measures are supplemented by similar shifts in the political and social culture, there is little reason to be confident that Sweden's success in this area will be emulated by party quotas alone. Researchers and policy-makers interested in the efficacy of gender quotas in political parties ought to keep these supplementary contingent circumstances in mind when considering Sweden's success.

Notes

i "Women in National Parliaments," Inter-parliamentary Union, accessed October 31, 2011, http://www.ipu.org/wmn-e/classif.htm.

ii Lena Wängnerud, "Sweden: A Step-wise Development," in Women in Parliament: Beyond Number, A Revised Edition, ed. Julie Ballington and Azza Karam (Stockholm: Institute for Democracy and Electoral Assistance, 2005), 238-247.

iii Drude Dahlerup et al. Electoral Gender Quota Systems and Their Implementation in Europe, presented to the European Parliament Committee on Women's Rights and Gender Equality, (Stockholm: European Parliament, 2008), 100.

iv Dahlerup et al.,"Quota Systems," 100.

v Ibid.

vi Wängnerud, "Sweden," 238.

vii Dahlerup et al., "Quota Systems," 101.

viii Miki Caul, "Political Parties and the Adoption of Candidate Gender Quotas: A Cross-National Analysis," The Journal of Politics 63 (2001): 1216.

ix Mona Lena Krook, Quotas for Women in Politics, (New York: Oxford University Press, 2009), 109.

x Dahlerup et al., "Quota Systems," 101.

xi Ibid.

xii Ibid., 101-102.

xiii Ibid.

xiv Ibid.

xv Ibid.

xvi Ibid.

xvii Wängnerud, "Sweden," 238.

xviii "Women in National Parliaments."

xix Dahlerup et al.,"Quota Systems," 104.

xx Ibid., 105.

xxi Ibid.

xxii Ibid., 107.

xxiii Wängnerud, "Sweden," 240.

xxiv Lena Wängnerud, "Diminished Gender Differences in the Swedish Parliament," presented to the Annual Meeting of the Swedish Political Science Association, (Gothenburg, Sweden, 2010), 2.

xxv Wängnerud, "Sweden," 239.

xxvi "Freedom in the World: Sweden 2010," Freedom House, accessed October 30, 2011, http://www.freedomhouse.org/template.cfm?page=22&country=7926&year=2010.

xxvii Krook, Quotas for Women, 108.

xxviii Caul, "Political Parties," 1221.

xxix Wängnerud, "Sweden," 238.

xxx Drude Dahlerup and Lenita Freidenvall, "Quotas as a 'Fast Track' to Equal Representation for Women," International Feminist Journal of Politics 7 (2005): 27.

xxxi Ibid., 29.

xxxii Caul, "Political Parties," 1216.

xxxiii Mona Lena Krook, "Candidate Gender Quotas: A Framework for Analysis," European Journal of Political Research 46 (2007): 369.

xxxiv Krook, "Candidate Gender Quotas," 370.

xxxv Ibid., 371.

xxxvi Ibid., 372.

xxxvii Lenita Freidenvall and Mona Lena Krook, "Discursive Strategies for Institutional Reform: Gender Quotas in Sweden and France," in Gender, Politics and Institutions: Towards a Feminist Institutionalism, ed. Mona Lena Krook and Fiona Mackay, (Britain: Palgrave MacMillan, 2001), 51.

xxxviii Krook, "Candidate Gender Quotas," 373.

xxxix Ibid., 374.

xl Ibid., 367.

An Unexpected Advantage: The Strategic Use of Gender in Female Political Campaigns

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Terrie is currently a fourth year student at The University of British Columbia studying Political Science and Women's and Gender Studies. With future aspirations to work in the field of gender empowerment and development in an international context, Terrie has both worked and studied abroad with various non-governmental organizations and universities including Oxfam, The Chinese University of Hong Kong, and Sciences Po, Paris. Terrie is also heavily involved with various Model United Nations conferences as Head Delegate, organizing committee, and Director.

"I think for a woman to become President at this moment, she needs to be […] cold. She needs to have a hard, almost unbreakable shell. She needs to seem unambiguously comfortable with wielding power. […] She has to be a little scary, a little intimidating, a little off-putting so that she gives the impression that she can handle the crises and catastrophes that come a President's way."

JOHN PODHORETZ in *Can She be Stopped?*

The challenges that female political candidates face in hopes of gaining political power is a topic widely debated and analyzed. This article will argue that female political candidates may be in an effectively advantageous position in comparison to their male colleagues if and when they know how to 'gender-bend' – the ability to showcase masculine and feminine traits at opportune times to gather popularity from both genders. Using Margaret Thatcher, Angela Merkel, and Hilary Clinton as case studies, this article focuses on the contestation of gender representation by political candidates within a Western, liberal democratic context.

In the past decade, there has been a significant increase in the elections and successful candidacies of female heads of states around the world. Moreover, women are taking affluent roles as CEOs of corporations, like Indra Nooyi of PepsiCo, and leading international organizations, like Christine Lagarde with the International Monetary Fund. Though the presence of these women in positions of power is encouraging, it is crucial to analyze the differential challenges, and also benefits, that female candidates face during their candidacy, appointment, and term in office due to their gender. Without disregarding the significant implications that these gendered hurdles also affect male political candidates, this essay will present arguments on how three female political candidates running for the position of head of state have pursued a more masculine self-representation to evade criticisms based on credibility and political ability. These three women are the United Kingdom's Margaret Thatcher, Germany's Angela Merkel, and the United States' Hillary Rodham Clinton. Arguing that gender can also work in the benefit of a female political candidate, this paper will explore the complexity of gender advantages and disadvantages for a female political campaign and highlight the crucial idea of 'gender-bending'.

Gender challenges

In Hillary Clinton's Race for the *White House: Gender Politics and the Media on the Campaign trail*, Regina G. Lawrence and Melody Rose identify structural and attitudinal challenges as the two key obstacles that female political candidates face while running for office. For structural challenges, Lawrence and Rose incorporate any impeding factors that are "built into the political institutions and the 'rules of the game'" Some examples for structural hurdles include the tendency of political parties to "[recruit] and [mentor] men for political advancement"[i] and the power of incumbency and the lack of female representation within political parties. Caroline Heldman adds that, in the United States, the "very office of the President is infused with the notion of the 'citizen soldier,' linking military service symbolically as a route to the Commander-in-Chief position."[ii] Therefore, women are also effectively excluded from rising to the ranks through this important route because "federal law limits women from serving in traditional combat roles."[iii]

On the other hand, attitudinal challenges include "deeply rooted gender stereotypes," and "internalized [masculine] definitions of political leadership."[iv] These attitudinal hurdles are the cause of the structural hurdles previously visited, and are harder to challenge and tackle because of their entrenchment within all forms of society. In *The Price of Power: Power Seeking and Backlash Against Female Politicians*, Tyler Okimoto and Victoria Brescoll address the pervasiveness of gender stereotypes in accordance to power relations within politics

and society. In general, Okimoto and Brescoll illustrate how cultural stereotypes generally depict women as "communal- sensitive, warm, caring, and concerned about others," while men are seen as "agentic – [...] dominant, assertive, and competitive."[v] Based on this understanding of our biological 'nature,' women are seen as more suitable in the private and domestic sphere in relation to education, child bearing, and housework, while men are encouraged to assert in the public domains of leadership, warfare, and competition. These notions of 'appropriate' placement in society based on gender have detrimental effects for women wishing to hold public office in politics. For example, women are "less likely than men to see themselves as qualified"[vi] to run for political positions, as many women internalize definitions of political leadership to be within a masculine domain. Women are also seen as lacking agency and credibility in running for positions that are recognized as masculine or within masculine institutions such as government or legislature. This essay, therefore, will focus on how stereotypes on gender and politics affected Thatcher, Merkel, and Clinton's campaigns for political power and in response, their choices on representing specific gender characteristics at different occasions to increase their political credibility in the eyes of voters and other politicians.

It is convenient to overlook that gender stereotypes also affect male political candidates. Though the hurdles are more apparent for female candidates, the deeply entrenched 'masculine' definition of political leadership conceals the immense pressure for male

politicians and candidates to perform in ways that are considered appropriate for their gender. In *Gender Trouble*, Judith Butler writes about gender performance and how our repeated gender performances, which are restricted by societal boundaries, congeal people's understanding of what is acceptable gender behavior and what is not. [vii] For male politicians, especially in countries where public opinion is generally favorable to military spending, there is an overwhelming pressure to uphold masculine traits such as assertiveness, leadership, and even aggression. And because political leadership is defined within this masculine domain of power, any male candidates deviating from this norm are judged as lacking capability. Therefore, male politicians are equally affected by gender stereotypes and notions of acceptable gender behaviour; however, as politics and government are perceived as 'masculine' domains, it inevitably grants male politicians an advantage in portraying themselves as a capable state leader.

Embodiment of masculinity and femininity

The necessity of appearing to possess masculine traits, however, is more complicated for female candidates because they have to strategically assert feminine and masculine characteristics at opportune times. Because female candidates are usually seen as lacking agency in running for political office, they both have to challenge the dominant view that politics is a masculine domain while strategically asserting feminine traits to avoid being seen as deviating from performing their gender. Failure to assert

the appropriate gender traits can result in an overwhelming wave of criticism for female candidates in being too soft or too masculine. Male political candidates, on the other hand, are solely concerned with the embodiment of masculinity and their respective state's public opinion on the proper representation of their national leader, while female candidates are constrained to play a more tricky game of balancing feminine and masculine representations in order to be regarded as qualified for presidential candidacy. In *Women as National Leaders*, Michael A. Genovese suggests that this fine line of gender representation indicates a paradox for women in power: "if they are too strong, they are criticized for not being 'womanly'; if they are weak, they 'prove' that women simply cannot govern."[viii]

In addition, female political candidates also have to worry about appealing to the female population by recognizing and relating, at the right occasions, the commonalities a female candidate shares with the homogenous group 'women.' Failure to do so will result not only in lost votes but, more importantly, criticisms on how she has lost her 'roots' as a woman in the political scene. As later examples in this paper will suggest, female and male political candidates set drastically different marketing campaigns in hopes of accumulating votes by both genders. Female political candidates devote significant consideration to gender representation, more so than their male counterparts. Candidate representation through campaign decisions range from the women's physical presentation like hair, dress, and tone of voice,

to more substantive forms of representation like policy choices, efforts in pushing for a feminist agenda, and stance on controversial 'women's issues' such as abortion. Female political candidates constantly have to re-evaluate the advantages and disadvantages for highlighting feminine or masculine traits in hopes to avoid public criticism based on their gender representation.

In spite of the challenge associated with efforts to succeed at representational balancing, former and current female leaders alike have leveraged their gender as an advantage to their campaigns by making calculated political moves. I will begin by analyzing the case of the United Kingdom's Prime Minister Margaret Thatcher; her struggles associated with being the first female head-of-state in a Western-liberal democracy, and her strategies to leverage her gender to her advantage.

Margaret Thatcher and the embodiment of masculinity

In *One of us: A Biography of Margaret Thatcher*, Hugo Young describes Thatcher as an "honorary man" because she succeeded in discarding all significant female gender traits for practical purposes when she became the first female head-of-state in her country.[ix] As writers such as Anneke Ribberink suggests, Margaret Thatcher's gender was her greatest vulnerability as a politician. Because she was the first female PM in the UK, Ribberink suggests that her urge to assert control, to avoid criticisms, and attempt to achieve perfection was linked to her seemingly deviant gender.[x] Her masculine political performance, which resulted in the creation

of her nickname the 'Iron Lady,' involved the "repudiation of femininity and its concomitant vulnerabilities in favour of the most hyper-phallic of roles."[xi] Nancy Nunn writes that Thatcher's "performance of grand adversarial leadership" was an effort to appear as if she was constantly in the domains of "conflict and always-possible violence,"[xii] and therefore, asserting masculinity was the reason for her success as a politician. Therefore, Margaret Thatcher's embodiment of masculinity is a great example of the significant pressure placed on female politicians, especially in the past, to perform traits that are deemed masculine simply to reassure the state of her capabilities as a leader.

Thatcher, during her first years in power as UK's first female Prime Minister, felt the need to "learn and mold herself as a competent professional politician"[xiii] due to previous gendered encounters. These experiences include being told to "Give us a kiss, Maggie" during her first entrance into the Chamber and her conflicting sense of identity when she first entered the noisy, robust, and highly masculine House of Commons.[xiv] Despite seeing the need to reassert and mold herself in a more masculine way, Margaret Thatcher was, intelligently, a 'gender-bender.'[xv] In other words, she "float[ed] back and forth between what are conventionally seen as male and female roles," asserting 'manly qualities' of toughness, aggressiveness, and power periodically while using "a variety of different approaches to her femaleness as circumstances dictated."[xvi] Genovese suggests that Thatcher used her gender

differences as a political tool because at certain moments in her career, "being a woman proved to be one of her greatest advantages" [xvii]. Early in her career, Thatcher constructed her image as a "devoted housewife and mother, though in fact she spent little time at either task"[xviii]. Later on, she "assumed the roles of mother to the nation, firm nanny, wartime dominatrix, and, still later, androgynous leader."[xix] The decision to choose between different roles that prescribe to conflicting gender stereotypes allowed Thatcher to identify with the perceived needs and wants in the UK during different times. The calculated moves in changing gender representation was her attempt to evade possible criticisms based on gender and to appeal to the British voters as much as possible. Thatcher's abilities to 'bend' gender representation and choose opportunistic moments to highlight specific gender stereotypes were crucial to her maintenance of power.

As female politicians recognize the benefits of 'gender-bending' in political campaigns, highlighting gender 'difference' instead of 'sameness' may be one of the strongest campaign tactics for women candidates to appeal to voters of both genders. Both equality and difference feminists call upon for an increase in elected female politicians but share conflicting notions of gender sameness and difference. Equality feminists argue that women and men are equally capable in running for presidential office in terms of competency, capabilities, and abilities. On the other hand, difference feminists emphasize the unique differences

of female candidates, treating these differences as positive and beneficial qualifications for women running for office.[xx] These differences include internalized notions and understanding that women are more peaceful, gentle, patient, and caring. As illustrated by Germany's first female Chancellor Angela Merkel, knowing when to highlight these sameness and differences prove to be an added advantage to a female politician's campaign.

Angela Merkel and the female gender stereotype

Angela Merkel currently leads not only one of the European Union's most influential states, but one that plays an important role on the international stage. While many politicians underestimated her capabilities when she was first elected, Merkel's personal popularity and approval ratings rose to the top of the chart of German politicians just after the first few months in office.[xxi] Analyzing the conflicting ideas of gender difference and sameness, authors such as Madeleine Kunin and Sarah Elise Wilarty suggest that Merkel's gender acted as both an impediment and propeller in her ascent to political power. As suggested earlier, structural and attitudinal barriers work to complicate and hinder political campaigns by female candidates. However, as shown in Merkel's case, the female gender became an asset during the selection and political appointment process where gender stereotypes for women worked to *enhance* her candidacy.

Merkel, like many other female politicians, started her career in a 'feminine' governmental branch

as the Minister for Women and Youth. Without overlooking the argument that female candidates may be at an advantage in being selected for government branches and positions dealing with issues such as health and education, the advancement of a female politician holding a title from a lesser-valued branch in government is arguably more challenging. In Merkel's case, her rise to power is often described as "improbable, accidental, and unexpected especially because it took a 'major scandal to propel her to the top party ranks.'"[xxii] A financial scandal involving Merkel's party, the Christian Democratic Union (CDU), forced the then party leader Wolfgang Schaeuble to resign and the party turned to Merkel to become their new leader. At a time where CDU party members, who were mostly men, were daunted by skepticism of corruption, Merkel's gender worked for increasing her legitimacy to create change in the party.[xxiii] Stepping up to the table to confront these corruption scandals, Merkel called for a thorough investigation of the charges and organized nine regional conferences to gather grassroots opinions within the party.[xxiv] In recognition for her work and efforts, Merkel won widespread support and was given the title "trummerfrau," an honorary term given to the women who uncomplainingly cleaned up the ruins of the war during the postwar period in order to help rebuild the country.[xxv] Being female also complimented all of Merkel's efforts because women are stereotyped as less competitive and less corrupt than men. Therefore, Merkel's gender effectively empowered her 'saviour' image as

a trummerfrau and also galvanized public support for the CDU by having her as the party's new 'face' of change following the financial scandal.

Hillary Clinton and the media

Another factor that plays a significant part in the structural representation of female political candidates is the use of the media. The reliability of voters on the television, the Internet, and newspaper articles as a window to understand the candidates in the race is both effective and problematic. Many studies have been published to investigate the 'media bias' and to analyze whether the media, does in fact, present only a narrow picture of the candidates. Lawrence and Rose suggest that political reporting often "reduces complex, multidimensional human beings into two-dimensional characters who would be recognizable in a standard made-for-TV movie."[xxvi] For media coverage on female political candidates, there is a general trend toward focusing more on the woman's appearance and gender acting as a hindrance to her campaign. Using Hillary Clinton's bid for the US Presidential Elections in 2008 as an example, I will now explore the pressure the media has placed on Clinton to perform different gender roles at different times. Clinton's case is of special interest because her political campaign was situated in a country where voters heavily rely on the media as the main source of information, and because Clinton still represents the strongest female frontrunner in the history of, as it is termed, the world's most powerful political position.

Hillary Rodham Clinton's campaign to become America's first female president was marked by both subtle and blatant attacks on the basis of her gender – attacks that were not limited to any particular form of media. Likewise, President Obama's race for office was distinguished by literature, videos, and commentaries written based on his distinct ethnicity and his viable chance to become America's first African-American President. Erika Falk suggests that using the language 'first' to describe the respective candidates' campaign sends a "subtle message that the candidate is breaking a norm."[xxvii] In Clinton's case, Falk notes that this term is used pejoratively to indicate that a "woman's place is elsewhere, while signaling to the voter that women candidates have little real chance of success"[xxviii]. Although a valid point, it is misleading to conclude that using terms such as 'first' in reporting Clinton or Obama's campaigns can only work to impede their chances for success. In a country like the United States where change and progress are deemed as favourable and productive, tying Clinton to the face of change and the idea of a 'progressive America' because of her gender can equally work to the benefit of her campaign. Therefore it is not surprising that the media plays an important role in influencing the change of campaign strategies for politicians, reflecting the multi-faceted game of gender representation in politics.

Media coverage for female political campaigns is unmistakably "more likely to contain references to appearance, clothing, and hair and other physical attributes unrelated to public service"[xxix] than their male competitors. Moreover, the media is especially keen on exaggerating any emotions expressed by female candidates because, as mentioned before, of the fine line that female candidates walk on from being seen as too soft or too manly. As a result, gender stereotypes are both heavily utilized and reaffirmed through the media's seen-objective portrayal of the female candidates. For example, much of the literature written on Hillary Clinton during her presidential campaign was devoted to the 'confusion' of her gender when deciding on her hair, makeup, and dress. Too much makeup was criticized as unprofessional and when Clinton decided to grow her hair longer, it sparked conversations within the media to discuss whether she was going back to her feminine 'roots.' In addition, with the media focusing on publications ranging from Tina Fey's famous *Saturday Night Live* skit 'Bitch is the new black,' to photographs edited to show her wearing men's underwear, the media response to Hillary Clinton's presidential campaign made visible the uneasiness that exists with respect to gender stereotypes and women in political power.

In response to being spotlighted in the campaign due to her gender, Hillary Clinton was "thus premised on a complex mix of toughness and feminine appeal, with toughness in the lead and feminine solidarity playing a supporting role."[xxx] Clinton clearly made an effort to assert more masculine traits to increase her credibility as a female frontrunner in the 2008 presidential elections; from receiving voice lessons to lower her tone to taking the hard line in foreign policy, Clinton tried to address gender stereotypes by taking the normative masculine

approach in policy and appearance to appealing to the American voter. This is, of course, a vulnerability that Clinton shared with other previous female candidates because of their gender. However, the interesting aspect of Clinton's gender strategy is not based on her decisions to perform a certain set of gender stereotypes, but at which moments she decided to assert normative masculine and feminine qualities. For example, Clinton's decision to host the 'Women Changing America' campaign, a week-long tour which "highlight[ed] the decisive role women can play in the elections, and celebrate the ways that women are changing America everyday,"[xxxi] effectively contributed to Clinton's attempt to create a relationship with her female voters. This relationship-building with the female voters was not prevalent throughout the entirety of her campaign, whereas a strong representation as a political leader in line with 'masculine' traits was exercised more frequently. Like the previous examples of Thatcher and Merkel's have shown, Clinton's strategic utilization of assumed masculine and feminine traits at different moments of her campaign was one of the most pertinent reasons for the achievements of her political campaign to become United States' first female President.

In light of media representation and gender stereotypes in the United States, Lawrence and Rose suggest that the influence of gender bias is the very reason why male and female candidates employ distinctively different marketing campaigns. For example, female candidates rarely show their children in advertisements for fear of being criticized of being too soft as a political leader; male candidates, on the other hand, are encouraged to be seen with their families and children because it presents him as sympathetic individual, not just a political candidate. Lawrence and Rose also note that female candidates tend to dress more formally than their male competitors because women candidates constantly have to confront doubts and criticisms based on their political competence and leadership capabilities. As such, media campaigns by female political candidates focus heavily on the establishment of credibility and competence, while male candidates take a different approach in attempting to open more 'windows' for voters to see the private life of the candidate.

Conclusion

The examples of Margaret Thatcher, Angela Merkel, and Hillary Clinton's campaigns for political power illustrate the significant role their gender has played in their struggles for gaining political credibility. However, as this paper attempted to shed light on, there are significant benefits that female political candidates may receive if and when they understand how to gender-bend. It is important to note that both male and female political candidates and current politicians have to embody certain sets of gender stereotypes. While female politicians walk a fine line between asserting 'acceptable' gender representations, it is arguably more advantageous for female candidates if they can cleverly maneuver between masculine and feminine traits at opportune times in hopes of appealing to voters of both genders. Judging the time span of the three case studies presented, it seems unlikely that the influence of gender stereotypes on political leadership will soon disappear. In order to advance the political careers of female candidates we must move from simply analyzing how gender can challenge female political campaigns to how gender can empower these women to increase their political credibility and female visibility within international politics.

Notes

i Regina G. Lawrence and Melody Rose, Hillary Clinton's Race for the White House: Gender Politics and the Media on the Campaign Trail (Boulder, CO: Lynne Rienner, 2010), 23.

ii Ibid., 26

iii Ibid.

iv Ibid., 34

v T. G. Okimoto and V. L. Brescoll, "The Price of Power: Power Seeking and Backlash Against Female Politicians," Personality and Social Psychology Bulletin 36 (2010): 923.

vi Ibid., 31-2.

vii Judith Butler, Gender Trouble: Feminism and the Subversion of Identity (New York: Routledge, 1990).

viii Michael A. Genovese, Women as National Leaders (Newbury Park, CA: Sage Publications, 1993), 207.

ix Hugo Young, One of Us a Biography of Margaret Thatcher (London: Pan, 1990).

x Anneke Ribberink, "Gender Politics With Margaret Thatcher: Vulnerability and Toughness," Gender Forum 30 (2010).

xi Heather Nunn, Thatcher, Politics and Fantasy: the Political Culture of Gender and Nation (London: Lawrence & Wishart, 2002), 272.

xii Ibid., 13

xiii Ibid., 66

xiv Ibid., 67

xv Genovese, Women as National Leaders, 205.

xvi Ibid., 205

xvii Ibid.

xviii Young, One of Us, 305.

xix Ibid., 306

xx Lawrence and Rose, Hillary Clinton's Race, 38.

xxi Myra Marx Ferree, "Angela Merkel: What Does It Mean to Run as a Woman?" German Politics & Society 24 (2006): 100.

xxii Madeleine Kunin, Pearls, Politics, & Power: How Women Can Win and Lead (White River Junction, VT: Chelsea Green Pub., 2008), 108.

xxiii Mark R. Thompson, and Ludmilla Lennartz, "The Making of Chancellor Merkel," German Politics 15 (2006): 106.

xxiv Ibid.

xxv Ibid.

xxvi Lawrence and Rose, Hillary Clinton's Race, 59.

xxvii Ibid., 40.

xxviii Ibid.

xxix Ibid., 35.

xxx Ibid., 114.

xxxi Ibid.

Biased Investment: The Problem with Technology Transfer from the Developed to the Developing World

This article examines the role of multinational corporations (MNCs) in affecting technology transfer to developing countries. The article outlines three overarching problems surrounding this issue, including the impact of "bundled technology" in Foreign Direct Investment (FDI), research and development projects in the host country, and the power struggle over propriety knowledge. Case studies provided by Thailand, Nigeria, and Nestlé Infant Formula illustrate how FDI often incurs negative results for developing countries. The conclusion provides possible prescriptions for MNC activity, including Joint Ventures and establishing local means of knowledge diffusion to produce more favourable results for both the MNC and host.

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Foreign investment by multinational corporations (MNCs) is one of the most important and controversial methods for the global transfer of industrial technology. What sorts of problems are posed by technology transfers of MNCs from the developed to the developing world and what sorts of mechanisms can or should be used to control this aspect of MNC activity?

There is no denying that foreign investment by MNCs has introduced technology that may have otherwise remained unknown to many developing countries. Technical skill and know-how is incorporated into every foreign direct investment (FDI) package, differing depending on the industry and corporation, and remains an essential component of MNC activity in the host country. The controversy that surrounds technology transfer from developed to developing countries concerns the extent and type of technology utilized in MNC operations. In what follows, I will argue that there are three main issues that create central problems for developing states receiving technology transfer from MNCs: the first is that technology is often part of a package deal that allows the MNC to retain control over proprietary knowledge and decreases host control over such; the second concerns the potential for the type of technology utilized by MNCs being incompatible with the host's society, economy, development goals and factor endowments; and lastly, because of a MNC's desire to maintain a competitive edge, knowledge of the technological process often does not diffuse among locals in the host state, creating a dependency relationship on developed imports and knowledge. By using oil extraction in Nigeria, manufacturing industries in Thailand, and the case of Nestlé Infant Formula in developing African states as examples, I will illustrate how these issues differ depending on the industry, and how this affects prospects to control activity on behalf of MNCs. Encouraging indigenous research and development (R&D), local

managerial training, Joint Ventures (JV), and continuous performance evaluations of operations by MNCs are all possible prescriptions that may see the host gain more control over and profit from developed technology.

Before assessing the problems listed above, I will first introduce the industries of Nigeria and Thailand as case studies in order to understand how the three issues discussed above vary among developing states and their respective industries. Nigeria, a former British colony, presently has an economy dominated by MNCs that operate in oil extraction.[i] Nigeria is currently the largest producer of crude petroleum in Africa and the fifth largest producer in OPEC.[ii] All MNCs involved in oil and gas sectors operate in Joint Ventures with the Nigerian National Petroleum Corporation although the country still struggles to maintain control over technology transfer and activity by MNCs.[iii] There is a strong stigma against MNCs due to their perceived colonialist ties and the Nigerian government has actively attempted to force greater integration of MNC knowledge into local firms.[iv] In addition, locals are concerned with the lack of skilled workers in the oil industry due to the nature of FDI, which has hindered local training and education, perpetuating dependence on foreign affiliates.[v]

Thailand on the other hand illustrates a very different story. Thailand has been an increasingly popular area for MNC activity and a significant recipient of FDI for over forty years, during which the country followed an Import-Substitution (IS) economic policy.[vi] These operations targeted

manufacturing industries, specifically those of textiles, automobiles, and chemicals.[vii] Under an IS policy, FDI takes place in industries in which the host does not have a comparative advantage due to a highly protected domestic market.[viii] Because of this, a marked absence of integration with local firms constrains technology spillover and local competition. Thus, in comparison with Nigeria's history as a host for FDI, two very different examples are provided as a foundation with which to judge the problems presented by MNCs in the area of technology transfer.

Bundled Technology: A Matter of Control

One of the initial problems with technology transfer from developed states to less developed countries (LDC) is that the host may be denied access to technology before it even enters the country. There are three main forms of technology transfer that can occur, the first being the transfer of design, then the transfer of machinery and equipment, and lastly the transfer of skills and training.[ix] The first category is the one in which MNCs are most reluctant to include local firms in, as it involves the transfer of patents, blueprints, and proprietary knowledge to the host.[x] This is the problem of technology being a part of a package deal: when deciding where to establish FDI, many MNCs refuse to 'unbundle' the technology that accompanies the investment package in order to retain control over it. By taking such actions, MNCs deliberately make it impossible to detach the management of the technology in question from the technology itself, thus allowing the parent firm

to control levels of production, efficiency, and knowledge of technological operations.

The problem of packaged technology is the pre-existing technological gap between home and host, which presents a significant obstacle for the host's ability to absorb what firms introduce from developed countries.[xi] Such actions create a dependency relationship of the LDC on the home, with the former requiring the technical know-how and management of the MNC in order to operate the technology brought into their country. Thus, the LDC has minimal control over the type of technology and how it is operated. All of this ultimately decreases the host's sovereignty over the investment because it loses the ability to retain the advantages presented by technology and secure local R&D[xii] and as a result huge amounts of profits leave the country. It is clear why the issue of packaged technology is so controversial, for all of the individual issues present a much larger one of dependency for the developing country.[xiii]

The example of Nigeria further illustrates this problem, although a number of MNCs operating within the country, little money actually stays with local firms.[xiv] For example, technology for the assemblage of parts in the auto industry is largely imported from other countries, rendering Nigeria no more than an appendage of MNCs' operations.[xv] There is also a disregard for managerial training within Nigeria's oil industry, denying locals the technical capacity to self-generate development.[xvi] There is a marked inability to exercise sovereign control over resource

operations as a result of the type of FDI conducted there, concisely illustrating the contentions with packaged technology.

The same can be said of Thailand, whose popularity as a host for FDI during its period under an IS policy saw little integration between home and host firms. Because of the protected domestic market conditions induced by IS, FDI becomes a means for foreign companies to maintain their market share and benefit from increased profits in the form of rents, or the difference between the cost of factors of production and the price of goods.[xvii] IS does not provide a conducive environment for technology transfer, which perpetuates a reliance on MNC capabilities in lieu of indigenous development.

Biased Technology: Best Suited for Whom?

The second prominent issue surrounding technology transfer questions the appropriateness of the type of technology being introduced to the developing state. This problem is associated with the second technology transfer type, that of machinery and equipment through industrial operations. Again, this problem stems from the MNC's desire to maintain a competitive edge:

One of the main sources of the (MNC's) special 'advantage' which enables them to grow is precisely the possession of advanced technology… which can be applied with little adaptation in different areas. It is not to be expected, therefore, that they will undertake major expensive alterations to suit the relatively small markets of less

developed countries (LDCs).[xviii]

The key part of this passage is the point of technology being transferred from a developed to a developing state. It seems obvious that problems would arise in this regard since the technology itself is biased towards a presumed skill level, knowledge, and even culture. Indeed, technology transfer to the host is often inappropriate because it is capitalist technology.[xix] "Borrowing technology from the capitalist world is never 'innocent' because this technology supports class relations of production."[xx] It is crucial to recognize that technology is rarely neutral between states when examining the problems its transfer imposes on LDCs. Complex and wide ranges of technological production techniques may alienate a host country's producers and ignore existing factor endowments.[xxi]

In fact, many developing countries have stated that local affiliates' techniques and products are too sophisticated to meet the needs of their relatively poor markets and actually exacerbate existing income disparities.[xxii] Most importantly, indigenous development is put at risk because of the MNC's unwillingness to adapt to local needs. As stated earlier, multinationals generally ignore the unique circumstances of hosts because modifying technology can be extremely costly, especially surrounding industries that involve lengthy R&D, such as pharmaceuticals. MNCs alter technology very little or not at all because they want to maintain the quality and efficiency of production techniques while meeting their bottom line: their net earnings to the firm and their shareholders.

These findings are supported by research that has found a negative relationship between an efficiency seeking firm and knowledge seeking development.[xxiii] Efficiency seeking firms are less likely to commit to overhead expenditures that will assist in creating local capabilities required for product development, and are thus preferred by MNCs.[xxiv] By operating under these conditions, MNCs drive hosts into a state of arrested development by alienating local endowments and needs.

One of the most disturbing examples of an inappropriate technology from the developed to developing world was that of Nestlé Infant Formula in the 1970s. The formula's introduction to many third world countries begot tragic consequences resulting in hundreds of infant deaths.[xxv] This horrifying example highlights the main concerns over biased technology. The lack of design knowledge involved in the transfer is in part responsible for the increase in child mortality rates associated with the Nestle Infant Formula. High illiteracy rates in these countries meant many mothers did not know how to properly use the formula nor were they aware of the nutrients (or lack thereof) present in the formula.[xxvi] Further, the formula needed to be mixed with water, and the region's widely contaminated water supply resulted in many children incurring harmful diseases.[xxvii] A failure to adapt to the needs and circumstances of these developing countries resulted in tragedy, clearly illustrating why the issue of technology suitability raises so many concerns.

Diffusion of Technology to the Host: Issues of R&D and

Dependency

The rate of diffusion associated with technology transfer is the final issue this paper will examine. Specifically, this encompasses R&D being concentrated in the home country, which maintains the technology gap between affluent and developing countries. This addresses the final category of technology transfer stated earlier: the transfer of skills through training programs and work experience. For the most part, R&D activities are almost entirely carried out in the home country. A startling example of this comes from operations by American MNCs, with 90% of R&D taking place within the United States itself, 9% in other developed countries, and under 1% conducted in developing states.[xxviii] Thus, firms maintain proprietary knowledge for longer and can monopolize capitalist technology, allowing them to charge high rents in the case that the technology is purchased by the host. This is detrimental to a host's ability to generate indigenous development since they are not privy to the research and managerial abilities of firms in the developed world.[xxix] The degree to which R&D is undertaken in the host country is arguably the most important factor affecting the production of technology; the greater the extent of local activities in the host economy on the behalf of the foreign firm, the greater the rate of technology transfer.[xxx] Therefore, the outcome of many MNCs concentrating R&D and training at home is that the development gap is exacerbated.

The monopoly on the production, innovation and diffusion of technology perpetuates the dependency relationship established by extenuating problems with technology transfer. Developing countries have no choice but to import large amounts of technology that hinders both the integration with domestic firms and adequate training of local employees. In cases where technology is obtained through licenses, restrictive clauses included in the agreements often stipulate that the licensee must purchase materials, components, or equipment from the licensor (often at high prices), limit sales to the domestic market, and give the licensor grant-back rights.[xxxi] Transfer pricing by MNCs poses a further problem for R&D as the firm can adjust charges for goods and services between affiliates, greatly affecting actual sales and profits that again limit host control over operations.[xxxii]

The diffusion process necessary to technological change is also hampered by the behaviour of MNCs. Foreign firms either deny the host local forms of R&D or bleeds them dry to obtain the technology while the profits garnered are diverted back to affluent countries. Again, the concern of MNCs lies in profits; R&D is located at home or in other developed countries to maintain production processes appropriate for economies of a higher income than the host market,[xxxiii] thus targeting specific consumption patterns that are often not synonymous with those of the host. The more the firm follows an efficiency seeking policy, the less of a concern there is to utilize local technological inputs, thereby limiting knowledge seeking possibilities.[xxxiv] The refusal to situate R&D in the local market allows MNCs to retain their technological edge over the developing world, awarding them with more bargaining power that feeds into the overarching dependency relationship that technology transfer induces.

In looking at Nigeria, it can be seen how these problems arise, as no extractive firms have R&D facilities in the third world.[xxxv] While such firms do not use licenses or patents in their agreements[xxxvi], this could simply be attributed to the overall lack of facilities or skilled workers who would be capable of utilizing technologies. This is not to say that Nigeria is responsible for its inability to generate indigenous development. The government has actively attempted to encourage MNCs to provide better business training programs as well as increased integration between foreign and local firms.[xxxvii] The industry, high number of MNCs, and nonexistent R&D in Nigeria serve to foster the country's dependence on foreign imports and management.

For manufacturing, very little R&D takes place within developing countries simply because their markets are not big enough. As previously outlined, generating adequate technological spillover is hampered by an IS economy due to the protective domestic climate, as illustrated by Thailand. FDI produced by IS policy is, for the most part, invested in industries where proprietary knowledge is pertinent to operations, creating obstacles to local firms' access to R&D.[xxxviii] In addition, manufacturing industries use licensing but these contain severe restrictions, leaving Thailand dependent on certain imports from

other countries and preventing adequate technological diffusion. xxxix

Prescriptions for MNC Behaviour

The problems associated with multinationals and technology transfer begs the question of how to control MNCs' behaviour in order to produce more favourable outcomes for LDCs. There are a number of mechanisms available that attempt to influence MNC activities in host countries, however, not all of these represent an appropriate course of action for every LDC. A one-size-fits-all approach for solving the problems surrounding technology transfer is unrealistic. For instance, litigation is fast becoming a popular approach to solving issues that host countries have with MNCs, yet this solution is more applicable to issues concerning human rights abuses.[xl] Then there are international treaties, such as the Multilateral Agreement on Investment, that seek to develop a set of rules to ensure that international investment is governed uniformly and facilitate in the equal treatment of states.[xli] The issue with this particular proposal is that it would actually make it more difficult to regulate foreign investors and increase control over the host government.[xlii] What then are the most feasible solutions available to developing countries?

The overreaching issue is that the host is denied the ability to indigenize local operations and ultimately becomes dependent on the home country, often compromising development goals in the process. The issue of local R&D is an especially fragile issue, as evidenced by illustrations drawn from Nigeria. In order to reverse these controversies, changes in host public policy and government controls might offer an answer. Technology transfer can be costly, but if host legislation emphasized a focus on local education and regulated employment conditions, it might be possible for developed countries to benefit more from FDI.[xliii] For the most part, MNCs do not have a difficult time abiding by these litigation requests if host regulations do not discriminate against the firm and apply equally to local and foreign ownership. [xliv] So long as the host presents the MNC with reasonable requirements and clearly states its development goals, problems with technology transfer can be significantly reduced.

The creation of codes is another option to set behaviour controls on MNCs. There are several subcategories of available codes to adopt: regional government codes by groups of countries to develop common policies towards FDI operations; international codes of narrow scope that focus on an individual industry or an aspect of a product; and finally international codes of broad scope that create uniform standards for MNCs as a group.[xlv] What is advantageous about these different levels of codes is that it provides a variety of options to address issues a host has with an MNC. A prime example of this is the UNICEF/WHO International Code of Marketing Breast Milk Substitutes that emerged as a result of the deaths due to Nestlé Infant Formula. It called attention to the disasters caused by Nestlé Infant Formula and ceased promotion for breast milk substitutes. There were a number of moving parts in this code that contributed to its success despite its limited scope, including consensual knowledge, a number of different actors involved, the prominent role of non-governmental organizations (NGOs), timing, and even the industry it targeted.[xlvi] It is important to recognize in creating a code that will effectively control the spillover of technology introduced by MNCs is especially difficult due to the diverse range of issues being dealt with.

Joint Ventures (JV) can potentially allow the host to achieve some control over the investment. However, depending on the industry and foreign firm's level of proprietary knowledge, the MNC may not be willing to partake in a JV and choose to inject the investment elsewhere. Obviously a major concern for any potential host attempting to control investment activity is the possibility of its policies scaring away FDI by placing too many restrictions on the firm. To alleviate these concerns, a host might employ continuous performance evaluations of MNCs, including the firm's ability to meet development rather than performance goals for the host country. Such a system would have to be established and enforced by the local government in order to monitor MNC behaviour to ensure their operations were congruent with those of the host. Including a policy on transfer pricing is essential to ensure that sales would not be negatively affected by their consequences. The penalty for failing to meet host goals should not, however, necessarily be expropriation however, as it is unlikely an MNC would invest in a country whose policies would strip

the firm of any control over the operations. Instead, these policies should be negotiated on a case-by-case basis to ensure that the MNC abides by them out of the desire to achieve mutual benefits in working cooperatively with the host, rather than out of fear that their operations will be shut down.

Lastly, looking at Thailand as an example, regime change could shift the terms of investment in favour of indigenous goals. Thailand's decision to move from an IS policy to an Export-Producing (EP) one has resulted in investment flows being diverted towards industries in which it has a comparative advantage.[xlvii] FDI now concentrates on clothing, textiles, footwear, toys, and more recently electrical goods, which has generated more technological spillover.[xlviii] Yet, it must be acknowledged that countries experiencing challenges with MNCs should not necessarily consider policy change as a viable solution. Thailand is an example of a country that with a transitioning IS to EP economy that happened to work in its favour, in terms of generating benefits from FDI. While Thailand's experience should not be regarded as a blueprint for developing countries, it is nevertheless an example of a decision that succeeded in altering MNC activity.

Conclusion

The bias inherent in developed countries introducing technology into LDCs produces a number of problems. The technology incorporated into FDI is geared towards a certain type of market, consumers, and ideology that allows the MNC to meet their bottom line efficiently and

effectively. The characteristics of a capitalist market will most likely not match those in the market of a developing country, which inevitably creates problems for the host. The three main issues identified in this essay regard some of the most pressing challenges that arise from contradictory development goals between the host and home. These culminate to generate an overarching problem of continuous dependency on the developed country since indigenous development is encumbered by an MNC's behaviour.

It is too simple to say that developing countries should not bid for FDI since their development goals will be neglected. Not every country can succeed on rugged individualism nor do they all have the option to attempt this. Living in the era of the New Pragmatism means that the benefits of MNCs cannot be discredited, nor their immense influence and power within the globalized market ignored. However, it is also too simple to say that developing countries should take FDI as it comes and accept that the behaviour of MNCs is beyond their control. Many countries have benefited largely from aspects of FDI without creating dependency relationships that limit their own sovereignty.[xlix] MNCs are, in fact, a vital carrier of technology to developing countries that might otherwise never experience such developments. Without foreign investment, some countries are incapable of producing goods to trade or utilizing their resources efficiently and profitably. The truth is many do not have the financial means, resources, or education to do so on their own. MNCs do not have to be

the enemy.

By employing restrictions, policies, codes, or treaties, a host country can have more control over MNC operations. It is prudent that a developing country clearly establish their desired development goals with an MNC, before FDI penetrates the host, to avoid miscommunication or conflict further down the road. Technology should also be discussed beforehand in order to ensure that it is appropriate for the economy and skill level of the host, securing a foundation for a smoothly operating, long-term relationship. Just as developing countries often require the technical know-how that FDI can offer, they too may require assistance in bargaining power over MNCs. This is where the international community enters the picture: multilateral treaties, regional pacts, and the role of NGOs should not be discounted in their ability to provide hosts with the capacity to control MNCs. Technology transfer from developed to developing countries brings with it many problems, but it need not when the proper course of action is taken by the host country.

Notes

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Civil Society and Climate Change: Transnational Advocacy for Climate Justice

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Recognizing the failure of our international governance structures to respond to the difficult problem of climate change, many have turned to civil society groups for hope. Civil Society and Climate Change examines the theoretical framework of these groups – particularly 350.org, which is a transnational advocacy campaign for climate justice – demonstrating that they best appreciate the unique nature of the problem. Surveying the available literature, this paper finds promise in their approach.

When we survey this changing planet, we experience sweltering temperatures, suffer turbulent seas and witness melting ice caps. The processes we've begun are unprecedented; the Earth we've been accustomed to has already been fundamentally altered in irreversible ways.

When we review the leading scientific literature, we notice how little time we have—how dire our situation has become—and we struggle to hope in the face of this mounting despair.

When we open our newspapers we see, despite all our efforts, that we're pouring more carbon dioxide into the atmosphere than ever before, that temperatures are reaching new peaks, that storms and wildfires are ravaging our communities, and that climate

change is causing drought, famine, disease, creating untold misery for the most innocent and vulnerable.

When we turn to our political elite, we're met with unsatisfying accords, vacuous plans, pledges, press conferences and decrees. After decades of fruitlessly pleading for real leadership, we've come to realize, in the words of the great American philosopher John Dewey, that "politics is the shadow cast on society by big business." That business is oil, coal and natural gas.

Climate change is the defining issue of our time. And yet, thus far, our response has been nothing but an abject failure.[i]

These words of mine, which appeared in *The Ubyssey*, were meant to capture the frustration of being an environmentalist—the dire circumstances we find ourselves in, and the tremendous challenges we face. When I said, "our response has been abject failure," I was echoing Pettit's (2009) characterization of global climate change governance: "the global policy process is moving too slowly in relation to the scale of the problem."[ii] In even starker terms, Bill McKibben contends that the UN process is "broken."[iii] Must we resign ourselves to despair, or can we find hope in new forces? To use Pettit's words: "We need other forces . . . [but] what might these be and what are the chances of mobilising them [emphasis mine]?"[iv] In what follows, I will argue that the there is hope to be found in transnational advocacy groups campaigning for climate

justice by demonstrating how their approach best appreciates the nature of the problem.

Borrowing from Mary Kaldor (2003), I will begin by defining civil society and the groups that comprise it. Then, I will outline the values of these civil society groups, drawing primarily from Jethro Pettit (2009). Next, I will use Peter Newell (2008) to outline the possibilities these groups offer us. Following that, I will use Allen Buchanan (2000), Richard Price (2003), and Iris Marion Young (2006) to outline how these groups ought to think about global civil society vis-à-vis climate change. Finally, I will consider the work of Jan Art Scholte (2002) and Price (2003) to discuss the potential strengths and weaknesses of these groups. Working with this framework, I will briefly analyze the work of 350.org, explain how they best follow the advice of the aforementioned scholars, and conclude that 350.org offers us an ideal model for engaging civil society in climate change activism.

1. What is civil society and what groups comprise it?

Before we can move forward to speak in detail about these groups, we must properly understand civil society and the plethora of groups that comprise it. Here, I favour Kaldor's (2003) definition: "civil society is the process through which consent is generated, the arena where the individual negotiates, struggles against, or debates with the centres of political and economic authority."[v] Since

the 70s and 80s, this space broke from its link with the state, and began to classify a social space where we can shape societal values.[1] Scholte (2002) offers a detailed list of the groups which compose civil society,[2] but for our purposes it shall suffice to follow Kaldor (2003) and say that the civil society can be split into three major categories: "new social movements," like the feminist movement and the sustainability movement; reformist NGOs, or "tamed social movements"; and finally, the "post-modern version" of civil society—religious and cultural groups responding to Western hegemony.[vi] In sum, "global civil society is a platform inhabited by activists (or post-Marxists), NGOs and neoliberals, as well as national and religious groups, where they argue about, campaign for (or against), negotiate about, or lobby for the arrangements that shape global developments."[vii]

2. What are the values of groups advocating for climate justice?

In short, these groups recognize that climate change is a global inequity of the highest order, and they aim to mobilize both rich and poor to remedy this issue. They understand, as codified by the Brazilian Proposal[3], that those least responsible for climate change are suffering the brunt of its consequences. The message is clear: "poor people have not been 'waiting on the science,' they have been living with it – and with many other forms of pollution and

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1 It must be noted that a symbiotic relationship with non-human life, a truly social relationship, is one in which humans approach development with more in mind than their own interests. For Antonio Gramsci, this was a space where "class hegemony forges consent." See Scholte (2002), pp. 283.

2 "From the perspective adopted here, civil society can encompass many sorts of actors: academic institutions, business forums, clan and kinship circles, consumer advocates, development cooperation initiatives, environmental movements, ethnic lobbies, faith-based associations, human rights promoters, labor unions, local community groups, peace movements, philanthropic foundations, professional bodies, relief organizations, think tanks, women's networks, youth associations, and more," pp. 283-284.

3 The proposal recognizes the "common but differentiated responsibilities" between developed and developing countries, assigning "relative responsibilities according to their respective contributions to climate change." FCCC/AGBM/1997/Misc.1/Add.3

degradation – for many years, as 'social sinks' for the externalization of environmental costs."[viii] To right this wrong, they aim to bring the marginalized to the fore, to "play an important role in configuring new patterns of global politics, shaping the scope and boundaries of policy debates."[ix] [4]

3. How should we think about the problem of climate change?

In understanding civil society vis-à-vis climate change, I will seek to elucidate three main points: a) climate change is a supra-territorial issue; b) power and responsibility lie not wholly in the state, but in a diffuse set of state, non-state, and civil society actors; c) climate change is a manifestation of a global structural injustice, entailing collective responsibility and necessitating a collective response. Once I have established this, it will be clear that global grassroots advocacy is the appropriate response to climate change.

a) Climate change is a supra-territorial issue

Scholte (2002) argues that contemporary globalization has provoked a "crisis in democracy," because the territorial democratic mechanisms fail to adequately bring "transborder actors under collective control."[x] Emissions from one region affect the planet's eco-system broadly, or "supra-territorially," but our response has focused heavily on individual nation-states. [xi] Conversely, globalization

has weakened national bonds and mobilized people around supra-national values, like class, gender, and ecology.[xii] Cutter (1995) concurs, arguing that the modern environmental justice movement, originating from low-income communities of colour, has "expanded the dominant environmental paradigm" along class lines.[xiii] Similarly, Buchanan (2000) argues that we must appreciate the "global basic structure" that underpins any international political issue (here he has in mind the neoliberal economic order). He contends that states "are not 'peoples' in a Rawlsian sense, but rather are collections of different groups (think multinational emitters), often with different and conflicting views concerning justice and the good, as well as conflicting positions on the legitimacy of the state itself."[xiv] Taken together, these three theorists demonstrate that an overly state-centric response to climate change will not suffice.

b) Power is diffuse

Kaldor (2002) demonstrates that we cannot create change from above, "rather, it [is] necessary to change society."[xv] Thus, civil society movements withdraw from the state, develop a sort of "anti-politics," "live in the truth," and create a "parallel polis" based on the good.[xvi] Here, she is speaking of successful revolutionary movements in the old Soviet bloc, but we could just as easily say this of sustainability-minded Albertans who ride their bikes to work.

This parallel polis demonstrates environmental values deep within civil society. Okereke et al. (2009) provides us a framework for conceptualizing how these actions serve to influence state policy. They argue that we must understand power as diffuse, and "constituted through social relations" as well as being a function of "social structural forces."[xvii] Even micro-level actors that are "not endowed with formal authority," have the capacity to forge consensus and generate compliance on an international scale.[xviii]

c) Climate Change is a Global Structural Injustice.

In her analysis of the global garment industry, Young (2006) demonstrates the nature of structural injustice. First, she shows how an enormous array of transnational actors, numbering in the tens of thousands—from chain retailers, to contractors, to subcontractors, to subsubcontractors, etc.—are responsible for what we understand to be the garment industry. As such, moral responsibility is too diffuse to easily assign blame. However, the structural imbalance is still abundantly clear: middle class shoppers in the developed world can purchase clothing at affordable prices because of the inhumane working conditions and meagre pay of garment workers in the developing world. [xix] Similarly, climate change has a wide structural imbalance (North/South), and a large number of actors (literally every person in the

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For a detailed discussion of the moral underpinnings of climate justice, see Jekwu Ikeme, "Equity, Environmental Justice and Sustainability: Incomplete Approaches in Climate Change Politics," Global Environmental Change 13.3 (2003): 190-206. Of particular interest here is the discussion of the North's consequentialist view (e.g., we ought to use a cost/benefit analysis to come to the most economically efficient solution to this problem) versus the South's strongly deontological position, recognizing equal per capita rights to emissions (hence, the historical South/North imbalance being an inequity). Though Pettit (2009) paints the South's position as more radical, "climate change has emerged primarily as a sustainable development issue, whose solutions are seen as inseparable from larger issues of poverty, trade and globalisation," Ikeme (2003) concludes that the North and South, utilizing different moral frameworks, ultimately come to the same conclusion: "It is interesting to note that both the consequentialist and deontological moral positions adopted by the North and South reach the same conclusion: greater burden for climate protection should be borne by the North, and North–South transfer of resources should be used to facilitate climate protection and adaptation in the South." Recognizing that our conclusions are the same, I favour the South's deontological view, for it reaches the widest audience, and it has a moral force that the consequentialist arguments lack.

world).

In dealing with issues of structural injustice, Young proposes that we move away from our standard model of understanding culpability, which she calls "the liability model," and move towards a more holistic approach, which she calls "the social connection model." The former seeks to assign blame (say, on a particular sweatshop, or a particularly egregious polluter), the latter looks much more broadly:

> The social connection model of responsibility says that individuals bear responsibility for structural injustice because they contribute by their actions to the processes that produce unjust outcomes. Our responsibility derives from belonging together with others in a system of interdependent processes of cooperation and competition through which we seek benefits and aim to realize projects.[xx]

The sort of action I'm calling for—global grassroots activism for climate justice—best appreciates what is entailed here. Structural issues, like climate change, can only be altered if many actors "in diverse social positions work together to intervene in these processes to produce different outcomes."[xxi] Young even offers us a guideline to recognize our personal responsibility in structural injustice: our power, privilege, interest, and collective ability will inform our response. Those most interested are the victims of injustice, who "offer unique insights into its social sources and the probable effects of proposals for change."[xxii] Here we see why it's important to use grassroots

empowerment, rather than what Cutter calls "elitist . . . white upper-class environmentalism."[xxiii] In the developed world, we see that we have a moral responsibility to act against climate change, based on the power and privilege afforded us by this structural imbalance.

4. What possibilities do these groups offer us?

Now that we understand the complexity of the issue, we can evaluate whether these civil society actors understand what sort of response is demanded of them. Here I will draw primarily from Scholte's (2002) and Newell's (2008) characterization of transnational advocacy groups. In surveying these groups, they have identified five possibilities:

a) Bringing marginalized voices to the fore

By being truly global grassroots movements, these civil society actors can give voice to a whole new array of stakeholders. By relaying information, they "open political space" for marginalized groups who are disproportionately affected by climate change.[xxiv]

b) Educating the populace

These groups tend to boast impressive scientific expertise, with objectivity and political neutrality towards individual states[5], which allows them to effectively raise public awareness, and offer insights into "transworld laws and regulatory institutions."[xxv]

c) Pressuring global governance institutions

These groups can "fuel debate in and about global governance," and increase the transparency of global governance.[xxvi]

d) Mobilizing the public to coerce or persuade state and non-state actors

Large rallies and demonstrates can make voters heard, persuading their representatives. Furthermore, shaming and boycott techniques can coerce corporate actors.

e) Exposing public and private actors, holding them accountable for their actions

Civil society groups can increase public and private accountability by mounting legal challenges, advocating for civil regulations, exposing climate criminals, and documenting state non-compliance.[xxviii]

f) Reducing the democratic deficit in global governance

By critically evaluating global governance institutions, and asking deeper questions about democratic representation in what Buchanan (2000) calls "the global basic order," "civil society activism offers significant possibilities to reduce the major democratic deficits that have grown during recent decades in the governance of global relations."[xxix]

5. What challenges do these groups face in achieving these possibilities?

The strengths of these groups reveal their vulnerabilities. As Price (2003) documents, their strengths are "expertise, moral influence, and a claim to political legitimacy."[xxx] Scientist-activists wield a special authority, and their actions have a particular resonance with the public. The moral force of their message—working to empower the marginalized—means the public views them "not only (objectively) right in the sense of providing accurate information, but also morally right in the purposes for which such knowledge is harnessed."[xxxi] Finally, their broad

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5 Price (2003) demonstrates how Amnesty international succeeds by acting as an objective third party shaming all states, rather than targeting specific states for political reasons.

scope, transparency, and grassroots organizational structure affords them political legitimacy.[xxxii]

However, civil society actors can lose their expert credibility if they "disseminate flawed knowledge," or "misconstrue the mandates and modus operandi of the institutions of global governance."[xxxiii] They can lose their moral influence if they are not careful with issues of representation within the movement; "civil society has been known to 'reproduce or even enlarge structural inequalities.'"[xxxiv] Finally, they can lose their political legitimacy if they are co-opted by outside forces, "compromising their potential to promote plural views and provide space for dissent."[xxxv] As Kaldor (2003) contests, they must be weary of being "tamed within a national framework," "institutionalized and professionalized."[xxxvi]

6. What form should these groups take?

By recognizing the strengths and potential challenges, it becomes clear what shape these groups ought to take. Their expertise must be beyond reproach, since it will face many industry challenges. To maintain moral authority, they must be firmly rooted in the values of climate justice. To maintain political legitimacy, they must be truly grassroots and transparent. In my estimation, the civil society organization that best follows this model is 350.org: they boast the highest scientific credibility, featuring top climatologists such as Jim Hansen; they campaign for climate justice, and organize accordingly; their organizational structure is truly grassroots, as it fosters locally-organized demonstrations from across the globe (15,000+ demonstrations, in every country but North Korea).[xxxvii]

7. Case Study: 350.org's Keystone XL campaign

In what follows, I will look at the case of 350.org successful campaign to have the US State Department suspend the construction of Keystone XL. I will highlight some features of my previous discussion as a framework for analysis.

a) Bringing marginalized voices to the fore

In the campaign to end the Keystone XL pipeline, 350.org continually cited how pipeline development would threaten the Ogallala aquifer, which many in the midwestern states depend on for drinking water. Further, they portrayed it as a structural injustice—through the lens of the 1% vs. the 99%.[xxxviii]

b) Educating the populace

Continually, they informed the public that extracting this "pool of carbon," second only to Saudi Arabia, would mean "game over for the climate."[xxxix]

d) Mobilizing the public to coerce or persuade state and non-state actors

They used civil disobedience (over 1,200 arrested in one day), and organized massive rallies (over 10,000 encircled the White House) to pressure the Obama administration.[xl]

e) Exposing public and private actors, holding them accountable for their actions

They exposed "cronyism" between the State Department and private firms responsible for the pipeline, holding public and private actors accountable for unfair dealings.[xli]

8. Methodological

Limitations

It is notoriously difficult to attribute particular policy outcomes to specific civil society groups. To come to any sensible conclusion requires consideration of incalculable variables and complex counter-factuals. Furthermore, decisive political pressure may be of a different character. For instance, Nebraska conservationists—local in scope—were said to have been a key factor influencing President Obama's decision to suspend the construction of the Keystone XL pipeline.[xlii] However, it is plain to see that transnational advocacy groups like 350.org were instrumental in shaping public opinion. Though a quantitative analysis of public opinion is beyond the scope of this paper, a passing survey of mainstream media coverage—from *The Washington Post* to *NPR*, *The New York Times* and *The Colbert Report*—indicates that 350.org was successful in bringing the Keystone XL issue to the forefront of the public consciousness.

9. Conclusion

There has been an increased recognition of how ineffectual our international governance institutions have been at facing this profoundly difficult problem of climate change. On some accounts, environmentally friendly policies—having immediate costs but distant returns—may be the most difficult policies to enact. In response, climate justice groups across the globe have re-conceptualized the problem, bringing marginalized voices to the fore and revealing profound structural injustices. There is no certainty of how effective this will be. However,

one thing is certain: for want of better options, many have put faith in climate justice groups. I have demonstrated the hope, and now I leave it to other scholars to quantitatively evaluate whether or not I hope in vain.

Notes

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iii Bill McKibben, Interview by Gordon Katic. The Terry Project Podcast. CiTR 101.9FM. November 16, 2011.

iv Pettit, 106.

v Mary Kaldor, "The Idea of Civil Society." Global Governance 9 (2003): 590.

vi Ibid., 589.

vii Ibid., 590.

viii Pettit, 102.

ix Ibid., 105.

x Jan Aarte Scholte "Civil Society and Democracy in Global Governance." Global Governance 8 (2002): 289-90.

xi Ibid., 286.

xii Ibid., 288.

xiii Susan L. Cutter, "Race, Class and Environmental Justice." Progress in Human Geography 19.1 (1995): 113.

xiv Allen Buchanan, "Rawls's Law of Peoples: Rules for a Vanished Westphalian World." Ethics 110.4 (2000): 721.

xv Kaldor, 586.

xvi Ibid., 586.

xvii Chukwumerije Okereke et al., "Conceptualizing Climate Governance Beyond the International Regime." Global Environmental Politics 9.1 (2009): 72.

xviii Ibid., 62.

xix Iris Marion Young, "Responsibility and Global Justice: A Social Connection Model." Social Philosophy and Policy Foundation (2006): 107-15.

xx Ibid., 119.

xxi Ibid., 123.

xxii Ibid., 128.

xxiii Cutter, 113.

xxiv Scholte, 293.

xxv Ibid., 293.

xxvi Ibid., 294.

xxvii Richard Price, "Transnational Civil Society and Advocacy in World Politics." World Politics 55.4 (2003): 590.

xxviii Peter Newell, "Civil Society, Corporate Accountability and the Politics of Climate Change." Global Environmental Politics 8.3 (2008): 124-41.

xxix Scholte, 281.

xxx Price, 587.

xxxi Ibid., 589.

xxxii Ibid., 590.

xxxiii Scholte, 297.

xxxiv Ibid., 296.

xxxv Ibid., 297-98.

xxxvi Kaldor, 589.

xxxvii Bill McKibben, interview by Gordon Katic, The Terry Project Podcast. CiTR 101.9FM. November 16, 2011.

xxxviii Jamie Henn, "How the 99 Percent Beat Keystone XL." The Huffington Post. November 10, 2011. <http://www.huffingtonpost.com/jamie-henn/how-the-99-beat-the-keyst_b_1087045.html>

xxxix McKibben, interview by Gordon Katic.

xl Bill McKibben, interview by Amy Goodman, Democracy Now! Pacfica Radio, November 7, 2011.

xli Bill McKibben, "The Cronyism Behind a Pipeline for Crude." The New York Times, October 3, 2011.

xlii Fred Knapp, "Nebraska May Play Key Role In Canada Pipeline Battle." NPR. November 7, 2011. <http://www.npr.org/2011/11/07/142020522/nebraska-may

Indigenous Movements and the Struggle for Political Power: A Comparative Analysis of Ecuador and Bolivia

Bolivia and Ecuador are often thought of as rather similar countries. Both are resource-based, Andean states with prominent, electorally competitive indigenous movements. Nevertheless, the two countries differ in one crucial respect: in Bolivia, the indigenous movement has been translated into an electorally successful political party that is now in power (Evo Morales' MAS), while in Ecuador it has not. Through a comparative analysis of indigenous movements' struggle for political power in these two cases, this article aims to demonstrate that a set of institutional and instrumental factors may account for the electoral success of Bolivia's indigenous movement relative to its Ecuadorian counterpart.

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Indigenous peoples in Latin America have not fared well throughout the continent's history: repression, marginalization, and a lack of substantive rights have recurred as constant themes with regards to their struggle. While voting rights, some autonomy, and occasional land claims have been granted to indigenous groups throughout the region to varying degrees, the advent of neoliberalism brought along a plethora of economic and political changes that would damage the well-being of many Latin Americans, especially the previously marginalized indigenous population. As neoliberalism unfolded, ethnic cleavages in Latin America became highly politicized.[i] This politicization, which has recently been buttressed by left turns, or the shift towards the success of leftist governments in the region, has produced not only powerful indigenous movements, but also political vehicles. Perhaps the two most popular instances of these movements are those in Ecuador and Bolivia due to their relative success compared to movements in other countries. Because of the similarities between the two countries, namely that they are both resource-based Andean states with prominent and electorally competitive indigenous movements, the two cases are often treated as alike.

Nevertheless, in one crucial respect the two cases are very different: in Ecuador, unlike in Bolivia, the indigenous movement has not been translated into an electorally successful party. As a result of the Ecuador's indigenous party, Pachakutik, failing to succeed electorally, the movement did not wield much power in the writing of Ecuador's 2008 constitution. The movement operated mostly outside of the elected constitutional assembly as a pressuring force. Not surprisingly, CONAIE, Ecuador's national indigenous organization, was not entirely pleased with the document. For example, indigenous languages were not recognized alongside Spanish as official languages of the state, and as for extraction industry matters, the constitution specified "that communities had the right to consultation," but not a veto voice.[ii] Furthermore, the state of Ecuador was not expressly defined as plurinational as CONAIE wanted, though the word was incorporated into the text, as Becker notes, for the first time.

In Bolivia, many more concessions were made to the demands of indigenous movements in the most recent constitutional reform as MAS, the movement's political vehicle, was in power. The constituent assembly was in fact convened "in order to, among other things, recognize the rights of indigenous people."[iii] In short, indigenous demands were a clear priority during the constitutional reform. The Bolivian state was thus defined in the resulting constitution as specifically plurinational: "Bolivia se constituye en un Estado … de Derecho *Plurinacional* Comunitario."[iv] In addition, all indigenous languages were cited as being official alongside Spanish.

In this context, I propose to examine the question that these different outcomes beg: why have indigenous groups been less successful in their struggle for political power in Ecuador than in Bolivia? I will argue that a combination of institutional and instrumental factors have led to the markedly different outcomes in these two cases.

Institutional "permissiveness"

Many authors agree that the degree of permissiveness of the institutional context in which an indigenous movement arises can help explain the emergence and success of ethnic parties.[v][vi] These authors attribute the emergence of ethnic parties in Ecuador and Bolivia to the following variables: decentralization, the removal of electoral registration barriers, party fragmentation, and the decline of the electoral left. In this section, I will focus on what I consider to be the two most important variables with regards to changes in the institutional environment that can explain the relative success, rather than emergence, of Pachakutik and MAS: the electoral decline of the left and decentralization. I contend that differences in the magnitude and timing of the occurrence of these variables may account for the disparity between the performances of the two ethnic

parties.

Party system fragmentation is a phenomenon that has all but swept Latin America in recent years.[vii] Rice and Van Cott attribute this fragmentation to the erosion of clientelism, class identities, and "coherent ideological and programmatic appeals," which took place simultaneously with the onset of economic austerity measures. These authors contend that the collapse of many "long dominant parties" and the increasing weakness of leftist parties produced political space in this increasingly fragmented party system.[viii] More specifically, the electoral decline of the left "created a void in popular sector interest representation."[ix] In this context, ethnic parties surfaced as alternatives to traditional leftist parties.

Initially, indigenous organizations in both Ecuador and Bolivia allied with leftist parties due to party registration obstacles.[x] This benefited both indigenous organizations, who were able to submit candidates for regional elections, and leftist parties, who enjoyed indigenous votes. In Ecuador, where the left experienced a "moderate decline," Van Cott points out an interdependence as such shared by the Pachakutik party and the electoral left: "both sectors – indigenous and non-indigenous – realized that without the other the political project would have a reduced chance of success."[xi] Pachakutik, however, abandoned this strategic alliance with the left in the 2002 elections to pursue a coalition with the nationalist, center right party headed by Lucio Gutiérrez, the Partido Sociedad Patriótica 21 de Enero. [xii] As it became clear, however,

that Gutiérrez was disavowing his campaign platform, and that the indigenous party had been co-opted, Pachakutik left the coalition and CONAIE removed its support. This move, Van Cott contends, caused a significant decrease in support for Pachakutik, and voters instead "turned to leftist parties."[xiv] Consequently, while at first the moderate decline of the left created alliances between struggling leftist parties and the emerging Pachakutik, the ethnic party's abandonment of the alliance seems to have interrupted the decline of the left in Ecuador.

Finally, Becker notes that "increasingly the public lumped Pachakutik together with the rest of the discredited political class as part of the country's problem."[xv] As I will discuss later on, Raphael Correa, Ecuador's current president, was able to appeal to the national sentiment that all political parties are illegitimate by not campaigning under a political party. Pachakutik, on the other hand, was glued to its identity as a political party. In short, despite significant party fragmentation and the decline of the electoral left both creating political space for a rising Pachakutik, the ethnic party did not capitalize on the institutional change as did Morales' MAS in Bolivia.

In Bolivia the left demonstrated a more considerable decline than in Ecuador. While in Ecuador, as mentioned above, Van Cott makes reference to a "moderate" decline of the left, in Bolivia she specifies that after a substandard showing in the 1997 national elections, most parties on the left were "on the brink of extinction."[xvi] Furthermore, Van Cott remarks, it wasn't until the 2002 national

elections that the left's vote share exceeded six percent. By this time, Morales' MAS had begun to recruit candidates that traditionally belonged to the left in order to fill candidate slots on MAS' lists, attracting the previously scattered vote of the left. What is more, unlike Pachakutik, MAS never pursued a governing coalition with the left, nor the right, "mainly due to Morales's refusal to ally with any other party."[xvii] Van Cott suggests that this decision likely attracted the votes of those "tired of politicians disavowing past promises and selling them out for a government job."[xviii] As in Ecuador, in Bolivia there arose a general disenchantment with political parties. As Chaplin notes, "political parties lost any vestige of respect, and social movements have replaced them as key interlocutors between the people and government."[xix] MAS capitalized on this sentiment, defining itself as "a political instrument of the indigenous movements, rather than a conventional political party."[xx] While it can be argued that the electoral left in Bolivia was markedly weaker than in Ecuador, it was MAS' strategies, namely refusing to form a coalition, and a self-portrayal that transcended traditional parties that ultimately accounted for its occupation of the political space left open by the decline of the electoral left.

To end my discussion of institutional factors, I would like to consider the role of decentralization, noting two important distinctions between our cases: the degree of decentralization and the timing of its introduction. Decentralization in this context refers to the development of

electoral competition at the local level, implying the transfer of some decision-making power from the national level to regional levels of government. As Van Cott remarks, decentralization is an important institutional variable to evaluate in that new parties are better able to "develop at geographical levels where the cost of party formation is lower."[xxi] In addition, if ethnic parties establish themselves as a valid and successful electoral option regionally, they are better suited to do the same nationally.

The degree of decentralization has been much higher in Bolivia than in Ecuador: the two countries are cited as having levels of decentralization of 26.7% and 7.5%, respectively.[xxii] This alone speaks volumes about the difference in regional opportunities in our two cases. Perhaps even more important is the timing of decentralization in each country. In Ecuador, decentralization occurred in 1980 when ethnic parties had not yet materialized. Thus, while candidates from indigenous organizations may have gained regional electoral experience, it was through alliances with leftist parties.

On the other hand, municipal decentralization in Bolivia occurred in 1995. Van Cott observes that ethnic parties promptly participated in subnational elections "to considerable success." This municipal decentralization "was significant enough to encourage indigenous social movement organizations to form ethnic parties that performed well from the very first election."[xxiv] It was in this institutional context that the ASP (Asamblea de la Soberanía de los Pueblos), the political instrument out of which

Morales' MAS grew, would be born. In sum, decentralization improved ethnic party performance considerably in Bolivia due to it's timing: it coincided with "the opening up of space on the left of the political spectrum and the beginning of a de-alignment away from the dominant elite parties."[xxv] In Ecuador, though, it seems that decentralization was instituted too early, as it did not coincide with the decline of the left nor with the emergence of indigenous political parties.

Instrumental Factors

Although institutional variables may partially account for the two cases' respective indigenous movements having achieved different levels of electoral success, an examination of instrumental factors provides us with a more complete picture. In this section I will highlight important differences by considering critical elements of the organization, leadership, and strategy of each movement.

In both Ecuador and Bolivia, the indigenous movements consist of several smaller movements, the most notable divisions in the two countries being between the highlands and lowlands. In 1986 the highland federation of Ecuador, ECUARUNARI, and its lowland counterpart, CONFENAIE, joined to make the national movement, CONAIE.[xxvi] In Bolivia, on the other hand, indigenous organizations did not explicitly unify under the umbrella of a singular national organization. Instead, national solidarity among the previously regionally concentrated movements was reached when "precipitating events" such as the water and gas wars in the early 2000s took place,

providing a unifying cause.[xxvii] As it turned out, the fragmentation of the social movement setting in Bolivia proved to be "more politically effective than a unified one in Ecuador."[xxviii]

Movement leadership is also significant, as a charismatic leader is more likely to be able to mobilize what Van Cott calls "dense networks of organizational affiliates."[xxix] While Morales was able to do this in Bolivia, no similar charismatic leader appeared in Ecuador. Even if a Morales-type leader had come through the ranks to represent Pachakutik nationally, strategic choices such as aligning with coup-makers and right-wing parties had already tarnished Pachakutik's reputation such that even strong leadership offered little potential to mobilize voters. Now president Raphael Correa thus provided an attractive alternative to Pachakutik. Correa demonstrated strong leadership, did not campaign under a political party, and adopted indigenous discourse regarding plurinationalism and constitutional change, consequently "occupying political spaces that [indigenous movements] had previously used to advance their concerns."[xxx]

In terms of strategy, a key difference between the two movements resides in alliances with other political parties and, in Ecuador's case, with coup-makers as previously mentioned. In Ecuador, several of CONAIE and Pachakutik's alliances significantly undermined the movement's political standing. In 2000, CONAIE allied with coup-makers and was a key actor in the short-lived ousting of President Jamil Mahuad.[xxi] During the whole process, CONAIE asked for the dismantling of all of the

government's branches, which included Pachakutik deputies.[xxxii] This sent a very confusing message to supporters, as CONAIE had insisted "that Pachakutik is a movement that is CONAIE's political arm."[xxxiii] More crucially, the movement lacked both the organizational capacity and an effective strategy to actually exercise power once it had been seized following the coup.[xxxiv]

In Bolivia, the MAS did not make the same strategic mistakes. It did not pursue alignments or coalitions with other political parties. In addition, instead of seizing power via coups when the movement would have lacked the organizational capacity to govern, the political instrument pursued power solely by electoral means after having demonstrated its viability as an electoral alternative.

Finally, the discourse employed by each movement is a vital strategic consideration. Ecuador's indigenous movement did not arise from or become expressly synchronized with a labour movement. Instead, the Catholic Church supplied the social infrastructure necessary to form networks that eventually expanded into indigenous organizations, and ethnicity ultimately replaced class as the dominant agenda of such organizations.[xxxv] A weak historical relationship between the indigenous movement and labour organizations in Ecuador has meant that the movement's ethnic discourse has been more focused on issues such as plurinationality than on unifying, class-based matters. As a case in point, CONAIE has insisted that Pachakutik, as its active political arm, should fundamentally address indigenous issues.[xxxvi]

This declaration essentially led to the alienation of previously supportive, non-indigenous popular organizations from Pachakutik.[xxxvii] Consequently, Van Cott notes that the party's main constituents are now mostly "Ecuador's minority indigenous population."[xxxviii] The distinctly ethnic discourse of the Ecuadorian indigenous movement has not been able to appeal to a significant proportion of the country, thus hurting the chances of electoral success for Pachakutik.

Indigenous groups in Bolivia have had a more pronounced history of popular organization than Ecuadorian groups in terms of labour. Rural highland indigenous groups in Bolivia were organized into "dense networks of campesino unions" dating back to the 1950s and earlier.[xxxix] The Bolivian miners' union, an historical cornerstone of popular organization, contributed considerably in the past to the workers' union confederation, the Central Obrera Boliviana (COB), which stood for a broad range of social organizations and social classes. Indigenous miners; militancy and strong organizational capacity, learned by participating in miners' labour unions, was transferred to the coca growing industry.[xli]

Indeed, it is the cocalero movement that eventually formed the political instrument that is MAS.[xlii] The cocalero movement's nationalist discourse advocating cultural freedom and the defence of coca as a traditional commodity has drawn approval from both indigenous people who do not themselves cultivate coca and other non-indigenous social sectors. [xliii] In sum, in Bolivia "the salient indigenous factor is not easily isolated from the issue of class

central to both the peasantry and organized labour," as Petras and Veltmeyer indicate.[xliv] Instead, the movement in Bolivia, a "popular" rather than specifically indigenous movement, is "predominantly a class struggle."[xlv]

As Anria suggests, Morales' discourse has reached across both ethnic and class divisions in "successfully articulating the heterogeneous demands of groups disenfranchised by neoliberalism," which has included indigenous cocaleros, organized labour, rural peasants, and indigenous organizations," essentially building a coalition of voters during a time of massive neoliberal resistance.[xlvi] Furthermore, "incorporating public intellectuals into its structure," has helped MAS to employ a "supraclass" discourse.[xlvii]

In this section I have demonstrated that instrumental factors, namely organization, leadership, and strategy, account for some important differences relative to the success of the Ecuadorian and Bolivian indigenous movements. In Ecuador, a unified, national movement proved to be unsuccessful. In addition, no charismatic leader arose from within Ecuador's indigenous movement, several strategic errors, such as aligning with coup-makers and centre-right parties were committed, and a discourse was employed that implied an exclusively indigenous audience. In Bolivia, on the other hand, a regionally fragmented movement was more successful. The Bolivian movement has enjoyed a charismatic leadership under Morales. In addition, a refusal to align with other parties was matched with discourse that transcended both class

and ethnicity, contributing to movement's the electoral success.

Final thoughts

In this essay I have argued that a combination of institutional and instrumental factors can help account for the fact that Ecuador's indigenous movement has been less successful in its struggle for political power than its Bolivian counterpart. By no means have I exhausted all of the variables at play. A more thorough analysis of socio-economic factors, for example, would add a useful dimension to our examination. However, I have attempted to outline what I perceive to be a set of critical factors that may account for the difference in outcomes. The nature of the Bolivian movement, or the fact that MAS was the governing "political instrument," at the time of the constituent assembly, has meant that indigenous ideas and demands were inserted into the Bolivian constitution in a more meaningful way than in the Ecuadorian document that was written the previous year.

On a final note, my examination raises a question about social movements more generally: must social movements institutionalize, as MAS did, to secure their demands? A cursory glance at the cases' constitutional outcomes might tell us yes. However, what if, as in Ecuador's case, the indigenous movement has been unable to gain the political power necessary to do so? Kenneth Jameson contends that the further success of the Ecuadorian indigenous movement "will depend on its ability to articulate, defend, and institute its plurinational vision" via continued social mobilization

and challenging the existing political order and policies.[xlviii] The indigenous movement in Ecuador was somewhat able to pressure the constituent assembly to adopt its demands, even if they were not wholeheartedly implemented. What's more, Ecuador's indigenous movement, having stayed largely outside electoral politics, retains a broader potential repertoire of popular mobilization and thus remains as a challenging force. In Bolivia, the institutionalization of the movement may compromise its mobilizational capacities and opportunities, which could be injurious to indigenous demands in the long run.

Notes

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xlii Anria, "Bolivia's MAS," 106.

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xliv Petras and Veltmeyer, Social Movements and State Power, 215.

xlv Ibid., 216

xlvi Anria, "Bolivia's MAS," 121.

xlvii Ibid., 107.

xlviii Jameson, "Indigenous Movement in Ecuador," 71.

Feminist Ethics and the Rhetoric Surrounding Women and the War in Afghanistan

The trope of "saving women" has long been used to legitimize war, and as the war in Afghanistan began, the George W. Bush administration started to use language that appeared to champion women's rights and espouse a liberal feminist viewpoint. However, in reality the war worsened conditions for Afghan women. Viewed through a realist lens inspired by E.H. Carr, this article analyses the Bush administration's misappropriation of liberal feminism to serve its own self-interest. By portraying Afghan women as the veiled, victimized Other, the Bush administration reinforced notions of Western superiority, deepened gender roles and violated the normative prescriptions of post-colonial feminist ethics.

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The Bush administration publicly justified the "War on Terror," at least in part, based on the liberation of Afghan women. Yet little, if any, attention was paid to the plight of women in Afghanistan prior to September 11, and arguably the war has worsened conditions for some women there.[i] The American military operations in Afghanistan have faced criticism for a variety of reasons, including their invocation of feminism and use of human rights rhetoric to mask American self-interest. Viewed through a realist lens, the Bush administration appropriated liberal feminism to serve its own self-interest. The US government hoped to gain domestic and international support for the war, and since it argued that women's rights, democracy and peace are intimately connected, they also aimed to ultimately benefit the US through increasing international stability. A feminist ethical stance on the war in Afghanistan is difficult to articulate since there is no singular definition of feminism or feminist ethics.[iii] However, a critical and postcolonial feminist ethical perspective, inspired by Chandra Mohanty, would certainly seek to deconstruct the powerful role of gender in conflict and question assumptions about gender roles. The prevalence of gender mainstreaming in international politics can be seen as a success of the feminist movement, but the US government uses feminism in a depoliticized manner.[iv] The Bush administration's rhetoric, which victimized, homogenized and othered Afghan women while carrying connotations of Western superiority, in fact, deepens gender roles and runs counter to the basic tenets of feminist ethics.

Recently, in both political theory and in practical policy, ethical justifications for war have expanded from just war theory — in which the only just wars are defensive wars — to include wars of humanitarian intervention.[v] However, human rights are "epistemologically indeterminate" and definitions of human rights

are not universal across time and culture. The right to gender equality would not necessarily be included as a fundamental human right in many parts of the world.[vi] It may be wrong that a society does not allow women the freedom to work outside the home, move freely, divorce, etc. Many lives would be improved if all women had these rights, yet it is one thing to say that it would be preferable if laws and norms were changed, and quite another to argue that the situation should be changed through intervention.[vii] Even if one accepts women's rights as integral to human rights, which many feminists would likely argue, defining what military obligations, if any, states have to protect human rights abroad is difficult. Moreover, although in the past decade world leaders like George W. Bush and Tony Blair have spoken of a world society where military intervention is used to uphold human rights, there is a great deal of dissonance between war and human rights.[viii] Given the destructive nature of warfare, and its often disproportionate effect upon women and other marginalized individuals, fighting in the name of humanitarian reasons seems paradoxical and prima facie wrong. Richard Norman advocates diplomacy over military intervention, and is concerned with the indeterminacy of human rights as even nations wholly committed to protecting these rights worldwide may disagree about what this entails. Norman argues that "the more the principle of military intervention to uphold human rights gains currency, the more individual nations will use it to intervene in pursuit of their own interests, while rationalizing

their actions in the name of human rights."[ix]

This trope of "saving women" legitimizes waging war, and has been invoked throughout history. It has been used in Afghanistan before, by the Soviets, the Taliban and the mujahedin when it suited their interests.[x xi] Following the September 11 attacks and the subsequent war in Afghanistan, the Bush administration began to use language that was, at first glance, distinctly feminist. Certainly, the Taliban should be condemned for perpetrating discrimination against women, along with any other group who engages in such discriminatory practices. Yet the Bush administration rarely discussed women's rights prior to September 11, and American feminists lobbied the Clinton and Bush administrations over women's rights abuses under the Taliban to no avail.[xii xiii] Many feminists have been cynical about the Bush administration's use of gender after September 11, as it appears that the US was pledging to support women's rights while actively undermining women's rights domestically.[xiv]

Rather than reflecting true feminist concerns, liberal feminist rhetoric was co-opted to gain support for the war.[xv] For the Bush administration promoting women's rights in Afghanistan was a political act without a downside; it helped gain bipartisan support for their cause.[xvi] First Lady Laura Bush spoke publicly about the plight of Afghan women, to the UN Commission on the Status of Women and on the president's radio address, saying that "many of us have drawn valuable lessons from the tragedies [of September 11]. People around the world are

looking closely at the roles women play in their society."[xvii] Laura Bush also stated that "only the terrorist and the Taliban forbid education to women; only the terrorists and the Taliban threaten to pull out women's fingernails for wearing nail polish... [this is] deliberate human cruelty," thereby denouncing the Taliban as being uncivilized for both their use of terrorist tactics and their disrespect of women. She implicitly links terrorism with the oppression of women, and therefore the war on terrorism with the liberation of women. Much of the American discussion about Afghan women centred on the lack of respect they received. This rhetoric implies that women in the US are free, when in fact American women continue to face discrimination and barriers to education and health care services.[xix xx] Moreover, despite being annually reintroduced to Congress, the US has failed to adopt the Equal Rights Amendment, a constitutional amendment which states that equal rights shall not be denied on the basis of sex.[xxi] In this narrative the US is constructed as the civilized, moral and feminist saviour while the Taliban is presented as the amoral, disrespectful and uncivilized 'Other' who needs to be brought under control.[xxii]

Furthermore, when invoking feminism, the Bush administration homogenized Afghan women by portraying them as universally oppressed victims. One rarely, if ever, hears stories from Afghanistan which involve female agency, though images of the passive, victimized and veiled 'Other' remain prevalent. As Young notes, "to the extent that we identify with a rhetoric of war for the sake of

saving the victims of tyranny, we put ourselves in a position superior to those we construct as in need of aid."[xxiii] While abuses against women were undisputedly rampant under the Taliban, there is a long history of women's movements within Afghanistan that were not publicly acknowledged by the US government.[xxiv] For example, the Revolutionary Association of the Women of Afghanistan (RAWA) spoke out against the Taliban and any intervention from the US military prior to the war, citing concerns that war would only increase the suffering of women. [xxv] RAWA has also critiqued the Northern Alliance and President Karzai, who oppose the Taliban and have US support, for the continued existence of discriminatory practices and gendered social problems. The existence of RAWA is inconvenient for the US because the presence of an active women's movement would lessen the need for outside intervention. RAWA disrupts the narrative of Middle Eastern women as wholly passive, and exposes the truth that women are critiquing the US presence and are not fully liberated following the war.[xxvi]

While the Bush administration presented the war in Afghanistan as necessary due to the moral imperative of saving women from the Taliban, they also indicated that liberating women would improve international security and ultimately be in their own self-interest. These two sentiments are noticeable in Secretary of State Colin Powell's statement that "the worldwide advancement of women's issues is not only in keeping with the deeply held values of the American people; it is strongly in our national interest

as well."[xxvii] Similarly, President George W. Bush stated that "the advance of women's rights and the advance of liberty are ultimately inseparable."[xxviii] By equating democracy with women's rights, and democracy with global stability, protecting women's rights was seen as necessary for national security. According to Bush, the goal of the intervention in Afghanistan was not domination or control, but rather a "democratic peace."[xxix] Here, US government policy utilizes ideas from democratic peace theory. This theory can be traced back to Immanuel Kant, who postulates that democracies do not go to war with one another.[xxx] According to this logic, if Afghanistan were a democratic state which respected women's rights, they would no longer pose such a security threat to the US. Following this reasoning, women's rights are indeed human rights, but the chief reason to protect them is that they are required for global stability. Here, women's rights are being used as a means to an end. This is deeply ironic given that Kant's categorical imperative stipulates that people should always be used as ends in and of themselves, not merely as means to an end.

In his 2002 State of the Union address, George W. Bush declared that "the last time we met in this chamber, the mothers and daughters of Afghanistan were captives in their own homes... Today women are free, and are a part of Afghanistan's government."[xxxi] While recognitions of women's legal rights have indeed improved, the daily lives of many Afghan women have changed little since the war began; women are not as truly "free" as Bush claims they are. While there were two women

appointed to the post-Taliban government in 2002, no Afghan women were present at the nation-building talks held in Germany in late 2001.[xxxii] Additionally, instead of gaining freedom, some women have now lost their homes, livelihood, friends and family to the ongoing conflict.[xxxiii xxxiv] The focus on women's rights served to obscure the real effects this war has had on women. If the public hears only success stories of women attending school and joining the government in Afghanistan, then they are not likely to examine how women are being displaced from their homes, facing violence, malnutrition and high maternal death rates, and so on.[xxxv] Moreover, by reminding the American public what Afghan women suffered under the Taliban, the government is reassuring American women that they have full rights and will not need to take further feminist action in the US. By shifting attention to women's rights abuses abroad, the US can act as the colonial, white, masculine, strong protective figure of women's rights in Afghanistan, and around the globe, while pursuing its own self-interest.[xxxvi]

Though E.H. Carr is usually associated with the realist school of international relations, his position can be useful to this feminist analysis. Aspects of E.H. Carr's *Twenty Years' Crisis* illustrate how discrediting the enemy while morally justifying one's own policies serves one's self interest. Carr writes that "thought is not merely relative to the circumstances and interests of the thinker: it is also pragmatic in the sense that it is directed to the fulfillment of his purposes... theories designed to discredit an enemy or potential enemy are

one of the commonest forms of purposeful thinking."[xxxvii] The Bush administration's practice of presenting the war in Afghanistan as a moral crusade to save women is a pragmatic move; it both disgraces the Taliban and deflects attention from the other ethical and gender considerations involved in military interventions. While the policies of intervening in Afghanistan may be presented as originating from a sense of morality, as Carr states, the "most cursory examination shows that the principles were deduced from the policies, not the policies from the principles."[xxxviii] Carr also address differences of relative power between nations and how power dynamics can shape narratives of morality, saying that "theories of international morality are, for the same reason and in virtue of the same process, the product of dominant nations or groups of nations." He identified the dominant nations as English speakers, and says that their moral theories are "designed to perpetuate their supremacy."[xxxix] Popularizing the idea protecting women's rights through intervention as a moral value serves the material interests of the US. By positioning them as superior to those in need of aid, it also ensures their moral and ideological global supremacy and perpetuates a neocolonial relationship.

The amount of attention the Bush administration paid to women's issues in Afghanistan is a testament to the ever increasing influence of gender mainstreaming and feminist international relations. Now that even a neoconservative administration appeals to gender issues for votes and the appearance of morality, women's rights issues are no longer

on the margin.[xl] Yet one must only turn to ideas from realism and E.H. Carr to see how rhetoric and theories of international morality, including the trope of "saving the women," can be used to serve a state's self interest. As Sandra Whitworth explains, the popularity of gender mainstreaming in politics does not "mean that those who use gender understand it, or employ it in the way feminists intended when conceptualizing the term."[xli] George W. Bush certainly does not think of gender in the same way that a feminist might, and he speaks of gender for a self-interested reason. This leads Michaele Ferguson to call Bush's rhetoric "feminized" rather than "feminist," as it is debatable whether he holds a truly feminist position in his politics in Afghanistan and in general.[xlii] Moreover, Whitworth suggests that mainstream uses of gender not only fail to transform the distribution of power, but are used to increase the efficiency of existing practices and policies without examining the deeply gendered nature of these practices.[xliii] The Bush administration uses its conception of gender to make waging war more justified, rather than using a feminist gendered analysis which might challenge the very nature of war itself. Gender is mapped on the war in Afghanistan without questioning the very basis of war and its empirical relation to gender. A mainstream use of gender relegates intrinsic power relations to the realm of the unchallengeable. Yet merely mapping gender issues onto the war, while universally painting all Afghan women as oppressed, is far too simplistic an analysis for critical postcolonial feminists.

Feminist conceptions of ethics are difficult to explicitly define, as there is no one type of feminism, or any one set of ethical prescriptions for what is just within feminism. However, at its most basic level, feminist ethics involve "an ethical commitment to deconstructing one's own position of privilege while actively working to transform the power relations that support that position."[xliv] Feminist ethics focuses on human security as opposed to only state security.[xlv] Feminism questions not only whether gender was deployed as an idea, but examines how and why it was used, including whether it was used analytically. Naming gender issues as a justification for war makes it more difficult for citizens and the mainstream media to question how war may decrease human security and affect women differently. A true commitment to postcolonial feminist ethics would require that these power relations be profoundly challenged. Iris Marion Young, who is opposed to military intervention except in cases of genocide, states that "even if the US government is sincere in its conviction that its military efforts are intended to save the world from evil, its political and military hegemony harms many poor and defenseless people of the world and positions most of the world in a position of subordination that nurtures resentment."[xlvi] By not acknowledging and deconstructing their privileged standpoint, the US government fails to challenge the gendered relations between itself and the less powerful, Third World state of Afghanistan.

The Bush administration does illustrate the influences of liberal feminism, which argues that

women should be integrated into all areas of public life.[xlvii][xlviii] This is seen in the Bush administration's emphasis on voting rights as well as participation in the economy.[xlix] For liberal feminists the goal is legal equality. Once legal equality in the public sphere, including politics, education and business, is achieved, the goals of the liberal feminist position are met. For more critical postcolonial feminists, however, the goal is much more self-reflective and elusive — the continual deconstruction of relative power relations, the assumed universality of some white American women's experiences and prevalent gender norms. Moreover, liberal feminist goals of legal equality are not enough for postcolonial feminists; giving Afghan women equal standing under the law is a good step, but it is not the end goal. As Young contends, women's oppression is not just perpetuated through the legal system, rather "the oppression of most of them remains embedded in social structure, custom and a culture of warlord anarchism."[l] Postcolonial feminists would focus on these intersecting avenues of oppression, as well as how the presence of the US as a neocolonial force can be oppressive.

Postcolonial feminists seek to unpack the distinctly "First World feminist voice" in international relations.[li] One must be wary of rhetoric which does not adequately appreciate difference, and places feminism and agency only on the side of the West and locates non-Western women as supplicants.[lii] In the rhetoric surrounding the women in Afghanistan, one sees what postcolonial feminist Chandra Mohanty calls the "Third World difference — that stable, ahistorical

something that apparently oppresses most, if not all, of the women in these countries."[liii] Instead of unpacking this "Third World difference," which would follow the ethical prescriptions of postcolonial feminism, the Bush administration reinforces its superiority by positioning the Afghan people as universally needing to be saved. Little is said by the US government about forces which oppress women other than the Taliban, or how women may be located differently based on class, race, religious sect, education level, etc. This homogenization of Afghan women, coupled with a homogenization of American women as all emancipated, is an exercise of Western power and therefore must be named and deconstructed. One cannot assume that women are a universally constituted category which can be applied across time and culture regardless of other aspects of identity and standpoint.[liv] It is far too simplistic and inaccurate to portray Western women as a group universally endowed with freedom, and non-Western women as universally oppressed. It is problematic for the West, including Western feminists, to have such an intent focus on Afghan women, as portraying them as victims exoticizes and others them; this approach fails to consider Afghan women as equals and has trouble separating itself from "paternalist militarism."[lv] The West must remember that one is always inside a colonial framework, and that one's sense of morality and idea of what daily life in Afghanistan consists of is socially constructed.[lvi] Depicting Afghan women as oppressed and in need of saving, and American women as free, limits

the ways in which one can uncover how women from both states are affected by the conflict.[lvii]

The realism of E.H. Carr and feminist international relations may at first seem incompatible, but both serve a nuanced understanding of the feminist rhetoric deployed by the Bush administration following September 11. Both theoretical viewpoints pay close attention to power dynamics, and tools from the realist school can be used to explain why feminism has been used by a neoconservative government to legitimize violence. Instead of promoting women's rights as a means to end (to appear moral, garner support for the war and increase global stability), a feminist ethics would advocate both equality and the deconstruction of gender as ends in and of themselves. As a critical theory, feminism is continually self-reflecting. Under feminist ethics one must be attentive to power relations between genders and state powers. Simply outlining gender as a concern, and employing only a liberal feminist rhetoric, as the Bush administration did, does not meet the demands of feminist ethics. It is only through understanding the material, social, political and economic factors which shaped the lived experiences of women in Afghanistan that one can begin to understand the war and its effects. Yet the Bush administration's empty rhetoric, sole focus on legal rights and sweeping generalizations of victimization can prevent this from happening.[lviii]

Although in recent years humanitarian interventions have been made in the name of international peace and security,

human rights are essentially anti-consequentialist in their insistence that moral value cannot be judged by the ends they bring about.[lix] Feminist ethics also require that women's rights not be protected only to serve one's self interest, but that women's rights be primarily sought as ends in and of themselves. As Lori Marso argues, feminists should "defend women's freedom non-instrumentally, as an end in itself."[lx] Kimberly Hutchings notes that postcolonial feminists may see political violence as justifiable under certain, highly rare conditions.[lxi] Yet while there is nothing that necessarily completely precludes military intervention for postcolonial feminists, the human costs of the war in Afghanistan make it untenable even when taking a consequentialist viewpoint. Afghan women may enjoy greater legal protection, but true liberation has yet to be achieved. Given the reduced human security of some Afghan women due to the war, and the homogenizing and othering neocolonial rhetoric employed by the Bush administration, the war cannot be justified on feminist terms. While the Bush administration may use feminist language, its actions contradict the basic prescriptions of feminist ethics.

Notes

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xxii Ibid., 201.

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xxiv Kolhatkar and Ingalls, Bleeding Afghanistan, 191.

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xxvi Kolhatkar and Ingalls, Bleeding Afghanistan, 191.

xxvii Ferguson, "Feminism and Security Rhetoric", 191.

xxviii Ibid., 208.

xxvix Ibid., 206.

xxx Ibid., 205.

xxxi Young, "Logic of Masculinist Protection," 133-134.

xxxii Agathangelou and Ling, "Power, Borders, Security, Wealth," 528.

xxxiii Young, "Logic of Masculinist Protection," 136.

xxxiv Kolhatkar and Ingalls, Bleeding Afghanistan, 179.

xxxv Hunt, "Strategic Co-optation of Women's Rights,"118.

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xxxvii E.H. Carr, The Twenty Years' Crisis, 1939, http://www.mtholyoke.edu/acad/intrel/carr.htm.

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xlii Ferguson, "Feminism and Security Rhetoric," 193.

xliii Whitworth, "Feminism," 402.

xliv Jacqui True, "The Ethics of Feminism," in The Oxford Handbook of International Relations, ed. C. Reus-Smit and D. Snidal (Oxford: Oxford University Press, 2008), 414.

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Assumptions, Morality and Consequences of Torture: The Counterproductivity of American Torture Policy

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Samantha Rousseau is in her fourth year and final term of her degree in Political Science with a minor in Law and Society at the University of British Columbia. If forced to choose, foreign policy and studies in epistemology are her greatest academic interests. Other interests include political and international relations theory and comparative law. She is especially fond of Nietzsche, Plato, and E.H. Carr. Future career goals include policy analysis, and research in her areas of interest.

"By liberty, was meant protection against the tyranny of the political rulers."

J.S. MILL

This article reviews the utilitarian defense of torture, which is based in justifications of national security, to demonstrate the counterproductive effect of the American torture policy in Iraq. Lord Devlin's work is used to conclude that emotional arguments are not enough to defend the prohibition of torture. The adoption of a utilitarian analysis to defend torture is summarized, and evidence from the wars in Iraq, Vietnam, and other conflict zones are used to demonstrate that the assumptions behind the justifications for torture are flawed. The American policy of torture is then used, along with Hart's legal theory to explain deviations from international law.

This essay will first address the contemporary arguments for and against torture. Typically, the argument against torture follows predictable lines of the inherent evilness of physical or psychological pain against any human regardless of circumstance. The argument for torture follows the utilitarian policy of maximizing security, in conjunction with the necessity of defence. This essay will follow the definitions of torture outlined by Jeannine Bell.[i] Coercive interrogation methods, those that psychologically manipulate the subject through lying, the use of flattery, establishing a trust relationship and alike will not be considered torture. Cruel, inhuman and degrading treatment are grouped with classical definitions of torture, and will refer to 'torture' as both are considered equally illegal by international law. While Bell makes this distinction, she notes it is only one of severity and duration. By reviewing Devlin I will demonstrate the limits to appealing to feeling or fundamentals of right and wrong when discussing international law, and thus why Hart is correct in his assertion that international law is neither a moral code nor strict legal commitment. Using utilitarian theory as written by John Stuart Mill with the empirical evidence of torture committed by the United States, I will outline how torture is counterproductive to the stated goals of American national security. Using Hart's analysis of international law, I will use my findings to analyze how American exceptionalism is threatening to the progression of international law, and thus American well being.

In 1965, Lord Devlin attempted to validate the use of moral feeling to criminalize homosexual acts and prostitution that had been

calculated by utilitarians as less harmful than their prohibition. In his essay "Morals and the Criminal Law," he argues 'the average man' bases moral judgements on feelings. He states that the disgust felt by the general population towards certain acts should justify their illegality. Based in the articulations of Ronald Dworkin in his essay, "Liberty and Moralism"[ii] Devlin's essay can be used to illustrate the illiberality, or danger, of moralistic or emotional feeling. Devlin is correct in his observation that people do not reason morality, they instead feel it.[iii] However, he is incorrect that the rationalization or reasoning of morality is unlikely or beyond the capability of the average man. Reason may be responsive to emotions, but utilitarian analysis seeks to subject morality to rational analysis of harm. J.S. Mill observes, "People are accustomed to believe, and have been encouraged in the belief by some who aspire to the character of philosophers, that their feelings, on subjects of this nature, are better than reasons, and render reasons unnecessary."[iv] The disgust one might feel towards acts of torture may seem to justify its illegality. However, if only based in emotion, its illegality is no more justified than the illegality of homosexuality before 1965 in Britain. It could be argued that torture is not like discrimination, as Devlin justifies oppression of individuals and torture prohibitionists seek to protect individual rights. To Devlin, homosexuality and prostitution were degrading to society, and the fabric that held society together was being torn by these degenerative practices. In this sense, the banning of torture internationally is like Devlin's

argument for the continued banning of homosexual acts and prostitution. Reasons for why torture must be prohibited outside of its inherent badness are thus necessary to defend its continued prohibition beyond the public disgust its practice invokes.

Mill's arguments for changes to traditional moral codes and his insistence on creating law with the purpose of generating 'the greatest good for the greatest number' has been adapted into modern utilitarian analyses which defend torture. Mill, a modifier of Jeremy Bentham's utilitarian theory, dismisses the self-evident as "The effect of custom, in preventing any misgiving respecting the rules of conduct which mankind impose on one another, is all the more complete because the subject is one on which it is not generally considered necessary that reasons should be given, either by one person to others, or by each to himself."[v] It follows that if it is merely self-evident that torture is fundamentally wrong, then it may be merely custom that dictates to us that the practice is morally repugnant. Modern analysis of international law agrees with this point. Hart says, "The morality of a social group may contain much by way of injunction which may appear absurd or superstitious when viewed in the light of modern knowledge."[vi] If torture saved lives, and without its use those lives could not be saved, how could a state official operating in the interest of his or her country justify not using torture? Michael Walzer's article, "Political Action: The Problem of Dirty Hands" building on Machiavelli's *The Prince* states this point explicitly.[vii] Public sentiment, the writers of popular

television dramas, and public officials have adapted a similar tone to the discussion of torture's necessity and legality.[viii]

Based purely upon the harm principle it seems that Mill would have argued for a national defence justification of torture. Mill states that normal rules of justice should be broken if the consequences of upholding them are dire.[ix] This classic reading of Mill as a prescriber of the maximization of happiness could justify torture. His line, "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others,"[x] seemingly justifies torture of an individual as a means to protect a nation. If it is true that torture is necessary to produce intelligence to protect the American people, torture's morality in extreme cases could be upheld by Mill's theory of utility. In this line of thought, scholars such as Alan Dersowitz, Oren Gross, and Michael Walzer justify torture with the ticking bomb scenario. [xi] In this thought experiment, an interrogator is faced with a terrorist that knows the location of bombs that will detonate within a short time limit. Thus, the interrogator must resort to torture or face widespread loss of life. Other scholars argue against such justifications on the grounds that it prepares for an institutionalized system of methods of how torturing must be taught and practiced. [xii] This argument states that the necessary institutionalization of torture and subsequent torture of many would outweigh the costs of the total prohibition of torture. I find this criticism insubstantial; teaching the methods of torture does not necessarily mean that

torture would be practiced on a large scale. A defendant of torture could dismiss this argument by insisting that any interrogator could go through basic training of torture through computer simulations. In addition this criticism operates on the assumptions of as the ticking bomb model, the same counterfactual assumptions that underlie much of the torture debate.

Bell examines the three assumptions of the ticking time bomb scenario: that the tortured subject has ties to terrorism, the information they hold is valuable, and torture will be effective in achieving the information's release. Most of the cases that involve torture today are not consistent with these assumptions. The first that all those that are tortured are guilty rejects the fundamental of practiced Western law that one is innocent until proven guilty. The lack of charges being placed upon the majority of Guantánamo's 775 detainees suggests that they were innocent.[xiii] Furthermore, there is increasing evidence that most of the suspected terrorists or enemy combatants held in international black-out zones by the American government are being held and tortured without charge. Bell remarks that out of the 5000 illegally detained immigrants in the United States, only three ever were charged.[xiv] In April 2010, the Washington Post reported accusations by Lawrence Wilkerson, a top aide to former Secretary of State Colin Powell, which stated that George Bush, Dick Cheney and Donald Rumsfeld were aware that the hundreds of men being sent to Guantánamo were innocent.[xv] The justification of intelligence gathering of

terrorist activities begins to break down if those that are tortured are innocent. With the historical and modern use of systemic torture to extract confession,[xvi] it follows that torture may confirm suspicion, rather than produce reliable intelligence.

The use of torture to achieve confession was a standard procedure in the thirteenth century, as confession was necessary to convict those already proved to be guilty of their crimes. With the evolution of the legal system, it was found that evidence or confession derived from torture could not be trusted, as it tended to generate false-positives.[xvii] False-positives, generated by the willingness of innocents to confess and comply with their interrogators, results in investigation into faulty intelligence and further imprisonment of the innocent. There have been few, if any, well-documented cases where torture has been successful in acquiring reliable and substantial intelligence.[xviii] Even in the ticking-bomb scenario, a terrorist could give the integrator false information that would lead them to trip over a wire that triggered the bomb. Bell synthesizes interviews done by successful interrogators, during which they consistently claimed that psychological techniques used by police forces are more effective than torture. When innocents are tortured, some will under extreme psychological and physical pain admit to actions they did not commit and give false information in hopes of release.[xix] Those that are guilty may be able to resist even the most painful of interrogation tactics, or deliberately mislead their interrogators.[xx] The most

shocking example of false information derived from torture is the evidence used to invade Iraq. The definitive proof of weapons of mass destruction was exacted through the torture of Ib al-Shaykh al-Libi, who later admitted to lying to end the pain.[xxi] In addition, modern psychological and neurological research demonstrates that torture impairs memory recall through the damaging of cortical structures that store memories.[xxii] Without any evidence that suggests torture produces reliable information, and much evidence to the contrary, we can safely reason the pain undergone by the tortured to gather intelligence is unjustifiable.

While torture does not produce reliable intelligence, it does produce resistance. One of Osama bin Laden's goals of the World Trade Centre attacks was to generate an uprising against the United States because of its foreign policy in the Middle East, including the "U.S. Military presence in Arabia; U.S. support of Israel; its continued bombing of Iraq; and its support for regimes such as Egypt and Saudi Arabia that bin Laden regards as apostates from Islam."[xxiii] Through the widespread practice of torture, American policy has aided bin Laden and other terrorist groups through the provision of further justification for terrorist activity, and perhaps radicalized some that previously did not support Al-Qaeda. As policy analyst Steven Krull states, "U.S. efforts to fight terrorism with an expanded military presence in Muslim countries appear to have elicited a backlash and have bred some sympathy for Al-Qaeda, even as most reject its terrorist methods."[xxiv] This analysis is

underlined by recent research in which the predictors of terrorism are found to be "torture, political imprisonment without due process, disappearances suspected to result from workings of state agents, and extrajudicial killings perpetrated by government officials."[xxv] While the relationship between torture as a single variable and terrorism is not statistically significant, the authors of the article state this is likely because torture is easier to hide, and only instances of domestic terrorism were studied. Substantial evidence was found by Mia Bloom, who studied the effects of violence, including torture, against women. She found its use increased the radicalization of women and served as a rallying call for widespread resistance against occupying forces.[xxvi] Mill, as a defender of liberty and rights, justifies this response to torture. He says, "First, by obtaining a recognition of certain immunities, called political liberties or rights, which it was to be regarded as a breach of duty in the ruler to infringe, and which, if he did infringe, specific resistance, or general rebellion, was held torture be justifiable."[xxvii] The reverse of the popular argument, that torture is a necessary response to terrorism, is perhaps true. Terrorism can be caused, or increased by torture and related human rights abuse. Torture is thus counterproductive to the aim of national security.

The appeal of utilitarianism is its methodology, which allows us to consider the possibility that torture may be justified in so far as it is useful for the greater good. With a fuller application of this calculus, hidden costs of torture can be revealed. There remain many more negative effects of the American policy on torture,

including strained diplomatic relations with other states and a loss of international credibility. While these support the idea of torture being counterproductive, their full discussion is beyond the scope of this essay. American exceptionalism, with its creation of double standards, will likely lead to increased justification for widespread disobedience towards international legal provisions. This is already occurring.[xxviii] A perspective that articulates a position where international law is a method of justifying action or merely a facade for power politics may say these costs are negligible and unreal. This archetype of Machiavellian thought could suggest that politicians only rhetorically submit to human rights law, or use justifications of torture to distract public opinion from the use of torture for other ends. These ends would include the implanting of fear within the invaded country's populace, and the deliberate production of information through torture or other means to justify any desired course of action. This is potentially much more serious than mistaking the implications of a torture policy and deserves research and analysis. Evidence that a culture of impunity existed within the American military and that higher officials were aware could support this thought.[xxix] Yet, the evidence also suggests that military and intelligence officials on the ground did not know the intelligence generated was likely to be false.[xxx]

Many countries, both developed and developing, are aware of rendition and torture being used and were complicit in its use. This supports the idea that documents, such as the United Nations

Declaration of Human Rights, are merely idealizations of rules, but not rules themselves. If we take Hart's proof of the existence of binding rules as "simply that they are thought of, spoken of, and function as such,"[xxxi] a rule on torture may not exist. It is discussed and thought of as such a rule, yet it has not functioned to prevent torture. However, when supposed international rules are broken, they are not dismissed outright. Indiscretions are hidden and denied by guilty states, which indicates that the American attempt to deny its regularization of torture is the result of international law. Additionally, while theoretical discussion of torture has focused on its defence or condemnation, official justification has centred on limiting international law's scope. Claims that the Geneva Code of Conventions did not apply to the classified group of unlawful enemy combatants indicates that policy-makers wished to appear to be following international law. Focusing on formal definitions is also a fact of the international system discussed by Hart. Perhaps we can infer the rule of recognition that Hart claims is lacking as: "states are meant to operate within the boundaries of written and customary international law, as long as those laws do not seriously jeopardize the national interest of any given state."[xxxii] International law's applicability may be contextual. Therefore, the conception that not only has the United States acted immorally when engaging in the regularization of torture, but also has acted without reasonable cause, may be vital for heavier international criticism of their conduct.

The United States' scholarly and legal defence of the use of torture centres on the idea that it is for the greater good of their nation. The Devlin-like disgust towards torture, while perhaps the morally correct response, fails to provide a legal or moral reason for the complete prohibition of torture. By calling into question the assumptions that torture is effective in producing reliable intelligence, and by using the utilitarian method used by torture's defendants, it is revealed that torture cannot be justified with the defence of stated necessity. The analysis of the consequences of torture policy on populations subject to its use reveals that torture can be counterproductive to national security. The attempt to circumvent international law through a redefinition of torture itself and the defence of torture for national security reveal that international law's applicability is dependent on context and what is considered to serve national interest. Interestingly the utility methodology, originally critical of emotional appeals to justify morality, when used to defend torture was perhaps based more on emotional logic and tradition than logic or knowledge. While Mill claims we have the benefit of the wisdom passed down through the ages, it appears in the case of torture used during the War of Terror, that this wisdom was forgotten or ignored.

Notes

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v Ibid.

vi H.L.A Hart, "The Nature of International Law," in Readings in the Philosophy of Law, ed. Keith Charles Culver. (Peterborough, Ont.: Broadview, 2008), 388.

vii Michael Walzer, "Political Action: The Problem of Dirty Hands," Philosophy and Public Affairs 2 (1973): 166.

viii Roland Weierstall, Thomas Elbert, and Andrea Maercker, "Torture: Psychological approaches to a major humanitarian issue," Zeitschrift fu' r Psychologie / Journal of Psychology 129 (2011): 219.

vix Henry West, "Was Mill an Act- Or Rule-Utilitarian?," Introduction to Mill's Utilitarian Ethics, (West Nyack, NY: Cambridge University Press, 2003), 88.

x Mill, On Liberty.

xi Craig Forcese, "Myth of the Virtuous Torturer: Two Defences of the Absolute Ban on Torture Review Essay." The Osgoode Hall Law Journal 46 (2008): 853-70.

xii Ibid., 853-70.

xiii Jamie Mayerfeld, "Playing by Our Own Rules: How U.S. Marginalization of International Human Rights Law Led To Torture," Harvard Human Rights Journal 20 (2007): 98.

xiv Bell, "Behind This Mortal Bone," 350.

xv Tim Reid, "George W. Bush 'knew Guantánamo Prisoners Were Innocent,'" The Times [Washington], April 9. 2010, accessed March 20, 2011.

xvi Lisa Hajjar, "Does Torture Work? A Sociolegal Assessment of the Practice in Historical and Global Perspectives," Annual Review of Law and Social Science 5 (2009): 336.

xvii Jesselyn Raddack, "Discussing a Taboo - A Review of Torture: A Collection," Temple Political & Civil Rights Law Review 14 (2005): 616.

xviii Emilie M. Hafner-Burton and Jacob N. Shapiro, "Symposium: Tortured Relations: Human Rights Abuses and Counterterrorism Cooperation," PS: Political Science and Politics 43 (2010): 415-19.

xvix Bell, "Behind This Mortal Bone," 341.

xx Ibid., 359.

xxi Hajjar, "Does Torture Work?," 332.

xxii Roland Weierstall et al., "Torture: Psychological approaches," 219

xxiii Charles V. Pena, "Blowback: The Unintended Consequences of Military Tribunals," Notre Dame Journal of Law, Ethics, and Public Policy 16 (2002): 127.

xxiv Hafner-Burton and Shapiro, "Symposium: Tortured Relations," 415-19.

xxv James A. Piazza, and James I. Walsh, "Symposium: Physical Integrity Rights and Terrorism," PS: Political Science & Politics 43 (2010): 411-14.

xxvi Mia Bloom, "Death Becomes Her: Women, Occupation, and Terrorist Mobilization," PS: Political Science and Politics 43 (2010): 445-50.

xxvii Mill, On Liberty.

xxviii Richard Goldstone, "Combating Terrorism: Zero Tolerance for Torture," Case Western Reserve of International Law 37 (2005): 345.

xxvix Michael Scharf, "Elephant in the Room: Foreword: Torture and the War on Terror, The Symposium: Torture and the War on Terror: Foreword," Case Western Reserve Journal of International Law 37 (2005): 145-146.

xxx Alex Danchev, "'Like a Dog!': Humiliation and Shame in the War on Terror," Alternatives: Global, Local, Political 31 (2011): 264.

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Conceptual Entrapment in Non-Human Ethics: Freeing ourselves From a False Dichotomy

At the heart of many conflicts and debates surrounding environmental ethics is a dichotomy between conservation and development. The notion is that "nature" can either be put to use for humans, or protected by means of segregation in nature reserves. Despite the appearance of balance in places like Stanley Park, reciprocal relations between humans and non-humans are not actualized. This article offers a breakdown of the dichotomy, showing it to be false and undesirable through an analysis of Western political theory, First Nations history, and comparison between Vancouver's Stanley Park (an anthropocentric park) and Burns Bog (a neglected conservation area).

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In Vancouver, BC, Burns Bog is an area of import that facilitates local biodiversity and constitutes the largest carbon sink in an urban area on the west coast of the Americas.[i] Despite its important status, the Bog's total area has been reduced to expand a landfill, and more recently to construct a large highway: the South Fraser Perimeter Road. What is more, issues surrounding the bog have received very little public attention.[ii] A dichotomy in the discourse surrounding the bog is impossible to ignore: development or conservation. The highway developers seek to use 'nature' lest it lie in waste, (in this case by paving over it for a highway), and the Burns Bog Conservation Society seeks to wall it up and seal it off lest the Bog be further tainted by human interference. Both of these poles misconstrue the actual relationship between humans and non-human life by tacitly accepting that "nature" can only exist outside of human industry and influence. This paper offers an examination of the theoretical underpinnings of this pervasive ideology, which informs human institutions, and draws on historical evidence to show that development can, has, and should be pursued as a *symbiotic relationship* with non-human life.[1] I draw on evidence from First Nations' history, the author's personal experience with Burns Bog, and an emerging body of literature on the political theory of non-human life to show that the development/conservation dichotomy is false and neither pole is sensible, desirable, or feasible. It then closes with a brief comment on the author's belief that, had Burns Bog been incorporated into society rather than segregated, it would have received far more

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1 It must be noted that a symbiotic relationship with non-human life, a truly social relationship, is one in which humans approach development with more in mind than their own interests. As an example, having Stanley Park in Vancouver does not mean the city has fully recognized a symbiotic relationship with non-humans because ultimately human interests prevail in the park. Should bears be found roaming there, they will be tranquilized and removed, allegedly for their and our protection. A symbiotic and truly social relation with non-humans is one in which people explicitly recognize non-humans as members of society that require representation in some capacity, while recognizing the inherent challenges of invoking and providing such representation for mostly mute entities.

attention in the face of encroaching development projects. I begin with a brief look at Locke's theory of property before showing that First Nations in pre-colonial America arguably embodied the sustainable development model Locke advances. This will serve to establish that, despite having a theoretical foundation that promoted sustainable development, Western society failed to recognize that many First Nations possessed keener knowledge of how to pursue it. Moreover, that failure has contributed to a pervasive sense in contemporary discourse that what Europeans found in North America was land lying in waste, which would never thrive without 'modern,' western-European-style development.

John Locke's *Second Treatise of Government* is a useful starting point. The root of Locke's theory of property lies in the belief that God gave the earth to mankind in common to be improved upon "for the benefit of life" by the "industrious and rational" such that "nothing was made by God for man to spoil or destroy."[iii] In its essence, Locke's theory is perhaps one of the earliest arguments for sustainable development, a middle-road that runs between the conservation and development poles. This is so because it advocates for moderation and recognizes scarcity while promoting the improvement by humans of their environment so as to increase resource output. Yet critics point to Locke's notion that it is wrong to let land lie "in waste" because this was a premise used to justify the colonial subjugation of the Americas.[iv] In this way, some see Locke as the forefather

of the development pole for the contemporary debate.[v] But this is not so, as the fault lies not in the notion that undeveloped land lies in waste, but in the arrogant and ignorant belief that what the Europeans observed in the Americas of Locke's time constituted undeveloped land.[vi] It is ironic that modern 'defenders' of 'nature' are often guilty of holding this same assumption. Indeed, in response to the over-development of First Nations' land, they often suggest that these areas should be designated as conservation areas or nature reserves until they become 'wild' once again.[vii]

There is also evidence to show that First Nations' use of land in North America (prior to European settlement) did constitute development of the land. Sandra Peacock and Nancy Turner's excerpt "Just Like A Garden" is one of the rare examples of this evidence. The text concerns an area of British Colombia's Interior Plateau where First Nations used to actively improve the resources at their disposal by means of "landscape burning, pruning, tilling, and even picking" food in the area.[viii] They effectively pioneered what one might call agricultural-forestry where they actively engineered the landscape to produce greater quality foodstuffs and large yields. This was made possible by working with the land rather than uprooting everything and plowing European-style farms. Yet, because the knowledge of these practices was the property of oral history and the agricultural forest appeared "wild" to the untrained eye, Europeans largely ignored the benefits and wisdom of the First Nations.[ix]

That this evidence continues to go mostly unnoticed and unheeded is a testament to how entrenched the development/conservation dichotomy is in the contemporary discourse surrounding nonhuman life.

Bruce Braun has offered an extensive commentary on how the First Nations' diversified and developed economy was marginalized by colonial discourse.[2] Of particular note is the work of G.M. Dawson, an influential late nineteenth century anthropologist and cartographer. Braun identifies a discrepancy between Dawson's journal and his published cartographic research. The former exemplifies an awareness of "the vitality of native territorial, cultural, and economic practices" while the latter featured large blank spaces on Dawson's maps, which he assumed would eventually be filled with both "more complete knowledge" of the landscape and "the enterprise of white settlers".[x] Braun also emphasizes the structure of Dawson's writings, which spatially and analytically separates the study of the "physical landscape" from the "cultural landscape" in a way that Peacock and Turner's research shows to be incongruent with reality.[xi] For Peacock and Turner's research shows that the First Nations of B.C.'s interior felt an inherent connection between culture and land-management. Indeed, their culture was in many ways defined by how they understood their relations with non-humans and the environment.[xii] Dawson's writing can thus be thought of as a seed from which the development/conservation

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2 One should note that the discussion of the developed and diversified economy of First Nations in this context refers to the example of Interior B.C.'s Salish community referenced by Peacock and Turner. The essay uses loose language to insinuate that similar practices were found throughout North America, however for reasons elaborated in this section relating to colonial practices, evidence to that effect is difficult to find.

dichotomy grew. This is so because it deliberately marginalized a vast body of knowledge on sustainable land use in North America while simultaneously constructing the fallacy that First Nations land was undeveloped and would remain so until its full potential could be realized by the western agricultural practice.

What is genuinely troubling, however, is that contemporary environmental conservationists are perpetuating this false conception of pre-colonial America having been wild and devoid of human interference. Braun writes at length on this dimension as well. Focusing on a recent case study of the Clayoquot Sound in B.C., he was struck by the fact that proponents on both sides of the development/ conservation divide seemed to tacitly accept the notion that what was at stake were parcels of "wild" land either to be conserved or developed.[xiii] At issue were the quantity and quality of lands preserved. Whether or not it makes sense to conceptualize these areas as being fundamentally separate from the human sphere was not even considered. This is important because the tacit assumption ignores the reality that whether we develop or conserve our resources, we are affecting change in "nature." The First Nations from Peacock and Turner's research exemplify the fact that the agricultural yields in pre-colonial America were not natural. Those tribes enjoyed reliable harvests from the land because of their careful management of the landscape, encouraging the growth of useful plants and discouraging that of

invasive or troublesome species. In other words, the forest was just like a garden. Fortunately, this is not the only example of how human agricultural or animal husbandry practices impact our environment. Evidence that "nature" is a social phenomenon in that it responds to human and animal interactions has been accumulating for centuries.

A useful example of nature as responsive to human action is the practice of "scientific forestry" which was "invented" in late eighteenth-century Prussia and Saxony.[3] In the interest of maximizing the state's comparative advantage, the Prussians sought to manipulate forests in order to increase their economic potential. In practice this meant the adoption of a particular kind of land management whereby the forest was completely redesigned. The forests' underbrush was removed, the trees that were permitted to grow were uniform in size and type of wood, and they were organized into neat rows.[xiv] The result was a monoculture of forestry delivering the short-term benefits of standardized size and spatial organization that allowed for the exertion of less labour and the harvesting of more timber. The method seemed so successful that German forestry science became the worldwide standard by the end of the nineteenth century.[xv] But the benefits were short lived. By the time the second rotation of trees was being planted, the negative impacts on both the forests and their economic yields became obvious. After once cycle of about a century production losses of 20–30% were observed simply due to

the poorer quality of the wood and soil. This change was so devastating that a new word, *Waldsterben* (forest death) had to be invented to describe it.[xvi] Ultimately, the engineered monoculture of the Prussian experiment made the crops weaker, more susceptible to blight and fire, and more vulnerable to pests.[xvii] It took time for those results to become clear, but they are undeniable. This example shows that by completely ignoring any concept of symbiosis with the forest and instead working to only serve a human and commercial interest, ecosystems can collapse. Thus, relations with non-humans not only should be conceptualized as symbiotic and social, but when they are not, the result is disastrous for both humans and non-humans alike.

A less documented but even more troubling case concerns the great plains of the American heartland. In her book All Our Relations, Winona LaDuke illustrates the various negative impacts that cattle-raising has had upon the American Plains and links that impact to colonial efforts that were designed to appropriate First Nations land by means of decimating their major food source: Buffalo.[4] In 1850, 50 million buffalo ranged the prairie system and left it in excellent shape without the help of fences, pesticides or federal subsidies.[xviii] Now, 45.5 million cattle dominate that ecosystem but are dependent upon an elaborate agricultural system that uses "pumps, irrigation systems, combines, and chemical additives" to keep the land alive and the cattle fat.[xix] The Buffalo had

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3 The term "scientific forestry" is a direct quote but the use of scare quotes on "invented" is used to draw attention to the fact that managing a forest in the interest of promoting economic output has likely been practiced for millennia by various groups and cultures. The fact that the Prussians may have been the first to experiment with large tracts of publicly owned land and codify the experiments in written logs seems to justify the notion that they "invented" scientific forestry. James Scott, Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed (New Haven, CT: Yale University Press, 1998), 11.

been a sustainable resource for First Nations people for generations until they were killed and driven into small sections of parkland. Now, the American Prairies are engines of industrial agriculture, which are ironically dependent on billions of dollars in government subsidies. Moreover, the U.S. is estimated to have "lost nearly one-third of its prime topsoil" due to overgrazing, over-cultivation of the land, deforestation, and improper irrigation techniques.[xx] The cost of the contemporary U.S. agricultural model can only increase when the land upon which it depends continues to degrade as a result of its unsustainable development.

Effectively, the impacts of monoculture practice on the American plains are the same as those exercised by the Prussian scientific forestry experiment. That is, the ecosystem is weakened, made more susceptible to destructive forces, and economic gains are significantly diminished. If one considers the total timeframe of the impact of these practices, the damage outweighs the benefits dramatically. In the American case, the sheer amount of money in subsidies that is needed to keep these unsustainable practices alive indicates the disadvantage of monoculture. The U.S. government is anticipated to spend $25 billion in subsidies for agriculture in 2011 with an annual average of $23 billion for the years 2000-2010.[xxi] If the government is pressed to spend $23 billion in order to buoy its domestic

agricultural industries, it is difficult to accept the argument that this kind of land-development is truly profitable. But if the conservation/development dichotomy is not broken down, then developers will continue to value the use of land for economic productivity while at the same time advocating for more government assistance and subsidy to mitigate its inefficiency. A vicious cycle therefore exists, and at its root is the notion that if nature is not producing what one wants, then one should simply plough more land, use more pesticide, divert more water for irrigation, and genetically alter the structure of the plants and animals in order to make non-humans what one desires them to be.[5]

There are, however, a number of treaties, agreements, and reports that are increasingly recognizing the symbiosis of human/non-human dependence and the social nature of the non-human environment. The most recent example comes from a study by the University of East Anglia (UEA), reported upon by the BBC on December 5th, 2011. The study "found at least 30 bird species [in Europe] that would be driven to extinction without farmland" and note that this probably applies to many more species not included in the study.[xxii] The findings led the researchers to conclude that "wildlife now needs farms."[xxiii] Agricultural practice has therefore impacted relations with wildlife substantially. The farms, moreover, also depend on other species.[xxiv] The Eurobats

Treaty of 1994, for example, entrenches legal protection for the homes of migratory species (bats in particular) in recognition of the fact that these species play a fundamental role in facilitating agriculture.[xxv] Other treaties that legally recognize the importance of non-human biodiversity in facilitating economic production exist across the globe, such as the Convention on Biological Diversity of 1992 and the Convention on Migratory Species.[xxvi] Therefore, a social relationship of co-dependency exists between human practices and the non-humans these practices affect.

Returning to the case of Burns Bog, my personal experience exemplifies why closing nature off from human activity is no solution to the challenge of managing the human – non-human relationship. To begin, I used public transit to find the bog when I was required to attend a tour of the area. It was ironically very difficult to do so without a car.[6] Directions from Google-maps led me to the wrong place, transit routes did not stop near my actual destination, none of the transit officials knew what or where the bog was, and I ultimately missed the tour. As mentioned above, the Bog is a very important resource for local biodiversity and as an urban carbon sink, yet it seems to go unnoticed by most of the public. In contrast, one could ask almost anyone in Greater Vancouver for directions to Stanley Park and use a variety of public transit routes to get there.

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4 LaDuke explains in her text that cattle's impact on the land is detrimental in a number of ways. These include their grazing habits in terms of quantity and the subsequent overgrazing and the way cattle's weight is distributed upon their hoofs such that they literally over-compact the soil to a point that it cannot properly absorb moisture and support life. This then is compounded by the strain industrial agriculture bears upon aquifers and water tables in the region. For more details on this see: Winona LaDuke, All Our Relations (Cambridge: South End Press, 1999), 141-148.

5 For anyone who is skeptical, and thinks this sentence over-exaggerates the situation, please take the time to investigate the company Monsanto, which currently owns over 95% of the global market for seeds and has long been in the process of genetically modifying seeds to resist pesticides and no longer produce offspring in order to both facilitate the destructive cycle described above as well as further restrict the market for seeds by forcing farmers to continually buy their supply from Monsanto. See: Manifestos on the Future of Food & Seed (Massachusetts: South End Press, 2007), edited by Shiva Vandana.

6 This is ironic because the most recent threat facing the Bog is a large highway.

My premise then, is this: if the Bog were incorporated into society rather than being excluded, it would be accessible, familiar, and something 'worth' protecting.

This essay has shown a variety of resources that can be used to argue over-development and unsustainable practices warrant greater consideration for how we make use of land and resources. Yet, in trying to address the other side of the dichotomy, speaking against the segregation of 'nature,' I am predominantly left with anecdotal evidence for my case.[7] This is why I believe including nature in the frameworks of society is important: to facilitate and promote the anecdotal, emotional, and personal experiences that individuals have with their environments. I believe the Bog's example highlights the fact that people will not give much attention to protecting something they do not know, have no use for, and with which they have no experience. Furthermore, I do not believe this is a bad thing in and of itself. There are examples in history that can teach individuals in the present to go about using the environment without destroying it, to the benefit of both humans and non-humans. But only when individuals, and thereby communities, actively promote nature's inclusion in accordance with sustainable development will popular discourse begin to shift away from the development/ conservation dichotomy. Only then can the reality of mutual dependence that exists between humans and non-humans be properly respected and sustained. In summary, a quote from William Cronon gets at the heart of this paper's premise: "If we allow ourselves to believe that nature, to be true, must also be wild, then our very presence in nature represents its fall."[xxvii] True defenders of nature must focus on how we are developing our land and resources, not whether development in itself is good or bad.

As a conclusion, I offer words of caution. Do not be fooled into thinking that our urban green spaces or our national parks are including non-humans equitably. They are not. At their core these projects continue to theoretically and physically demarcate separate spaces for humans and non-humans on the whole. We engineer large spaces of parkland in which only those non-humans that we deem sufficiently tame and beautiful are allowed to remain, and they remain for our pleasure. Should a clash of interests occur, humans prevail. In return, we delimit other spaces, often referred to as nature reserves, in which the non-human interests take precedence. In these spaces, human activities of hunting, using motorized vehicles, logging, harvesting of vegetation, and so on are forbidden. There is a legal framework in these areas designed to keep humans from interfering with the non-humans. In our park spaces, we have a framework that is likewise designed to keep any non-humans we deem threatening or undesirable from interfering with us. We allow some non-humans to share those parklands, but we do so in a manner that defies any notion of reciprocity or mutual respect. Vancouver offers examples of both types of spaces. Stanley Park is a carefully engineered recreational space that structures all non-human life in the area so as to facilitate human enjoyment of the park. The plants that grow there are those which the city has deemed beautiful. The animals that live there are those the city deems safe and tame. That space is for people, first and foremost. By contrast, Burns Bog hosts a variety of endangered forms of plant and animal life. It has, therefore, slowly become an area where non-human interests take precedence. But the only way in which the Bog's Conservation Society can conceptualize that protection is to keep the Bog sealed off from public access. Thus when a highway development project that would pave over parts of the Bog is proposed, the debate over use of the Bog can only boil down to a dichotomy – it is either there for humans or for non-humans. So long as we allow our public officials, our business leaders, and ourselves to accept this false dichotomy, we will never achieve an equitable model of sustainable development. For if the questions surrounding non-human/human interaction boils down to ideas of 'us or them,' 'use or protect,' or 'exploit or abandon,' we will never equip ourselves with the empathy required to find the middle ground.

7 This refers to both my personal anecdotes but also the anecdotes mentioned earlier from Braun about his evaluation of the stakeholders' positions in the Clayoquot Sound case.

Notes
1 Eliza Olson, "Your $100 Tax Credit," Burnsbog. wordpress.com, July 6th, 2008, accessed December 8th, 2011. http://burnsbog.wordpress.com/2008/07/06/your-100-tax-credit/.
2 As a point of comparison, the Bog's level of public attention pales in contrast to that garnered by the Keystone XL Pipeline and its subsequent rerouting. CBC News, "TransCanada Agrees to Reroute Keystone XL Pipeline", CBC News, Nov 14th, 2011, accessed December 8th, 2011, http://www.cbc.ca/news/world/story/2011/11/14/transcanada-keystone-route.html.
3 John Locke, Second Treatise of Government (Cambridge: Hackett Publishing, 1980), 18-21.
4 Ibid, 23-25.
5 See Henry, John F, "John Locke, Property Rights, and Economic Theory," Jounral of Economic Issues, Vol. 33, No. 3, Sept 1999, & Macpherson, C.B., The Political Theory of Possessive Individualism: Hobbes to Locke (Oxford: Clarendon Press, 1962).
6 Locke, Second Treatise of Government, 23-25.
7 Bruce Braun, The Intemperate Rainforest (Minneapolis: University of Minnesota Press, 2002), 12.

8 Sandra Peacock and Nancy J. Turner, "Just Like A Garden," in Biodiversity and Native America (Norman: University of Oklahoma Press, 2000), 133-134.

9 Ibid,156-166.

10 Braun, The Intemperate Rainforest, 46-57.

11 Ibid, 52-53.

12 Peacock and Turner, "Just Like A Garden," 135-146.

13 Braun, The Intemperate Rainforest, 1-8.

14 Scott, Seeing Like A State, 18-19.

15 Ibid, 19.

16 Ibid, 20.

17 Ibid, 20.

18 LaDuke, All Our Relations, 143.

19 Ibid, 143-148.

20 Ibid, 147.

21 "Historical Tables provides data on budget receipts, outlays, surpluses or deficits, Federal debt, and Federal employment over an extended time period, generally from 1940 or earlier to 2012 or 2016." The United States Government, "Table 3.2," Office of Management and Budget, accessed December 8th, 2011, http://www.whitehouse.gov/omb/budget/Historicals.

22 Wright, Hugh L., "Agriculture a Key Element for Conservation in the Developing World," Conservation Letters, Vol. 5, No. 1: 11. & Victoria Gill, "Threatened Species Need Farmland," BBC Nature, December 5th, 2011, accessed December 8th, 2011, http://www.bbc.co.uk/nature/16000484.

23 Wright, "Agriculture a Key Element for Conservation in the Developing World," Conservation Letters, Vol. 5, No. 1, (Jan 2012): 11. & Victoria Gill, "Threatened Species Need Farmland," BBC Nature, December 5th, 2011, accessed December 8th, 2011, http://www.bbc.co.uk/nature/16000484.

24 EUROBATS, "An Introduction to EUROBATS," EUROBATS, accessed December 8th, 2011, http://www.eurobats.org/about/about_EUROBATS.htm.

25 Bats and other migratory species are crucial for agriculture because of their roles as pollinators, seed dispersers and insect control agents (they eat a lot of pests). EUROBATS, "About Bat Conservation," EUROBATS, accessed December 8th, 2011, http://www.eurobats.org/about/about_bat_conservation.htm.

26 The Convention on Biological Diversity has been ratified by 158 countries, the Convention on Migratory Species has 116 parties and the Eurobats treaty is now under the umbrella of the larger Convention on Migratory Species. Convention on Biological Diversity, "History of the Convention," CBD Secretariat, accessed December 8th, 2011, http://www.cbd.int/history/. Convention on Migratory Species, "Introduction to the Convention on Migratory Species," UNEP / CMS Secretariat, accessed December 8th, 2011, http://www.cms.int/about/intro.htm.

27 William Cronon, "The Trouble With Wilderness; or, Getting Back to the Wrong Nature," in Uncommon Ground (New York: W.W. Norton & Company, 1995), 80-81.

CONSERVATION

ECONOMY LIBERTY

TRANSNATIONAL ETHICS FEMINIST

REPRESENTATION

INDIGENOUS RHETORIC

LEADERSHIP

POLITICS

TRANSNATIONAL SECURITY

ECONOMY GOVERNMENT

DEVELOPMENT REPRESENTATION CONSERVATION POLITICS

GOVERNMENT

RHETORIC TRANSNATIONAL DEVELOPMENT ECONOMY

LEADERSHIP LIBERTY SECURITY RHETORIC

DEVELOPMENT FEMINIST ECONOMY

GOVERNMENT CONSERVATION SECURITY

ETHICS GOVERNMENT

REPRESENTATION

LAW INDIGENOUS LAW

DEVE ETHICS LEADER TRANSNATIONAL

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DEVE RHETORIC SECURITY

FEMINIST RHETORIC LAW

SECURITY FEMINIST RHETORIC

POLITICS GOVERNMENT LIBERTY LIBERTY