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The Journal of Political Studies

24th Edition

The Journal of Political Studies has been produced in its entirety on the traditional, ancestral, and unceded territories of the Coast Salish peoples. In particular, we recognize the Musqueam (xWməθkʷə yəm), Squamish sk̓wx_wú7mesh and Tsleil-Waututh First Nations.

Specifically, UBC's Vancouver campus exists on xWməθkʷə yəm territory. As guests who work, study, and live on these lands, the UBC community has a responsibility to use the skills and knowledge we develop here to give back to our hosts. To learn more, please visit; <https://indigenousfoundations.arts.ubc.ca/home/>.

All opinions expressed herein are solely those of the individual authors.

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The Journal of Political Studies has been produced in its entirety on the traditional, ancestral, and unceded territories of the Coast Salish peoples. UBC Vancouver is located on the traditional, ancestral, and unceded territory of the Musqueam people. The land it is situated on has always been a place of learning for the Musqueam, who for millennia have passed on their culture, history, and traditions from one generation to the next on this site.

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Foreword

I am writing this forward having just attended the UBC graduation ceremony for Political Science and International Relations majors. During their remarks, both President Santa Ono and Chancellor Steven Lapointe urged students to consider devoting some of their lives to helping others. Chancellor Lapointe noted that a university education is not available to everyone and that those privileged to have this opportunity should consider how they can help those less fortunate.

This edition of the Journal of Political Studies suggests our students are very much on this path. The Journal contains insightful studies on topics including: reproductive freedom, climate change, peacebuilding in Western Asia, and women freedom fighters. All of the articles challenge dominant narratives and problematize how power is used and affects humans in Canada and around the world.

I commend the authors and editors for the considerable time and effort it takes to write, review, revise, and edit these wonderful examples of scholarship. I am very familiar with the lengthy and time-consuming process the chief editors, Danilo Angulo Molina & Hannah Stojicevic, and their team of editors undertook as they created this excellent addition to our journal.

Andrew Owen

Director of Undergraduate Programs

Department of Political Science

Letter from the Editors

Dear Reader,

We would like to acknowledge that the selection process and editing of the 24th edition of the Journal of Political Studies (JPS) has been conducted on the traditional, ancestral, and unceded territory of the hən'q'əmin'əm'-speaking Musqueam people. This year's edition of the JPS is a very special one. This year, for many of us, has proven to be enormously challenging, navigating a world of increasing alienation, change, and transition. The copy of the Journal of Political Studies you are holding in your hands or reading electronically is the result of an enormous amount of dedication, deliberation, and work from our editors and authors, who met throughout the year to produce an edition which is intimately connected with the kinds of issues and questions that UBC undergraduate students are engaged with every day in some measure. We are deeply grateful that you have taken the time to read and digest this work, which is, every year, a labour of love and an exercise in understanding. We sincerely hope that you find this year's iteration of the JPS as meaningful, empathetic, original, and critical as we do as you read the breadth of articles published in this volume.

We want to first thank our incredible and dedicated team of editors for their work throughout this year, who engaged deeply and intimately with the work of their peers and brought the best out of some truly excellent submissions. Thank you: Abbi, Andre, Andreas, Bowen, Cassiopeia, Isabella, Jasmine, Jessica, Miles, Sam, Santosh, Tomila, Uly, and Yousif. We are so thankful, as well, to our authors, who have allowed us to enter their process, challenge their work, and created the kind of disclosure and vulnerability that makes editing possible. We hope that this process has been challenging, exciting, and edifying for all of you, without whom there would of course be no journal. We would also like to express our deepest gratitude towards every author

who submitted and shared a piece of their writing with us and our editors in the first place. We hope that these authors continue to write, submit, and share their work filled with passion and enthusiasm.

The work that the JPS does every year, which gives undergraduate students at UBC the opportunity to navigate publication and peer-review for the first time, would not be possible without the sustained support of the UBC Department of Political Science, who ground and guide us throughout the year. We would like to thank Dr. Richard Price for his unwavering support for the JPS throughout the last few years, and to our Faculty sponsor Dr. Andrew Owen, both this year and in previous years, who makes this process navigable and allows us to create an edition we are deeply proud to share.

This year's edition is one whose common thread is quite simple; all of the articles you are about to read deal, in some measure, with social movements and the idea of community. We have an edition this year which in many respects is action-oriented, engaged in local contexts, and critically examines questions of mobilization and belonging across various domains. We are exceptionally fortunate this term to have two articles that not only are relevant to Vancouver, but are specifically rooted in the impact of student initiatives and activism at our university. We have papers that engage with postcolonial structures and contexts, with cultural memory and history, with questions of loss and omission, of women's health, of enclosure and the public, water rights and the politics of land, environmental degradation, and, of course, of the role of students in building new political realities. These articles are varied and thoughtful, meaningful and precise, and deeply indicative of the depth and quality of our undergraduate community. To that, we owe a debt of gratitude, finally, to our peers at UBC. Thank you.

With appreciation,

Danilo Angulo Molina & Hannah Stojicevic

Editors-in-Chief

Editorial Staff Bios

EDITORS-IN-CHIEF

Danilo Angulo Molina

Danilo Angulo Molina is a fourth-year Honours Political Sciences student with a double major in International Relations. His direct experience with the armed conflict in Colombia as an Internally Displaced Person (IDP) and his indirect experience with the Israeli-Palestinian conflict in his adolescence have shaped Danilo's interests; which are focused on international criminal law, conflict and peace studies, and international tribunals in terms of victims and perpetrators. Danilo's undergraduate honours thesis explored the deterrence effects of preliminary examinations by the International Criminal Court through a quantitative study using time-series cross-section data from 46 countries for a period of 15 years obtaining significant results consistent with his theory. Danilo will continue his studies at the University of Oxford as a Weidenfeld-Hoffmann scholar pursuing a Master's degree in Global Governance and Diplomacy with a focus on international law. In his spare time, Danilo enjoys learning new languages, moderating dialogue talks, memorizing memorable speeches, and teaching friends how to dance salsa.

Hannah Stojicevic

Hannah Stojicevic is a fourth-year Honours Political Science Major in the Dual Degree with UBC and Sciences Po. Hannah spent the first two years of her undergrad at Sciences Po's Menton Campus in the South of France, where she specialised in the Middle East and the Mediterranean. Her interests are primarily focused on political theory, especially in relation to political thought in the Middle East and Arab World, largely in terms of questions of exclusion, inclusion, and historical memory. Her undergraduate thesis drew on discourse

ethics and ethnic boundary-making to construct an understanding of minority status and discursive exclusion in Turkey, and she will be continuing her work on political theory in Turkey at Oxford, where she is joining the Department of Oriental Studies as a Masters student. Apart from the JPS, Hannah is passionate about Mediterranean history, Semitic languages, and French literature.

PUBLISHING DIRECTOR

Oskar Steiner

Oskar Steiner is a fourth-year undergraduate student at UBC from Whistler, British Columbia who is majoring in International Relations and minoring in Economics, having formerly studied Economics and Sociology at Sciences Po in France. His academic interests lie at the intersection of political ecology, economic and social philosophy, degrowth economics and human geography—particularly in offering a critical perspective on the role of neoclassical economics in mediating modern relationships with the natural environment. He is currently working as a research assistant at the Department of French, Hispanic and Italian Studies, focusing specifically on the poetics of ruin and narratives of decay in contemporary French literature. Outside of academics, he plays music, makes art, and aspires to be a soup chef. After graduation, he intends to pursue a graduate degree in urban political ecology at Sciences Po Paris.

Editorial Board Bios

SENIOR EDITORS

Bowen Wright

Bowen Wright is a fourth year undergraduate student double-majoring in International Relations and Spanish. She is excited to return to the JPS for a second year as a Senior Editor! Bowen's research interests include inequities in public health, human rights, Indigenous politics, media studies, and environmental policy. She is particularly interested in Canadian, American, and Latin American politics. In 2019, Bowen was inspired to major in Spanish while taking classes in Quito, Ecuador, and writing a research paper on Ecuadorian youth's access to public health resources. Outside of school, she can be found spending time at the beach, listening to music, and exploring new podcasts.

Isabella Preite

Isabella Preite is a fifth-year Honours Political Science student. Her research interests include the politics of inequality, social movements and identity politics. These interests have informed her thesis project, which examines the effect of protest on racial bias in policing in the United States. Outside of her academic work, Isabella enjoys exploring Vancouver's restaurant scene with friends and is an avid concert-goer. This is her third year on the JPS and she is excited to collaborate with this year's editorial board.

Miles Schaffrick

Miles Schaffrick (he/him) is a student in UBC's Honours Political Science program and the Law & Society minor of which he is graduating as a Wesbrook Scholar. Miles' primary research interests lie in the rapidly developing field of health politics. As such, his research

broadly examines how political actors and institutions influence topics of significance to health. Relatedly, Miles' thesis work explored the politics of medicine affordability in the United States. With an additional background and interest in Indigenous health, Miles supports Neuroethics Canada's Indigenous research initiatives as well as a wide-scale project to decolonize and Indigenize UBC's health professional education programs. Before beginning law school, Miles is working with preeminent thinkers on an initiative to explore the need for and possibility of a Canadian national bioethics council. In his spare time, Miles enjoys exploring new restaurants and baking desserts to satisfy his insatiable sweet tooth.

EDITORS

Abby Rice

Abby Rice is a third-year undergraduate student majoring in Political Science and minoring in Spanish. As a Canadian/American dual citizen, she was raised in the US and studied American politics intensively, helping form the base of her research interests. As a student at UBC she has expanded her interests more globally but finds herself coming back to American politics regularly. Outside of academics, she enjoys hiking, skiing, and general outdoor recreation.

Andre Aradei

Andre Aradei is a third-year undergraduate student majoring in Political Science. Born in Vancouver to Romanian immigrant parents, many of his research interests are guided by his family's background. Andre developed a passion for international law, economics, and international relations in particular while staffing at the Legislative Assembly of BC. Building on this experience and inspired by Romania's history in the Eastern Bloc, his research interests blend political economy and international security by investigating the impact of economic interdependence on the security of states. His current research work explores how international financial institutions like the IMF help weak states survive in spite of their structural economic challenges. In his spare time, he enjoys casual tennis and skiing at Cypress Mountain or Whistler.

Andreas Petersen

Andreas Petersen is a fourth-year undergraduate student working towards a major in Political Science and a minor in Health and Society. His research interests centre around international law, public opinion, environmental politics, quantitative methods, and the politics surrounding healthcare systems. Andreas also works as a research assistant for Médecins Sans Frontières project documenting local healthcare workers' perspectives of international humanitarian healthcare interventions in Liberia. In his spare time, he enjoys reading, mountain biking, road biking, and skiing.

Cassiopeia Van den bussche

Cassiopeia Van den bussche is a fourth-year Honours Political Science with international relations student in the dual degree with Sciences Po and UBC. French and Belgian and having grown up across western Europe, she is passionate about European politics. Having worked for the French ministry of health, she discovered an interest in health and particularly in healthcare inequalities, which she is writing her thesis on. Gender-based violence, feminism, right-wing terrorism, and hate crime are also topics of interest to her. In her spare time Cassiopeia loves the theatre, skiing, languages, and visiting Vancouver.

Jasmine Ashley-Dy

Jasmine Ashley-Dy is a third-year International Relations student in the Dual BA Program between UBC & SciencesPo. Broadly, her research interests include: race-relations, minority representation, legal theory/sociology, the rise of populism, and debates within international law. Having worked in various federal policy spheres—as a former political staffer & current public servant at Immigration, Refugees, and Citizenship Canada (IRCC)—she is deeply passionate about Canadian politics. Currently, Jasmine is working on two research projects: first, studying the evolution of race in post-1945 American jurisprudence & affirmative action policies; second, investigating the relationship between anti-racism & anti-nuclear movements globally, as a Simons Award recipient at UBC. In her spare time, she can often be found

with a box of Ritz crackers, or watching the Bachelor(ette)—usually, at the same time.

Jessica Wang

Jessica is a fourth-year undergraduate student majoring in Political Science Honours with International Relations, and is working towards her dual degree in Master of Management. She grew up in Harbin, Northeastern China, and immigrated to Canada in 2013. Her academic interest revolves around political theory, Chinese politics, global governance and norms. Living at this historical crossroad amid unprecedented change, Jessica's research focuses on facilitating cooperation between the West and China to tackle urgent challenges through innovative strategies for global governance. Outside of school, Jessica has worked as a part-time filmmaker, photographer, and podcast producer. She is also an avid traveler and an outdoor adventurer.

Sam David

Sam David is a first-year Arts student working towards his goal of a Political Science with International Relations degree. Prior to attending UBC he worked in a number of diverse roles ranging from the service industry to commercial fiction writing, spending his time in both Canada and Europe. Influenced by his experiences abroad and at home, Sam began writing poetry in 2018, resulting in five collections and work being showcased in various independent publications internationally. Using the poetic lens as a means of self and social analysis has become a crucial element in Sam's life and work, and greatly informed his decision to return to academics. His primary areas of interest are international governance and policy, with specific attention paid to security studies. In his spare time, Sam continues to read and write while attempting to stay dry during the Vancouver winter.

Santosh Muralidaran

Santosh Muralidaran is a third-year political science student at UBC and part of the dual BA program with Sciences Po. Born and raised in California to immigrant parents from India and having spent the past two years specializing in Middle Eastern studies in France before moving to Vancouver this year, Santosh has lived a diverse set of experiences thus far which have all shaped his interest in the fields of political science and international relations. In his free time, he enjoys running, drinking milk tea with boba or praying for the Vancouver rain to go away.

Tomila Michelle

Tomila Sahbaei is a fourth-year Political Science major at UBC Vancouver. Born in Vancouver to Iranian parents, Tomila decided to pursue a minor in Middle East studies to complement her regional political research interests, while also giving her a chance to explore her passion for Middle Eastern art and literature. Her broader research interests are in political and democratic theory, which she is currently exploring in relation to building more deliberative democratic processes that offer individuals and key actors more autonomy in political decision making. She surprised herself when she found an affinity for statistical studies and now finds herself using this skill to identify better methods of data collection and analysis. Outside of school, Tomila enjoys winter sports, eating lots of pasta, and spending an unreasonable amount of time curating playlists.

Uly Workman

Uly Workman is a third-year Honours Political Science major and Urban Studies minor. His research interests centre around the geopolitical, historical, and ideological context of nation-states; specific areas of study include post-revolutionary Iran, Australia's politico-media complex, and the rise of China. As an Urban Studies student, Uly also holds a deep interest in the intersection between politics and cities, with a focus on such topics as mass transit, labour relations (including the kafala system found in Gulf states), and urbanization

projects (particularly Haussmann's renovation of Paris). Outside of the academic setting, Uly enjoys painting, cooking, and cycling rain or shine around Vancouver.

Yousif Beltagy

Yousif Elbeltagy is a fourth-year Honours Political Science and International Relations major. His research interests centre around Middle Eastern and North African politics, specifically the Arab World, with a keen eye on liberal politics and democratization efforts in the region. Within the subfield of Middle Eastern politics, Yousif has an interest in Shia politics and Shia marginalization within the Arab World. His broader research interests revolve around security studies and water politics, which he is currently exploring in understanding the ongoing Egyptian-Ethiopian dam dispute. Outside the academic realm, Yousif is a massive football fan, Manchester United specifically, and a lover of Middle Eastern cuisine.

Author Bios

Christopher Small

Christopher is a recent graduate, having completed a Combined Major in Political Science and Philosophy. In future research, Christopher will continue to question the relationship between truth and politics and the degree to which fundamental democratic tenets are jeopardised when the facts of the social world are thrown into the sphere of debate. He hopes to shift this research into a career that involves rebuilding public spaces that encourage strong public dialogue. Having contributed to the Journal as an editor in 2021, Chris is grateful to be recognized by this year's group of hardworking undergrads.

Julian Yau

Julian Yau is in his final year at UBC, majoring in Political Science, with a minor in Law and Society. His research interests include public policy, equity, and criminal justice reform. After completing his degree, he will be continuing his studies at law school this September. Maintaining a passion for entrepreneurship, he hopes to eventually contribute to building a platform to alleviate disparities in the justice system. Some of his hobbies include public speaking, supporting his San Francisco 49ers, and the occasional game of spike ball.

Sophia Lee

Sophia Lee is a fourth-year B.A. International Relations candidate at the University of British Columbia. Her main research interests include peacebuilding, human rights, militarization, transitional justice, and international law. After graduation, she looks forward to using the knowledge and skills she acquired during her undergraduate years to work at an international human rights NGO in D.C. Sophia hopes to eventually return to school to pursue further studies. In her spare time, she enjoys reading, film photography, and exploring Vancouver's culinary scene.

Leonardo Marchetti

Leonardo Marchetti is a fourth-year student from Italy. He will be graduating from UBC with a degree in International Relations and Food and Resource Economics. Leonardo's research interests lie in post-colonial historiography, natural resource economics, and Power Transition Theory. After graduation, Leonardo will be continuing his studies at University College London in pursuit of a MSc in Global Management of Natural Resources. During his free time you will most likely find Leonardo reading, writing, climbing, or watching his favourite football team.

Chris Hakim

Chris Hakim is a graduating political science and philosophy student from UBC. As a political science student, Chris is particularly interested in environmental policy and how institutions take into account the ongoing climate crisis in their decision-making. Having been an executive at the Alma Mater Society of UBC and working at the David Suzuki Foundation, Chris has seen firsthand how organizational leaders, especially post-secondary ones, make decisions and work with their stakeholders. After graduation, he is hoping to enroll in law school and study how corporate governance principles will develop considering the climate crisis.

Luis Cervera

Luis Cervera is in his final year of the dual BA Programme between Sciences Po Paris and UBC. At Sciences Po, he majored in Politics and Government with a concentration in Law, and at UBC he is majoring in Political Science. Luis's main academic interests include public health policy, environmental politics, comparative democratization, and international political economy. Born and raised in the southeast of Mexico, Luis loves spending time at the beach, reading, and preparing a mean cup of coffee. After graduation, Luis plans to pursue public office and work in evidence-based public policy development.



The Closure of a Common World

An Arendtian Reading of The Capitol Insurrection

Christopher Small

Abstract

This paper employs various phenomenological devices from the work of Hannah Arendt to assert a normative importance for the protection of common truth. To contextualize the urgency of this claim, I provide a case study of the rejection of the 2020 American National Election results and its violent aftermath in tandem with the interpretation of Arendt. I then ask what the political loss of shared truth means for our capacity to act, publicly. My central contention, subject to this account, is that when the fabric of reality is distorted by political hostility towards facts and events, the public sphere as the place where freedom appears, is jeopardised. Without sharing a common understanding of the truth, we lose the ability to disclose the meaning of each other's actions and therefore deprive ourselves of the freedom to perpetually constitute beginnings and fit our political actions into a common world.

When Donald Trump spoke in Washington, DC on January 6th, 2021, he began with an address to the size of his support: “Media will not show the magnitude of this crowd... You don’t see hundreds of thousands of people behind you because they don’t want to show that.”¹ Rhetoric cast by both Trump and his opposition about “fake news” seemed to define his presidency; his final months in office were focused on attacking the truth itself, demonstrated by his refusal to accept the 2020 election results. Even after he begrudgingly surrendered the White House – results having reached consensus in courts and offices of America’s electoral jurisdictions – the truth of what transpired remains in dispute amongst the American public.

It is this loss of solidarity with the truth, having threatened the legitimacy of the voting process, that a fractured American political sphere now has to navigate. A year into President Joe Biden’s incumbency, close to fifty-five million Americans remain unconvinced by the legitimacy of the 2020 Election results.² Whilst the institutions have endured despite the violent attack on the Capitol just hours after Trump delivered his address, the quality of “facts and events”³ being commonly known and shared between the people is lost. This paper does not investigate the causes behind the deprivation of shared truths, but instead seeks to assess the effect it has on the common world we share and the public sphere where we gather in the presence of others. I assess how we might be forced to rethink the political function of the public sphere as the site of beginning and freedom when truth is lost between us.

I employ a descriptive interpretation of various phenomenological devices from the published works of Hannah Arendt to assert a normative importance for the protection of common truth between people, insofar as it remains an indispensable condition

1 Brian Naylor, “Transcript of Trump’s Speech at Rally Before Capitol Riot,” *NPR*, February 10, 2021 <https://www.npr.org/2021/02/10/966396848/read-trumps-jan-6-speech-a-key-part-of-impeachment-trial>.

2 “Most Republicans Still Believe 2020 Election Was Stolen from Trump - Poll,” *The Guardian*, May 24, 2021, <https://www.theguardian.com/us-news/2021/may/24/republicans-2020-election-poll-trump-biden>.

3 Hannah Arendt, “Truth and Politics.” Essay. In *Between Past and Future*, 227. New York, New York: Penguin Classics, 2006.

for the maintenance of the public sphere, its manifest spaces, and the public *things*—or publicly shared artefacts—within those spaces. To contextualise the urgency of this claim, I will centre my interpretation of Arendt's work around the rejection of 2020 American National Election results and its violent aftermath, critically analysing the attack on the Capitol in relation to a loss of shared truth and *common sense*. I will explain that this turn away from a reality grounded in the human condition of plurality made the attack possible because it turned the political public sphere from the space where a *common world* is perpetually created through action, into a battleground for the ideological establishment of a politically supposed truth. In other words, the evaporation of a common world that is substantiated by the invariable outcome of actions allowed the truth to be manifest through deception, by the force and coercion of a singular will to that which is. My central contention, subject to this account, is that when the fabric of reality is distorted by political hostility towards the mere outcome of facts and events, the public sphere as the place where freedom appears is jeopardised. Without sharing a common understanding of the truth, we lose the ability to disclose the meaning of each other's actions, qualified by our artefacts and the web of plurality, and therefore deprive ourselves of the freedom to perpetually constitute beginnings and fit action into a common world. That an understanding of the insurrectionists' motivation became incomprehensible outside an ideologically presupposed truth shows how the space where actions are performed and the *things* to which they are oriented lose their public condition of openness to diverse interpretation and activity when the common truths and sense that bind a community collapse in the loss of plurality. As a result, freedom's actualization as beginning fails to constitute a world exempt from the tyrannical will to control reality.

That Trump's speech ran simultaneously with the ratification of election results by the Senate frames the dichotomous realities of the American political landscape with which we are concerned.⁴ The President's speech consisted predominantly of oscillating jabs between

4 Mogelson, Luke. "Among the Insurrectionists." *The New Yorker*. January 15, 2021. Accessed November 30, 2021. <https://www.newyorker.com/magazine/2021/01/25/among-the-insurrectionists>.

the “fake news media”⁵ that he blamed for reporting “false”⁶ election results, and his own statistics suggestive of fraudulent voting. Despite the confirmation of the vote, Trump’s polemical cry to the validity of facts calls back to Hannah Arendt’s declaration: “Factual truth, if it happens to oppose a given group’s profit or pleasure, is greeted today with greater hostility than ever before.”⁷ That is, when the contingent yet irrevocable outcome of human action is in doubt, the truth – as seen in the build up to and the polarising aftermath of the United States election – becomes a matter of political opinion.

In “Truth and Politics,”⁸ Arendt stakes the importance for the common guarantee of factual information between people: “Facts and events – the invariable outcome of men living and acting together – constitute the texture of the political realm.”^{9,10} This is to say that the outcome of human actions (*i.e.* election results) make up the content of the social world. The precondition for the existence of this *common world*, Arendt claims, is the uniquely human quality of *plurality*. This is the mere fact that, “Men, not Man, live on the earth and inhabit the world.”¹¹ As a result of this distinct positionality which we hold in relation to each other, there exists between us a spatial web which constitutes relationships and the disclosure of unique perspectives and identities.¹² It is within this “space of appearance”¹³ where action is performed and its outcomes are brought into the world through their recognition by an audience; the condition of plurality guarantees a world by its commonness between people. This constitutes a distinct and recognizable social reality that each of us can mutually make certain, and thereby reveal ourselves in.¹⁴ Factual truths, then, insofar as they

5 Brian Naylor, “Transcript of Trump’s Speech at Rally Before Capitol Riot.”

6 Brian Naylor, “Transcript of Trump’s Speech at Rally Before Capitol Riot.”

7 Arendt, “Truth and Politics,” 231.

8 Arendt, Hannah. “Truth and Politics.”

9 Arendt, “Truth and Politics,” 227.

10 In naming “facts and events” Arendt delineates her discussion of not scientific facts but those things which “go on between men.”

11 Arendt, Hannah. *The Human Condition*, 7. 2nd ed. Chicago, Illinois: Chicago University Press, 2018.

12 Arendt, *The Human Condition*, 182.

13 Arendt, *The Human Condition*, 198.

14 Arendt, *The Human Condition*, 57.

concern the outcome of human activities which are recognized and thus verified by others through the condition of plurality are integral to the survival of the human world, namely because they determine it. Arendt notes that there can be no “human world destined to outlast the short lifespan of mortals within it”¹⁵ unless people can collectively “testify to what is and what appears to them because it is.”¹⁶

For Arendt, in concerning and protecting the matter of past and present, factual truths must be rigid and invariable.¹⁷ Insofar as every action constitutes a *beginning*, a bringing of something into the common world, once initiated it cannot be reversed, nor its outcome changed.¹⁸ By forming the content of the social world, factual truths represent the boundaries out of which a public/political realm is established in reference to. Whereas debate is the “essence of all political life,”¹⁹ factual truth which “peremptorily claims to be acknowledged,” must necessarily preclude debate.²⁰ Political action can only take place in reference to what has already occurred, not subvert and question its having happened. In other words, factual truth represents “that which we cannot change; metaphorically, it is the ground on which we stand and the sky that stretches above us.”²¹ To this degree, the givenness of facts is integral for the freedom of opinion because “factual truth *informs* political thought.”²² One’s capacity to engage in political debate therefore requires that they have access to the factual content upon which they distinguish their unique identity from others in that common world through judgement and opinion.

It is such *commonness* of factual information, however, which we ought to consider today so vulnerable in the political arena, for facts “occur in the field of the ever-changing affairs of men”²³ and

15 Arendt, “Truth and Politics,” 225.

16 Arendt, “Truth and Politics,” 225.

17 Arendt, “Truth and Politics,” 227.

18 Arendt, “Truth and Politics,” 254.

19 Arendt, “Truth and Politics,” 236-37.

20 Arendt, “Truth and Politics,” 236-37.

21 Arendt, “Truth and Politics,” 259.

22 Arendt, “Truth and Politics,” 234.

23 Arendt, “Truth and Politics,” 227.

as such are easily forgotten and subsequently lost. This is to say that the content of human affairs – the texture of the social world – is protected only insofar as it remains shared amongst people. As we watch the continued disbelief of election results by Trump's support and the attempt to overturn the irrefutable outcome of action through the storming of the Capitol, we must recognize, as Arendt did, the danger of the common guarantee of factual truth "being maneuvered out of the world not only for a time but, potentially, forever."²⁴ For when factual truth is transformed by political tools of rhetoric and lies, from historical record into "a matter of opinion,"²⁵ the solid common ground on which we stand turns into an abyss and the sky a mirage. Here politics reaches beyond its limit of reference to its reality and forces the debate of *what is the reality*. As a result, the ground and sky of the common world become unknown to the individual because they are no longer able to commonly guarantee their factual reality by verifying communication and witnessing testimony between others. Furthermore, as the unacceptance of the outcome of human action pushes factual truth into the political arena, the role of the public actor changes from solely *beginning* to debating merely what is or what was. The line between truth and opinion is blurred because facts become matters of debate, corresponding not to the *stubborn and common content of a world that is shared but to the perspective of one*

In the aftermath of the 2020 Election, public actors in the American political arena became unable to distinguish a common world nourished by their acting. The political hostility that Trump directed towards the truth in the immediate outcome of the election signalled a transition in the function of political action from the Arendtian ideal of *beginning* into a battle for the verification of factual truth. The facts and events – including the counting of election ballots and the affirmation of the result – were not mutually guaranteed by the plurality of subjects and therefore could not fit into a *common* world. The verification of the mere contingent truth of what occurred became lost in competing and contradictory reports. Once the common world is lost, to resist the

24 Arendt, "Truth and Politics," 227.

25 Arendt, "Truth and Politics," 232.

loneliness and alienation of not belonging to a world at all, one must re-ground themselves in a reality by means of political persuasion – not common phenomenological appearance. American citizens were made to pick a side of the truth that was steeped in the sub-ideologies of the polarised political parties. One's ability to fit themselves within a world is predicated not on their sharing a common place with others, but on their acceptance of and consent to a judgement that has been made for them. To position oneself in a reality where the Democrats stole the election, for example, is to submit to a world where the boundaries of the public realm, the space of judgement, is set not by the "stubborn"²⁶ and factually true outcome of human actions, but by that unreality purported and persuaded by political authority.

Whether Trump anticipated the impact of his words remains a matter of debate in the wake of the insurrection, yet thousands already faced the barricades at the Capitol grounds as Trump stood on stage before the Washington Monument.²⁷ Despite protestors brandishing heavy weaponry and militia armour upon arrival, it is not until the President utters "you'll never take back our country with weakness... you have to show strength,"²⁸ that his political hostility towards the given truth turns into an incitement for its violent overturning. Here the despotic attempt to reconstruct the fabric of the public reality becomes the necessary will of Trump's loyalty.²⁹ By means of a world no longer common amongst an American plurality, Trump's political truth had become inseparable from his political will – to believe one meant to take on the other. As a result, the successful persuasion to that political reality is dependent on the supposed fact that the election was stolen. The attack on the Capitol, understood by Trump's base as a desperate attempt to save American democracy, became the next logical step of action in the world of purported truth. Chants of "America first" and

26 Arendt, "Truth and Politics," 236.

27 Leatherby, et al. "How a Presidential Rally Turned Into a Capitol Rampage." *The New York Times*. January 12, 2021. Accessed November 30, 2021. <https://www.nytimes.com/interactive/2021/01/12/us/capitol-mob-timeline.html>.

28 Brian Naylor, "Transcript of Trump's Speech at Rally Before Capitol Riot"

29 Mogelson, Luke. "Among the Insurrectionists." *The New Yorker*. January 15, 2021. Accessed November 30, 2021. <https://www.newyorker.com/magazine/2021/01/25/among-the-insurrectionists>.

“Today is 1776” matched calls to bring out the “traitors” in the House of Representatives, meant to show that the “Save America March” was coming from a historic and dire will to uphold democracy.³⁰ Indeed, those who made the breach on January 6th believed their actions to be in defence of the American public’s freedom. It is in this sense that the loss of a common world and the rupture of common sense fostered the January insurrection in that it made the truth a matter of political debate. This transition in the function of politics creates the possibility for political will to seek to manifest a reality on its own accord, from which American patriotism only had to follow.

The preliminary understanding through which to judge the meaning of this attempt on the Capitol became incomprehensible outside an acceptance of the *political* truth that the Democrats stole the election. Those outside Trump’s reality could not sensibly understand the attack as an attempt to save democracy as they did not accept the supposed fact that it was stolen. Consequently, it was similar words of treason and the overthrow of democracy that Democratic support leaned on to disclose the meaning of the event. Due to the loss of the common world in the events preceding, there appeared a dissonance in shared understanding and experiences (*common sense*) that motivate and disclose the meaning of political actions. Through the lens of a broken *common sense* judgement, the landscape of the public sphere closes itself off from the “horizontal political experience”³¹ of plurality, where debate is the “essence of all political life.”³² The space of judgement wherein one can form an opinion and disclose themselves to the world is now predicated on the acceptance of a distinct political reality. I argue that the discordance in the meaningful understanding of the January 6th attack – that each side saw themselves as the protectors of democracy and the other a mob of traitors – shows how a loss of common truth coupled with a break in common sense threatens the existence of the public realm. When we are deprived of the ability to disclose ourselves in a common world verified by plurality and

30 Mogelson, Luke. “Among the Insurrectionists.”

31 Antonini, David. *Public Space and Political Experience: An Arendtian Interpretation*, 132. Lexington Books, April 2021.

32 Arendt, “Truth and Politics,” 237.

substantiated in common sense, the space of appearance where action occurs and the matter to which it is directed no longer functions to condition and constitute a world that is shared. Public space can no longer be truly *public*.

“Common sense”³³ for Arendt, is the “root of judgement”³⁴ that relies on the common world to distinguish the interpretation and understanding of human actions as well as the physical world which we have come to share. In Marieke Borren’s account, Arendt’s common sense “regulates or coordinates our five senses and in doing so... ‘fits’ us into a common world.”³⁵ It establishes the guarantee of our perception of the worldly reality through the intersubjective principle that others see, experience, and call it the same thing we do. By fitting the unique perceptions of our senses within the common objects and events of the world, common sense functions as the “framework within which [judgement and understanding] come about.”³⁶ The common sense of a community, or *sensus communis*³⁷ resides in the common preliminary understanding and meaning of an action or object, and a subsequent capacity to make judgement with this common frame of reference. Borren notes that common sense, therefore, has an “integrative or world-building effect”³⁸ and makes that world home to us. It is by means of common sense that an action that creates the texture of a world becomes common, and the spaces of that common world where people appear to others through “word and deed”³⁹ (action) become public. Insofar as one’s action can manifest a preliminary understanding in their audience by fitting into the frame of reference of the common world, the *sensus communis* thereby opens the public realm by opening the space for one’s actions to be interpreted, disclosed, and responded to by the plurality.

33 Arendt, *The Human Condition*, 208-09.

34 Marieke Borren ‘A Sense of the World’: Hannah Arendt’s Hermeneutic Phenomenology of Common Sense, *International Journal of Philosophical Studies*, 239, 2013.

35 Borren ‘A Sense of the World’, 239.

36 Borren ‘A Sense of the World’, 239.

37 Borren ‘A Sense of the World’, 238.

38 Borren ‘A Sense of the World’, 238.

39 Arendt, *The Human Condition*, 200.

Public space, or the “public realm,”⁴⁰ then serves as the genesis of all forms of political experience insofar as it represents the worldly and intersubjective space where human action takes its appearance, and thereby perpetually constitutes the common world. It is also where the meaning of actions and their significance, through common sense, are derived in the formulation and exchange of judgement and opinion. Only in public do people disclose who they are in the world through word and deed. The maintenance of this space, as David Antonini argues in *Public Space and Political Experience*, therefore relies on “continued debate and dialogue through the articulation of judgments and opinions in political speech.”⁴¹ Antonini further refers to a “horizontal political experience”⁴² to characterize public space through the notion of plurality. This emphasis that is put on a diverse equality, “in which one is present with another who is capable of responding in kind,”⁴³ is only made certain through the grounding of the common world and the availability of common sense. Furthermore, the sense of horizontality invoked by Antonini is used to describe public space insofar as one is able to form dialogue with any political opinion that fits into the frame of reference of the common world and its common sense. As Arendt notes in *The Human Condition*, a public realm can only be the “common meeting ground of all” when “those who are present have different locations in it, and the location of one can no more coincide with the location of another than the location of two objects.”⁴⁴ In this sense, public space acts as the realm where freedom appears insofar as it is where “action as new beginning”⁴⁵ is brought into the world; each person having the capacity to continually disclose themselves through individual judgement and unique expression of opinion. It functions secondly, as the political space wherein the preliminary understanding of these actions and artifactual *things* that make up the texture of reality is guaranteed and remembered.

40 Arendt, *The Human Condition*, 199.

41 Antonini, *Public Space and Political Experience*, 126.

42 Antonini, *Public Space and Political Experience*, 135.

43 Antonini, *Public Space and Political Experience*, 135.

44 Arendt, *The Human Condition*, 57.

45 Antonini, *Public Space and Political Experience*, 58.

If, as Antonini suggests, the public space is maintained through “continued exchange of opinions and judgments,”⁴⁶ it is the transition of politics from action as beginning to merely establishing fact where public space – insofar as it facilitates the exchange of opinion – closes itself off from the plurality of interpretations that condition action, thereby losing the quality of *public-ness*. A break in the common frame of reference – namely, factual truth – makes the significance and meaning of action in the public space incomprehensible outside of a presupposed political judgement. The patriotic devotion to democracy that the insurrectionists claimed to possess could not fit into a world where Trump lost the election. The space of appearance outside the Capitol, where confederate flags were flown and barriers overrun, was unable to ground the common sense needed to support a plurality of interpretations that enabled the significance of action. The consequence for this closing of the public sphere, I argue, is that wherein action becomes incomprehensible outside a political opinion of reality, the space loses its primary political quality of being a worldly location where freedom is actualized. In matters of a total politicization of the truth, one is no longer capable of freely disclosing their judgement, values, and identity in reference to human outcomes because access to the information which grounds a frame of reference is inseparable from a commitment to the political perspective that purports its own facts onto the world. To belong to a world at all here means to relinquish one’s political free disclosure of themselves within that world, and the capacity to imbue action with meaning is lost. One loses their own freedom of action as beginning because they submit to a political authority with vested interests in making its reality absolute. As Antonini suggests, if we remain “trapped in the duality of ideological thinking that presents itself in American political discourse, we fail to even approach politics in an Arendtian spirit.”⁴⁷ If facts are “just things to bludgeon our opponents with, then we’ll never get back the shared reality that makes politics in Arendt’s sense possible, that is, a space in which facts themselves are not debatable but their public significance is.”⁴⁸

46 Antonini, *Public Space and Political Experience*, 126.

47 Antonini, *Public Space and Political Experience*, 139.

48 Antonini, *Public Space and Political Experience*, 139.

Bonnie Honig's Arendtian account of public *things*, or commonly shared artefacts – such as the Capitol building – helps to further the claim of the loss of publicness from the realm of human affairs facilitated by a rupture of common sense. For as Honig argues in *Democracy in Disrepair*, it is not only human actions of word and deed that create a world in common, but also the making of “public *things*.”⁴⁹ Such artefacts function as the source to which actions are oriented in the public space. In her lectures, Honig presents an open definition of *thing-ness*: rather than focussing solely on the infrastructure of “sewage treatment plants, power and transportation systems,”⁵⁰ public things are most fundamentally understood as the “transitional objects of democratic life.”⁵¹ That is, physical institutions such as the Capitol,⁵² make up the “holding environment”⁵³ of the democratic world. *Things*, insofar as they are the product of human work, help to stabilise the world by enduring the outcome of action and the lifespan of people within that world. Honig gestures to Arendt when she claims that “we vest Things with meaning, but Things also anchor and orient us.”⁵⁴ Public things, for Honig, become a necessary part of democratic life because they lend a sense of “tangibility to the human world”⁵⁵ allowing the public realm to take shape in a world that can endure through time, thus helping to maintain what is public through their own maintenance. Honig writes: “work’s things reify and extend the vital renown of the political actor and stabilise the web of meanings in which we live and into which we may act.”⁵⁶ Insofar as they are the product of our creating, this durability lends itself to the upholding of the common world because we share a common sense of significance and care for public things. It is through the common sense understanding of things and our continual action in reference to them that makes them public. In Honig’s words “The world endures not

49 Honig, Bonnie. *Public Things: Democracy in Disrepair*, 3. Fordham University Press, 2017.

50 Honig, *Public Things*, 3.

51 Honig, *Public Things*, 11.

52 Honig, *Public Things*, 4.

53 Honig, *Public Things*, 5.

54 Honig, *Public Things*, 39.

55 Honig, *Public Things*, 40.

56 Honig, *Public Things*, 41-42.

through the durability of objects alone, but through the willingness of citizens to care for them: to repair those that have been broken and to replace those that have worn out.”⁵⁷

The preceding account of public things lends itself to the claim that the public loses its condition of openness in the break of plurality insofar as – like the actions oriented around them – a common sense understanding of such a *thing* is unfounded. It was what the Capitol building came to represent for the insurrectionists, no longer the political landmark where Trump failed to retain his presidency but the source from which his presidency was stolen from him, that led to its attack. That an acceptance of the political opinion regarding the election outcome became the only way to understand this significance of the Capitol – as an institution built and sustained by the people that it protected – signalled the building’s inability to constitute and qualify a shared world. Those public *things* which are made to stabilise our world become unfounded with the destruction of common truth. Without the ability to see the mutually constituted facts, the ground on which we stand cannot hold up the things we build onto it. As a result, bringing something into the world through action oriented towards a *thing* fails to constitute any world outside of the preliminary understanding of said *thing* in reference to the political truth.

It may also be suggested that, insofar as *public things* are made to endure the outcome of actions and provide tangible stability to a common world, the Capitol building became the wall which the boundless action of the imposition of a political truth came up against. The insurrectionists were unable to find an organized purpose or demand once they breached the Capitol. In this case, *public things* show their sturdiness against action as well as the break of plurality and common sense. It could be suggested that the attack proves itself as a potentially redemptive moment for the American public: it offered to re-ground people in a common world by showing the stakes of a loss of shared reality. People became able to commonly address the fact that the facts were lost between them. If we consider that the public closes itself off from the openness of interpretation when politics turns

57 Honig, *Public Things*, 53.

into the persuasion of a truth, then the acknowledgment of its very loss may serve to reopen it in the wake of action. However, telling the story in this way fails to reconcile the continued diametrically opposed opinions of what the truth is, and the significance of the attack on the Capitol.⁵⁸ Consequently, one finds themselves stretched between the presupposed political opinion of the truth – by means of which they take their bearings in the world – and the *common* public understanding of the stakes of a loss of shared reality. It follows then, that the public realm closes itself off only as we disregard it in favour of a presupposed political truth. As Arendt claimed, “only in the freedom of our speaking *with one another* does the world, as that about which we speak, emerge in its objectivity and visibility from all sides.”⁵⁹

In “Action,” *The Human Condition*’s major political chapter, Arendt discusses the dangers of tyranny, noting all tyrants “have in common the banishment of citizens from the public realm and the insistence that they mind their private business while only ‘the ruler should attend to public affairs.’”⁶⁰ One ought to draw attention to this quote for forecasting the consequences of Trump’s attempt to tyrannise an opinion of the truth, of the mere outcome of human actions and the state of things in the common world. For it is in the hostility towards truth that followed the election, and the subsequent attempt at its violent overturning, that the public space and the things within it lost the public condition of openness. I contend that this occurs through the loss of the precondition of a common world and the fitting into that world by common sense. It may not be, as Arendt described, that people are banished from the public realm, but that the public realm closes itself off from a plurality that no longer exists. As the function of politics turns from action as creation into the substantiation of a reality based on political judgement, public space is no longer needed to guarantee the reality of the world and the things within it. Instead, insofar as grasping reality requires the acceptance of a political opinion and sacrifice of the capacity for judgement, public affairs – as the

58 “Most Republicans Still Believe 2020 Election Was Stolen from Trump - Poll,” *The Guardian*.

59 Antonini, *Public Space and Political Experience*, 140, (my italics).

60 Antonini, *Public Space and Political Experience*, 140.

disclosure of reality and the truth – become superfluous to the people in that world. Trump’s attempt to establish his own reality through politics not only forced the closure of the public space that allows actions to appear within a common frame of reference, but sought to turn people away from using the plurality of the public realm to disclose the world to themselves and themselves to the world. However, facing others in the *common* acknowledgement of this loss of shared reality may be the action that serves to reopen public space and rebuild the common world.

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Off-Campus, into the Community

The Impact of the New Left on Student Resistance to 'The Pill' and Birth Control Restrictions in Canada, 1960-1970

Julian Yau

Abstract

Through the 1960s in Canada, the contraceptive pill movement became an intersectional battleground between university students, the New Left, and the legislative policies that prohibited their purchase. After increasing public pressure throughout the 1950s, the birth control movement required a catalyst to push through the legalization of the pill. I identify student resistance movements across multiple Canadian universities as this catalyst. Simultaneously, The New Left, often associated as an overlapping term with liberal anti-war and women's rights movements, enveloped the longstanding contraceptive issue. I argue that university students, who historically relegated dissent to the campus environment, joined overlapping community New Left protests, and ultimately contributed to Canada's 1969 legalization of the pill contraceptive. This transition from university students to

community activists both contributed to pressuring the Canadian government into change, and further changed the role of students in their community. The concept of the 'student activist,' realized during this period, remains at the forefront of many social movements.

Introduction

In contemporary Canada, it can be hard for many to imagine contraceptives not being a mainstream part of women's rights, or even considered part of healthcare at all. Over the last half-century, contraceptives have become essential to the lives of many, by reducing unwanted pregnancies, and in use for various other health issues. Since 1960, births in Canada have almost halved from 3.64 to 1.60 today.¹ The legalisation of contraceptives in Canada is often overlooked in favour of broader, more visible movements of the 1960s, such as pro-marijuana legalisation.

Prior to 1969, certain contraceptives, and more specifically new forms of pharmaceutical birth control, were a federal offence in accordance with *Section 179* of the *Canadian Criminal Code of 1892*. The law explicitly forbade women and medical practitioners from using, obtaining information, or selling forms of birth control.² The Catholic Church, staunchly against most forms of contraceptives, consistently lobbied the policymakers and interest groups in Canada against any forms of legalisation.³ Only married women were allowed access to such contraceptives, with some students employing methods such as wearing fake wedding rings to bypass such restrictions.⁴ This barrier, in addition to a lack of widely available sex education, meant that many university students often used unsafe or imperfect forms of birth

1 "Live Births By Month," Statistics Canada, Accessed April 1, 2022.

2 Constance Backhouse, "Involuntary Motherhood: Abortion, Birth Control and the Law in Nineteenth-Century Canada (A)," *The Windsor Yearbook of Access to Justice* 3, (1983): 71.

3 Jessica Haynes, "The Great Emancipator? the Impact of the Birth-Control Pill on Married Women in English Canada, 1960–1980," ProQuest Dissertations Publishing, 2012: 9.

4 Haynes, "The Great Emancipator?" 86.

control. This raised the risk of youth/student pregnancies, potentially hindering the ability for women to complete an education, infringing on job hiring, or leading to community ostracization given the taboo of unmarried pregnancies at the time.⁵ Despite its prohibition, in the 1930s, a growing underground movement of women began directly challenging contraceptive restrictive laws. Events such as the 1936 trial of Dorethea Palmer elevated this movement and contributed to social acceptance of birth control before the development of the pill.

As significant student pressure mounted for the legalization of the pill, the New Left movement simultaneously emerged as a dominant new social revolutionary force, advocating for a variety of feminist, liberal, and anti-capitalist causes. The push for both social and legal acceptance of the pill became enveloped within this New Left student movement, wherein campuses acted as the intersection for dissent. The conjoining of the decades-long struggle for birth control, and the emerging New Left students' movement significantly impacted not only the acceptance for the pill, but the role of university students in society. In understanding this interaction, I explore two research questions – how student resistance on Canadian campuses challenged laws restricting the use of birth control, and how the New Left students' movement both enveloped, and accelerated social and legal acceptance of the pill.

I will first outline an overview of the history of birth control resistance in Canada, stemming from the 1930s women's clinics. I will also describe the New Left movement and its growing influence in redirecting student resistance from campuses, to the public theatre. I will then identify student actions on four Canadian campuses; McGill University, UBC, SFU, and Waterloo University. In doing so, I will outline the impacts of these resistances on furthering advocacy for the pill in their communities. I argue that the combined efforts of both the student birth control movement, and the actions of the New Left in synthesising these resistances from on campus to public spheres significantly contributed to the legalisation and social acceptance of the pill.

5 Susan Crawford, "Public Attitudes in Canada Toward Unmarried Mothers, 1950-1996," *Past Imperfect* 6, (2008): 127.

There exists a wealth of scholarship regarding the 1960's birth control movement in Canada and the United States, including Bullough et al.'s 'Encyclopedia of Birth Control,' a widely cited synthesis of the history of the movement, including many of the structural barriers to legalisation within Canada. However, less research focuses directly on the influence from student activists and the New Left groups from Canadian universities. Various academics, such as Ian Milligan, have studied the shift towards the 'student activist' in Canada through the New Left era, while others, including Maria Barette, examine the highly publicised 'McGill Student's Handbook.' Given the emerging prominence of university newspapers at the time, a significant base of primary sources exists detailing the sentiment of students through archived records at *The Ubysey* and other student papers. Christabelle Senna, one of the leading scholars in this space, has written substantially regarding student resistance efforts at the University of Toronto and McGill. Recent work from scholars Megan Blair and Hans G. Schuteze has expanded research on these Canadian student movements, identifying overlapping anti-war and women's rights groups as significant conductors for student birth control activism.^{6 7}

The Birth Control Movement, Canadian Universities, and the New Left

To understand why Canadian university campuses in the 1960s became a catalyst for change and acceptance of the pill, it is important to examine the historical context in which the birth control movement and New Left originated. 19th and early 20th century Canada can be categorised as patriarchal in both societal views of women, and how they were treated under the law. Socially, "women were not alone in their

6 Megan Blair, "'Babies Needn't Follow': Birth Control and Abortion Policy and Activism at the University of Waterloo and Waterloo Lutheran University, 1965-74," *Canadian Bulletin of Medical History* 37, no. 1 (2020): 88.

7 Walter Archer and Hans G. Schuteze, *Preparing Students for Life and Work: Policies and Reforms Affecting Higher Education's Principal Mission*, Chapter 13: Student Policies and Protests, Brill Sense (2019): 239-254.

birth control decisions...they were surrounded by friends, family, and husbands.”⁸ There is further evidence that some believed that allowing women the free choice to use contraceptives would be akin to ‘race suicide’ – a concept attributed to United States President Theodore Roosevelt – that limiting births in some of Canada’s predominantly European communities would limit the expansion of settler-colonial hegemony in North America.⁹ Religion played a significant factor in preventing access to birth control for women. As is evident through numerous statements and publications, the Roman Catholic Church was staunchly against use of the pill in this era, with Pope Paul VI declaring a prohibition on all forms of birth control through the statement, ‘*Humanae Vitae*’ (Of Human Life), in 1968.¹⁰ While the Catholic Church had previous internal disagreements regarding its stance, ‘*Humanae Vitae*’ decisively states, “Similarly excluded is any action which either before, at the moment of, or after sexual intercourse, is specifically intended to prevent procreation—whether as an end or as a means.”¹¹ As the vast majority of white Canada adhered to some form of Christianity, these religious views heavily manifested in the Thompson Administration’s 1892 *Criminal Code* explicitly preventing access to birth control resources and information for women.¹² In fact, contraceptives were not taught or discussed in many medical schools, “because they were associated with the prostitute, the midwife, and were thus outside the realm of respectable medicine.”¹³ To many, limiting contraceptives and birth control was not a medical decision, but implicitly about religious adherence, patriarchal control, and settler expansionism.¹⁴

With significant societal opposition, the birth control

8 Haynes, “The Great Emancipator?” 2.

9 Agnus McLaren, “Birth Control and Abortion in Canada, 1870–1920,” *The Canadian Historical Review* 59, no. 3 (1978): 319.

10 Paul VI, *Humanae Vitae*, encyclical letter, Vatican website, July 25, 1968, https://www.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae.html.

11 Paul VI, *Humanae Vitae*, sec. 10.

12 Haynes, “The Great Emancipator?” 244.

13 Dianne Dodd, “The Canadian Birth Control Movement on Trial, 1936–1937,” *Histoire Sociale* 16, no. 32 (1983): 411.

14 Haynes, “The Great Emancipator?” 245.

movement remained mostly underground in Canada until the 1930s. Elizabeth Bagshaw became one of the first Canadians to open a clinic for women to obtain information on contraceptive options and abortions. In 1936 the birth control movement entered the public conversation with the arrest, and subsequent trial of Doretha Palmer for violating the birth control restrictions.¹⁵ Although Palmer was certainly guilty under the law, a jury nullified the verdict, citing evidence that providing access to birth control carried significant economic and social benefits.¹⁶ This trial represented two changes: that birth control had begun to break the entrenched societal opposition, and that the debate on birth control had shifted into the public view.¹⁷ With the medicalization of drugs – the integration of drugs within common practice medical treatments – in the 1950s and subsequent development of pharmaceuticals, the pill, an oral contraceptive, was developed for use in Canada. While most Canadian universities were not directly opposed to the use of the pill by their students, many were reluctant in providing such contraceptives, as well as any broader sexual education.¹⁸ Given the significant opposition from the Church, Canadian university administrators feared public legal challenges, as well as backlash from parents and alumni.¹⁹ In response, the student birth control resistance movements at universities such as Waterloo pressured administrations into providing these resources by protesting, printing dissent in newspapers, and recruiting experts for information sessions.²⁰

Simultaneously to the student birth control movement, the New Left movement was popularising amongst youth, and in universities. The New Left movement ideologically encompassed a variety of modern socially liberal views, including opposition to the

15 Dodd, “The Canadian Birth Control Movement on Trial,” 411.

16 Dodd, “The Canadian Birth Control Movement on Trial,” 414.

17 Dodd, “The Canadian Birth Control Movement on Trial,” 423.

18 Christabelle Sethna, “The University of Toronto Health Service, Oral Contraception, and Student Demand for Birth Control, 1960 – 1970,” *Historical Studies in Education* 17, no. 2 (2005): 267.

19 Sethna, “The University of Toronto Health Service,” 271.

20 Blair, ““Babies Needn’t Follow,” 88

Vietnam War, aspects of capitalism, and restrictions on women.²¹ The New Left synthesised these views under a single movement, which allowed for actionability and lobbying power.²² Critically, as access to the pill was indicative of women's rights, the birth control movement was enveloped under the umbrella of the New Left. Many students who originally exclusively protested for access to the pill in the campus environment were now included in the broader public under the New Left movement.²³ It was this dynamic that in many ways magnified the social acceptance and public pressure on the Canadian government to fully legalise the pill.

McGill University and the *Student's Birth Control Handbook* 1969-1975

McGill University in Montréal is a notable example of this intersection between the New Left and the birth control movements, as well as their impact on social acceptance across Canada. In the late 1960s, McGill served as an ideological battleground between the traditional Catholic community, and liberal students at the university. As Québec had strong cultural heritage rooted in the Catholic Church, the pill had been strictly restricted, and the university did little to support single women in the form of sexual health and education, despite some of the highest rates of student pregnancy in Canada at the time.²⁴ In response, the student society endorsed the creation of an educational manual to provide information to both male and female students on topics ranging from the pill to sexually transmitted infections.²⁵ While the first edition published in 1968 was mostly used on campus, the 1969 edition spread into the public, with multiple American

21 Victoria Campbell Windle, "We of the New Left": A Gender History of the Student Union for Peace Action from the Anti-Nuclear Movement to Women's Liberation, "University of Waterloo, (2017): 108.

22 Campbell Windle, "We of the New Left." 78.

23 Milligan, Ian. "Coming Off the Mountain: Forging an Outward-Looking New Left at Simon Fraser University." *BC Studies* no. 171 (2011): 74.

24 Maria Barette, "Contrarian Contraception: Radical Feminism and the Birth Control Handbook in late 1960s Montreal," McGill University Archives. 2016: 3.

25 Barette, "Contrarian Contraception," 1.

universities providing copies to students on their orientation days.²⁶ It was in this edition that the manual began to run articles based on New Left ideologies, concerned with ideas such as overpopulation, late-stage capitalism, and women's rights.²⁷ As Sethna points out, "the 1969 edition firmly united left-wing and second-wave feminist politics to suggest that the Handbook had a major role to play in women's liberation."²⁸ Many viewed the Handbook as "a political act," and it played a critical role in the social acceptance of birth control and the pill through written protest.²⁹ While certainly controversial, over three million copies of the Handbook eventually spread throughout Canadian society, demonstrating the popularisation of the New Left and birth control movements at the time.³⁰ The Handbook was not only a useful resource for young students during the sexual revolution, but it also spread these ideas under the now distinctly recognizable New Left. In expanding the Handbook towards further ideas of women's rights, it had reoriented conversations about the pill from the Canadian university campus to popular culture.

The University of British Columbia and Simon Fraser University

Student resistance at the University of British Columbia (UBC) combined on-campus activism with community-oriented resources, using the newspaper *The Ubyyssey* as an intersection between resistance to birth control legislation, and the New Left. In terms of campus resistance, *The Demographic Society*, a student-run club, showed sex education films to students on campus and lobbied local politicians for statements surrounding restrictions on the pill.³¹ While Christabelle

26 Christabelle Sethna, "The Evolution of the Birth Control Handbook: From Student Peer-Education Manual to Feminist Self-Empowerment Text, 1968-1975," *Canadian Bulletin of Medical History* 23, no. 1 (2006): 92.

27 Haynes, "The Great Emancipator?" 12.

28 Sethna, "The Evolution of the Birth Control Handbook," 96.

29 Barette, "Contrarian Contraception," 10.

30 Barette, "Contrarian Contraception," 8.

31 "Illegal Seminars Tackle Problems," Editorial, *The Ubyyssey Archive*, March 4, 1966.

Sethna has rightly questioned the validity of student newspapers such as *The Ubyyssey* as often overrepresentation of the campus population due to influences from editors and others, they can still serve as useful historical artifacts.³² Between 1959 and 1969, *The Ubyyssey* published upwards of a hundred articles dealing with birth control or the pill in some form. The frequency of published opinion articles opposing the existing legislative and religious disapproval for birth control demonstrates an increasing willingness to publicly criticise issues otherwise seen as 'taboo' amongst the university environment. With the rise in the New Left on campus, the paper began to publish political student editorials on a range of topics, such as opposition to the Vietnam War, women's equality in education, and access to the pill.³³ Students such as Tony Bond openly wrote criticisms, commenting that "the law is broken so often that it is regarded with contempt."³⁴ In 1965, *The Ubyyssey* published an article criticising the double standard by the Canadian government in how "the sale of contraceptives is illegal, while sterilisation is not."³⁵ Before the mid-1950s *The Ubyyssey* seldom published articles openly critical of birth control regulations in Canada, indicating the effect that the New Left had on campus in later years. As many of these articles are in response to previous debates, written in editorials, or directly submitted by students, they are indicative of public debates occurring not just on campus, but in the community. In one incident of public contempt, UBC student Ann Ratel bypassed clinic restrictions by disguising herself as a married woman, and was given access to the pill.³⁶ This incident caused controversy and debate within both the campus and the Vancouver community.³⁷ An increasing number of UBC students began to participate in New Left demonstrations in the Kitsilano neighbourhood over access to the pill and women's rights more broadly.³⁸

32 Blair, "'Babies Needn't Follow,'" 102.

33 "Birth Control Ban," Editorial, *The Ubyyssey Archive*, Jan 15, 1965.

34 Tony Bond, "Birth Control Laws are Laughable," *The Ubyyssey Archive*, November 1965.

35 "Birth Control Ban," Editorial, *The Ubyyssey Archive*, Jan 15, 1965.

36 Haynes, "The Great Emancipator?" 84.

37 Milligan, "Coming off the Mountain," 70.

38 Milligan, "Coming off the Mountain," 70.

Students at Simon Fraser University (SFU) had long protested restrictions on the pill, although in a much less organised manner than at UBC or McGill. However, the New Left movement on campus was perhaps the most impactful in bringing these conversations ‘down from the mountain,’ and into the community.³⁹ In the mid-late 1960s, students began to organize in protests, “favoring gay rights, feminism, and counterculture,” with these certainly manifesting against restrictions for women’s rights to the pill.⁴⁰ Similar to UBC, the SFU newspaper *The Peak* became critical of the campus administration’s “jurisdiction by criticising student political and moral action off-campus.”⁴¹ For many SFU students, the New Left movement was the catalyst in “linking the student movements with the larger society,” which diffused pressure against the Canadian government to rescind laws restricting the pill.⁴² At SFU, student debates about the legitimacy of a 70-year-old law banning certain contraceptives transformed into a debate about women’s rights and “the responsibility of the New Leftist student in the broader world.”⁴³

The University of Waterloo

Students at the University of Waterloo (UW) were also involved in birth control activism through the growing New Left movement. Through the mid-1960’s student council at UW actively debated methods of addressing student interest in birth control access, including supporting community clinics, which was formalised with the opening of UW’s *Birth Control Centre* in 1970.⁴⁴ UW student newspaper, *The Chevron*, also published opinion pieces in support of student resistance to birth control restrictions, along with pro-abortion stances.⁴⁵ Student meetings were held to discuss the best ways of impacting change in

39 Milligan, “Coming off the Mountain,” 71.

40 Milligan, “Coming off the Mountain,” 71.

41 Milligan, “Coming off the Mountain,” 73.

42 Milligan, “Coming off the Mountain,” 75.

43 Milligan, “Coming off the Mountain,” 69.

44 Blair, “‘Babies Needn’t Follow,” 99.

45 Milligan, “Coming off the Mountain,” 90.

the community, be it through petitions, demonstrations, or through the use of media. Concurrently, Waterloo was increasingly becoming a “hotbed” for the Ontario New Left, which encompassed debates over the pill into conversations about women’s rights and abortions.⁴⁶ As Blair notes, “UW activism illustrates how average students... encouraged change through discussions in the student newspaper and debates at campus events.”⁴⁷ While a comparatively smaller school, students participated in community events, such as the 1970 *Abortion Caravan* to Ottawa a year after the legalization of the pill, with the goal of placing public and media pressure on the Canadian government for the legalization of abortions. The *Student Union for Peace Action* was a significant contributing factor in mobilising the student body in protests against various initiatives that ran contrary to New Left ideology.⁴⁸ The Union also held debates open to the public to discuss social and political issues, a relatively novel concept to the academic community.⁴⁹ Students, many of whom were originally disorganised in their contempt for restrictions on the use of the pill, became a functioning interest group in society partially as a result of their inclusion within New Left’s broad movement. This allowed for debates and activism regarding the pill to ‘piggyback’ onto other issues of broader social change through the backdrop of women’s rights, marijuana legalisation, and civil rights protests ongoing within the United States.⁵⁰

Impacts of University Students’ Resistance to Birth Control and the Pill Restrictions

The efforts by university students in Canada during the sexual revolution and New Left movements of the 1960s had tangible results in both social and legal acceptance of the pill. At universities such as Waterloo and McGill, students were integral in the creation of

46 Milligan, “Coming off the Mountain,” 71.

47 Milligan, “Coming off the Mountain,” 72.

48 Milligan, “Coming off the Mountain,” 82.

49 Milligan, “Coming off the Mountain,” 84.

50 Blair, “Babies Needn’t Follow,” 118.

community contraceptive/sexual health centers, which saw thousands of young women given access to the pill. Furthermore, these sites were free of charge, allowing for those who could not afford their relatively expensive price to receive proper health care.⁵¹ At almost every Canadian university, students and their unions held formal information sessions in which they invited medical professionals with the intent of educating students and often members of the public. These efforts resulted in significant drops in student pregnancy rates over the course of the decade.⁵² Socially, university publications such as the McGill Handbook pushed debates on the use of the pill beyond campuses into broader society, normalising acceptance of its use across Canada and the United States. Many women across Canada “looked upon the Handbook as godsent when it came to information about birth control.”⁵³ In 1975, 88% of Canadians supported birth control, a significant increase from under 50% just a decade previously.⁵⁴ Students held demonstrations, participated in community protests, and published opinion pieces in university newspapers such as *The Peak* and *The Ubysey*. In 1969, the Trudeau administration legalised the use and distribution of the pill, a significant victory for proponents of the pill and women’s rights. As a result, teen pregnancies in Canada fell from 4.1/1000 to 1.7 between 1975 and 1985.⁵⁵

The Pill, the New Left, and the Changing Role of the Student in Society

While actions of student unions on campus provided important resources for their local communities, it was the integration of the birth control movement within the New Left that provided pressure for societal change and acceptance of the pill. In the 1950s, while a growing number of Canadians began to privately support forms of

51 Blair, “Babies Needn’t Follow,” 91.

52 Blair, “Babies Needent Follow,” 101.

53 Sethna, “The Evolution of the Birth Control Handbook,” 105.

54 Haynes, “The Great Emancipator?” 8.

55 Alexander McKay, “Trends in Canadian National and Provincial/Territorial Teen Pregnancy Rates: 2001-2010, *The Canadian Journal of Human Sexuality* no. 21 (2013): 162.

birth control, advocacy around the pill was mostly relegated to a small, but vocal interest group.⁵⁶ In the academic sphere, controversial social and political debates pertaining to issues such as birth control remained mostly within the campus and classroom environment.⁵⁷ When resistance to restrictions on the pill began at Canadian universities in the early 1960s, it was mostly between the university administrations and the student body. This is evident through the sentiment of student opinions in *The Ubyyssey* claiming that, “it will be a long time before health services at Canadian universities start implementing birth control.”⁵⁸

Two defining factors of the New Left movement aided in the ability of the Canadian student interest groups to more effectively contribute in pressuring the Canadian government into legalising birth control in 1969. First, the ability to integrate a multitude of different interest groups allowed for greater leverage in magnifying pressure on societal norms and challenging legal precedence.⁵⁹ Greater exposure of particular interest issues, such as the legalisation of birth control, benefited greatly from the associated media coverage and mainstream attention brought with other New Left issues. For example, during some anti-war protests in the United States during the 1960s, protests would often combine issues, exemplified by one notable demonstrator carrying a sign reading, “Drop Acid, Not Bombs!!”⁶⁰ A similar effect happened with women’s rights activism in Canada, and while many were not directly self-declared as ‘New Left’, they overlapped on issues such as disarmament and anti-war sentiments.⁶¹

The second defining factor was the New Left movement’s ability to shift conversations from private (the university), to the public. As the New Left became popularized on campuses such as Waterloo and McGill in the mid-1960s, it integrated the campus birth

56 Haynes, “The Great Emancipator?” 8.

57 “Blair, “Babies Needn’t Follow,” 93.

58 “Archaic Laws,” Letters to the Editor, *The Ubyyssey Archive*, Feb 23, 1954.

59 Blair, “Babies Needn’t Follow,” 118.

60 “Drop Acid Not Bombs,” *Exhibits*, accessed April 15, 2022, <https://digilab.libs.uga.edu/exhibits/items/show/449>.

61 “Women’s Movements in Canada: 1960-1985,” The Canadian Encyclopedia, accessed April 15, 2022, <https://www.thecanadianencyclopedia.ca/en/article/women-movements-in-canada-196085>

control resistance within the feminist and women's rights movements. University newspapers began publishing opinion articles directly criticising the Canadian government and the Church.⁶² The McGill Handbook published New Left articles on feminism, which spread across Canadian society. Students openly held debates and distributed technically 'illegal' information not just for the campus community, but also for the general public. Essentially, the inclusion of the birth control movement into the New Left served to magnify opposition to birth control restrictions as supporters rallied to a centralised platform. This translated into mass demonstrations, such as the *Abortion Caravan* in 1970, pressure in popular culture through the McGill Handbook, or letter writing campaigns to Canadian legislators and Members of Parliament.⁶³ It is clear that the conjoining of the birth control movement and the New Left helped to accelerate this normalisation and lobbying effort, especially amongst student activists within Canada.

Conclusion

The structural causes of the restrictions on the pill and birth control – religious adherence, government intervention, and patriarchal societal norms – became the platform to which the New Left would synthesise the birth control movement in opposition. This strategy was successful. Students 'came from their respective universities to join other interest groups in pressuring the Canadian government to change "archaic" laws.⁶⁴ In the 1960s, the combined efforts of decades of resistance to birth control restrictions, and the emergence of student activism off-campus through the New Left changed Canadian society. Through the coming decades, many students would continue to take on an activist role in the public sphere, as accessibility to the pill and resistance from some religious entities would persist.⁶⁵ By the late 1960s, the movement for access to the pill was more than a relationship between society and a drug, but one contextualised in a broader history of radical activism, and the changing role of the university student in the community.

62 "Birth Control Ban: Priests Violate Criminal Code," Editorial, *The Ubysses Archive*, Jan 15, 1965.

63 Milligan, "Coming off the Mountain," 76.

64 Milligan, "Coming off the Mountain," 72.

65 Liu, Kimberly E. and William A. Fisher. "Canadian Physicians' Role in Contraception from the 19th Century to Now." *Journal of Obstetrics and Gynecology Canada* 24, no. 3 (2002): 239.

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Troubled Waters

“Token” Cooperation in Israeli-Palestinian Environmental Peacebuilding

Sophia Lee

Abstract

The 1995 Interim Agreement on the West Bank and the Gaza Strip, otherwise known as the Oslo II Agreement, had the potential to facilitate environmental peacebuilding between Israel and Palestine by promoting cooperation for mutual water security. However, Oslo II calls for cooperation only over a fraction of transboundary resources, leaving the other resources under Israeli unilateral governance. Oslo II also partitions the West Bank into three zones that obstruct Palestinian territorial sovereignty, enabling Israel to capture strategic resources and pursue its territorial interests. Although Oslo II successfully created the Joint Water Committee (JWC) to coordinate transboundary resource management, the lethargic pace and administrative complexities of its approval mechanisms made the system ineffective in producing positive-sum cooperation. Therefore, the Oslo II-JWC water regime facilitates “token” cooperation, or cooperation mechanisms that are symbolic but ineffective in nature, which formalises pre-existing power asymmetries and fails to support the consolidation of sustainable peace.

Introduction

The Oslo II Agreement offered a historic opportunity for Israel and Palestine to transition from conflict to cooperation via joint water resource management. Oslo II called for the creation of the Joint Water Committee (JWC) to coordinate, protect, and manage water resources and sewage systems. The inclusion of natural resources in a peace agreement, combined with the formation of a joint management institution, can act as a form of environmental peacebuilding to enhance trust between former adversaries by producing a formal institutional structure to strengthen mutual water security. If configured correctly, environmental peacebuilding initiatives could improve climate resilience, natural resource governance, and regional partnership.¹ However, because transboundary cooperation is always underpinned by power relations, governments can exploit cooperation mechanisms to distort policy priorities and maintain pre-existing hegemonic rapports.

This paper will argue that by failing to fulfill its role in producing an effective governance framework for joint resource management, the Oslo II-JWC water regime facilitates a form of “token” cooperation that is symbolic but unproductive in nature, which formalizes pre-existing power asymmetries and impedes the creation of sustainable peace. This paper will first examine how the structural flaws of Oslo II and the JWC allow Israel to pursue expansionist territorial and settlement interests in the West Bank. Second, it will analyze how the JWC has struggled to support Palestine’s unilateral development of water infrastructure due to the lethargic and administratively complex nature of bureaucratic proceedings. Third, it will consider how the Oslo II-JWC water regime fails to produce water equity by increasing Palestinian dependency on external actors. For the purposes of this paper, I will define and refer to environmental peacebuilding as the “approaches and pathways by which the management of environmental issues is integrated in and can support conflict prevention, mitigation, resolution and recovery.”² I will also create a definition for the term “token gestures of

1 Tobias Ide et al., “The Past and Future(s) of Environmental Peacebuilding,” *International Affairs (London)* 97, no. 1 (2021): 3–4.

2 Ide et al., “The Past and Future(s) of Environmental Peacebuilding,” 2–3.

cooperation,” a phrase originally coined but left undefined by Zeitoun and Mirumachi,³ by defining it as gestures of partnership that are emblematic in rhetoric but unproductive in performance.

Water as an instrument of containment

Despite the Oslo II Accord’s potential to foster technological and diplomatic advances over mutually shared resources, it has struggled to prevent inequitable patterns of Israeli resource capture. Although Israel and Palestine share three transboundary water resources—the Mountain Aquifer, Jordan River, and Coastal Aquifer—Oslo II only applies partially to the Mountain Aquifer.⁴ Even though Israel and Palestine are co-riparians, the Agreement solely concerns segments of the Mountain Aquifer located inside the West Bank, while other areas are subject to unilateral Israeli management with no restrictions on abstraction.⁵ Against this backdrop, Israeli-Palestinian cooperation has an incredibly limited spatial reach and is premised upon unequal access to water supplies.

The utilisation of water in the Jordan River and Coastal Aquifer is also asymmetrically in Israel’s favour. The Jordan River is heavily exploited by Israel, who consumes 600-700 million cubic metres per year, while Palestinian consumption is zero because the water that reaches the West Bank becomes “little more than a polluted stream” due to over-pumping and wastewater contamination.⁶ Not only has Israel’s monopoly over the Upper Jordan River dried up Palestinian water channels, but Israel has allegedly dumped “agricultural, urban, and industrial wastes” into the Lower Jordan River, directly polluting the water supply.⁷ As for the Coastal Aquifer, the Palestinian Authority

3 Mark Zeitoun and Naho Mirumachi, “Transboundary Water Interaction I: Reconsidering Conflict and Cooperation,” *International Environmental Agreements: Politics, Law and Economics* 8, no. 4 (2008): 304.

4 Jan Selby, “Cooperation, Domination and Colonisation: The Israeli-Palestinian Joint Water Committee,” *Water Alternatives* 6, no. 1 (2013): 6.

5 Mark Zeitoun et al., “Asymmetric Abstraction and Allocation: The Israeli-Palestinian Water Pumping Record,” *Ground Water* 47, no. 1 (2009): 154.

6 Selby, “Cooperation, Domination and Colonisation,” 5.

7 Metin Duyar, “Analysis: Israel’s most powerful tool in persuading Jordan: ‘water

(PA) has unilateral jurisdiction over water management in areas of the aquifer underlying the Gaza Strip, with the remainder unilaterally governed by Israel.⁸ However, because Palestine is the downstream riparian, the PA has no ability to limit Israel's increasing abstraction upstream of Gaza.⁹ Given its dense refugee population and low resource base, Gaza is forced to extract two times the natural recharge accessible within its share of the aquifer, generating significant seawater intrusion and salinization.¹⁰ The omission of the Jordan River, Coastal Aquifer, and Israeli portions of the Mountain Aquifer from Oslo II therefore aid Israel's control and utilisation over key transboundary water resources.

In addition to Oslo II's inequitable terms of access to water resources, it partitions the West Bank into three administrative divisions that have advanced Israeli containment policies and expansionist territorial ambitions. Oslo II divides the West Bank into three zones: Area A (18% of the West Bank) where the PA has "full autonomy," Area B (22% of the West Bank) where the PA governs civil affairs but Israel maintains security control, and Area C (60% of the West Bank, including all Israeli settlements) where Israel possesses full control over civil and security affairs.¹¹ Therefore, under Oslo II's terms, any water-related land use in up to 82% of the West Bank requires approval by Israeli planning authorities.¹² Furthermore, Israel has no settler population or infrastructural needs in Area A or B, and thus require no approval from the PA for infrastructural development, reinforcing Israeli water sovereignty.¹³ Meanwhile, almost all productive zones for well-drilling from the Mountain Aquifer lie within Area C where Israeli settlements (leaving the position of East Jerusalem aside) are located.¹⁴ The PA has no security presence in these areas and remains

problem," *Anadolu Agency*, June 8, 2021.

8 Selby, "Cooperation, Domination and Colonisation," 5.

9 Selby, "Cooperation, Domination and Colonisation," 5.

10 World Bank, *West Bank and Gaza - Assessment of Restrictions on Palestinian Water Sector Development* (Washington: The World Bank Group, 2009): 27-32.

11 Marina Djernaes et al., "Evaluation of Environmental Peacemaking Intervention Strategies in Jordan-Palestine-Israel," *Journal of Peacebuilding & Development* 10, no. 2 (2015): 75.; Selby, "Cooperation, Domination and Colonisation," 9.

12 Selby, "Cooperation, Domination and Colonisation," 9.

13 Selby, "Cooperation, Domination and Colonisation," 9.

14 Selby, "Cooperation, Domination and Colonisation," 9.

unable to enforce Israeli compliance with JWC resolutions.¹⁵ In practice, the JWC has limited authority to regulate water management for the majority of the West Bank. The restriction of Palestinian water development solidifies Israeli occupation in strategically valuable territories through the development of Israeli settlements, as well as the division and encirclement of significant Palestinian population centres. Thus, Oslo II formalises existing resource management structures.

In areas of the West Bank where Israel exercises full security control, Israeli Defence Forces (IDF) can be readily deployed to adjourn or demolish unlicensed work, enforcing compliance with Israeli water policies. For example, in July 2009, the IDF issued a cessation and demolition order on the construction of cisterns in the village of Tuwani, even though Tuwani residents were facing a stringent water shortage in the wake of drought.¹⁶ The order instigated an increase in Israeli restrictions on water movement necessary to collect water, as well as an increase in attacks on water resources and infrastructure by Israeli settlers.¹⁷ These cisterns would have significantly eased the impacts of the water crisis, but according to Israeli military orders that were in effect, rain is also considered property of Israeli authorities and Palestinians are hence prohibited from collecting rainwater for domestic or agricultural needs.¹⁸ Although Israel approved the construction of a filling point later in 2010, the capacity of the filling point was less than one-fourth of the capacity requested by humanitarian agencies to serve surrounding communities deemed at most risk of water scarcity in the West Bank.¹⁹ Hence, Oslo II struggles to support Palestinian autonomy due to permit and construction restrictions on the development, repair, and maintenance of water systems in local communities, engendering

15 Selby, "Cooperation, Domination and Colonisation," 11.

16 Al-Haq and Emergency Water, Sanitation and Hygiene group (EWASH), "Israel's violations of human rights regarding water and sanitation in the Occupied Palestinian Territory", *United Nations* (2011).

17 Al-Haq and EWASH, *Israel's violations of human rights regarding water and sanitation*.

18 Al-Haq and EWASH, *Israel's violations of human rights regarding water and sanitation*.

19 Al-Haq and EWASH, *Israel's violations of human rights regarding water and sanitation*.

inadequate infrastructure and inhibiting the PA's ability provide basic water services.

The lethargic and restrictive nature of bureaucratic proceedings

The JWC was established to produce and uphold two ways of ensuring the equitable representation of interests—both of which have been underdelivered. The first function is to grant veto power to each party against any modification or expansion of water infrastructure.²⁰ Although the right of veto can ensure consensus-based operation, the PA doesn't hold equivalent veto powers in relation to Israel given that Oslo II only concerns water resources located in the West Bank. Veto rights also produce an administratively complex and time-consuming burden on the JWC, as proposals require approvals from various subcommittees for modifications before it can be approved or rejected. As a result, decision-making is a lengthy process that can take up to three years.²¹ Veto power can also exacerbate disarticulations of power. The PA has submitted more applications to the JWC than Israel, for smaller capacity infrastructures than Israeli projects, but approval rates for Palestinian projects are significantly lower.²² The JWC approved permits for only 56% of Palestinian water and sanitation projects—and only one-third of those could actually be carried out. Israel, on the other hand, has a nearly 100 percent approval rate.²³ In addition to JWC approval, Area C projects require permission from the Israeli Civil Administration (ICA), who have the authority to approve, revoke, or amend

20 Liping Dai, "Implementation Constraints on Israel–Palestine Water Cooperation: An Analysis using the Water Governance Assessment Framework," *Water* (Basel) 13, no. 5 (2021): 6.

21 World Bank, *West Bank and Gaza*, 64.; Selby, "Cooperation, Domination and Colonisation," 7.

22 Selby, "Cooperation, Domination and Colonisation," 11.

23 Camilla Corradin, "Israel: Water as a tool to dominate Palestinians," *Aljazeera*, June 3, 2016.

all construction licenses.²⁴ From 2010 to 2014, the ICA rejected 98.5% of Palestinian building permit applications for projects in Area C.²⁵ Israel also charges the PA approximately USD \$2 million annually for water-related ICA administrative expenses.²⁶ Despite efforts to promote an equilibrium of power via veto structures, power relations in the JWC stand unequal in practice, enhancing Israel's asymmetric decision-making power within the JWC.

The second function of the JWC is to grant each party equal representation. However, from its inception, the development of Oslo II was dominated by Israel. The Oslo II Agreement on water was drafted by Israeli authorities, and thus primarily reflected Israeli preferences.²⁷ Out of the six-person Palestinian team invited to negotiations, only one was invited to the critical final round—an individual who was neither the team head nor had sufficient knowledge of local water issues.²⁸ Thus, equal representation at current JWC meetings does little to amend the misrepresentation of Palestinian interests and water rights that were overlooked at Oslo II's initiation, nor the structural consequences that have followed. Despite instituting processes intended to support equitable and consensus-based procedures, the JWC has failed to provide an efficient and effective governance framework due to the asymmetric nature of bureaucratic procedures.

Water as a tool of domination

As a peace process, the Oslo II water regime facilitates the disarticulation of power and responsibility by preserving Israeli governance over decision-making processes and key resources, while delegating the burden of rehabilitating Palestinian water systems to the PA and

24 Selby, "Cooperation, Domination and Colonisation," 7.

25 Dai, "Implementation Constraints on Israel-Palestine Water Cooperation," 6.

26 Selby, "Cooperation, Domination and Colonisation," 19.

27 Selby, "Cooperation, Domination and Colonisation," 15.

28 Selby, "Cooperation, Domination and Colonisation," 15.

international donors. Although Oslo II does not discuss financial support for water projects, it opened the door to international donors to assist the development of water and sanitation infrastructure.²⁹ Many water and sanitation programs were launched in the West Bank and Gaza Strip due to the support of Germany, USA, the European Union (EU), and the United Nations Development Programme.³⁰ As a result, since 1995, the development of Palestinian water systems has been coordinated by the Palestinian Water Authority (PWA) in partnership with international donors, who fund a bulk of PWA's running costs.³¹ As donors interpret their role as supporters of a "peace process," they insist on abiding by Oslo II terms and are reluctant to provide funding without JWC approval.³² Additionally, a majority of Western powers, including the USA and most EU member states, have not recognized Palestine as an independent state.³³ As a result, international agreements, by nature, tend to reinforce Israeli dominance. Foreign donors may thus operate as proponents, if not enforcers, of the Oslo II water regime, making unilateral development inaccessible to Palestine. Where needs are unmet by international aid, Palestinians must purchase commercially-distributed water from Israel's national water company, Mekorot, making Israel the main water supplier to Palestinian communities.³⁴ The bilateral and multilateral relations facilitated by Oslo II ultimately transfer power from those inside the Palestinian territory to those outside of it; this power transfer is what Selby calls the "[dressing] up [of] domination as 'cooperation.'" ³⁵ Oslo II and JWC have not produced mutual gains and adjustments, but instead promote power asymmetry, making Palestine increasingly dependent on international assistance and Israeli occupational powers

29 Ayşegül Kibaroglu et al., *Water Law and Cooperation in the Euphrates-Tigris Region: A Comparative and Interdisciplinary Approach* (Leiden: Martinus Nijhoff Publishers, 2013): 319.

30 Kibaroglu et al., *Water Law and Cooperation in the Euphrates-Tigris Region*, 319.

31 Selby, "Cooperation, Domination and Colonisation," 9.

32 Selby, "Cooperation, Domination and Colonisation," 9.

33 Ishaan Tharoor, "Map: The countries that recognize Palestine as a state," *The Washington Post*, November 7, 2014.

34 Karin Aggestam and Anna Sundell-Eklund, "Situating Water in Peacebuilding: Revisiting the Middle East Peace Process," *Water International* 39, no. 1 (2014): 17.

35 Jan Selby, "Dressing Up Domination as 'cooperation': The Case of Israeli-Palestinian Water Relations," *Review of International Studies* 29, no. 1 (2003): 123, 138.

for water resources and development prospects.

The Oslo II-JWC water regime then is understood as a tokenization of cooperation, or a symbolic show of cooperation that has failed to produce tangible transboundary water equity. Given that transboundary cooperation hinges on power relations, environmental peacebuilding efforts can be used by state actors to reinforce the existing balance of power. In most—if not all—settings of hydro-politics, conflict and cooperation co-exist, and the formation of transboundary water regimes thus does not inherently resolve conflict. Given the spatial limitations of Oslo II's policies, "cooperation" in the Israeli-Palestinian hydro-political context may not be driven by mutual interests in sharing a vital resource. For Israel, the JWC has become a device to enhance its position in the West Bank, while for Palestine, it remains a "structural barrier" to the accessibility and development of regional water resources.³⁶ Therefore, "token" cooperation can be used to veil or and legitimize perpetuating conflict³⁷—a strategy aimed at convincing domestic and international actors that cooperation without mutual benefit is still progress, nonetheless. By implementing treaties that accommodate unilateral interests, institutions of cooperation can foster hegemonic domination via strategies of resource capture, containment, and water securitization.

Conclusion

The Oslo II Agreement presented a key opportunity to advance technological and diplomatic progress for Israel and Palestine through the joint management of water resources. Due to the structural flaws of the Oslo II-JWC water regime, including the administrative woes of approval mechanisms and veto rights, the JWC struggles to amend the lethargic pace and restrictive nature of bureaucratic proceedings. Administrative shortcomings of the JWC

36 Dai, "Implementation Constraints on Israel-Palestine Water Cooperation," 12.

37 Zeitoun and Mirumachi, "Transboundary Water Interaction I," 304; Selby, "Cooperation, Domination and Colonisation," 2.

have exacerbated the inequitable access to transboundary water resources, which has advanced Israel's territorial ambitions to contain its co-riparian. The shortcomings of the Oslo II-JWC water regime constitutes only an additive layer to the broader framework of Israeli domination. If configured correctly, environmental peacebuilding initiatives could help deliver regional cooperation, resource and infrastructural development, and climate adaptation adequately enough to create sustainable peace. However, the case of Israel-Palestine demonstrates that environmental peacebuilding concepts can be appropriated by dominant state actors as an instrument of token cooperation, being used to reinforce longstanding power asymmetries and continued subjugation.

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Arbegna

The Women Freedom Fighters of the Ethiopian Patriots Association

Leonardo Marchetti

Abstract

This paper argues that the mainstream historiography of colonial resistance is incomplete as it does not analyse the unique roles of women in rebuking colonial rule and, thus, often presents incomplete definitions of resistance. In discussing the contributions women made to the Ethiopian Patriots Association, the official anti-colonial resistance to Fascist Italian rule in Ethiopia from 1935-36, I gather a collection of stories of how women single-handedly turned the Patriots into an international symbol for anti-colonialism. I then use this body of evidence in tandem with existing feminist historiographies of Ethiopia to exemplify how the legacy of any successful anti-colonial movement must include women, their contribution, and their history.

Introduction

Resistance in any form is not an inherently exclusionary phenomenon. It is an act of defiance against oppression that relies on widespread mobilisation. Thus, the account of rebellions throughout history as typically male-led acts is not only a defiance of simple logic — if rebellion thrives on widespread participation then the appeal for participation must also come from diverse leaders — but it has also been a disastrous injustice to people of all other genders who have led the charge against oppression. One manifestation of this phenomenon is the near-century of oversight and dismissal of the contributions made by women to the Ethiopian Patriots Association from 1936-1941. The Patriots were the official resistance movement against Italian colonial rule in Ethiopia during and subsequent to the Second Italo-Ethiopian War of 1935-36.¹ Within the ranks of the freedom-fighting Patriots, better known by the Amharic word *arbegnoch* or the singular *arbegna*, were countless women who sacrificed their livelihoods to participate in the liberation of their people. Yet, recognition of their service has failed to enter the sphere of historiography for the greater part of 80 years.

The participation of women in the Ethiopian Patriots Association opens up a dimension to colonial resistance that is too often left on the sidelines of historical thought. It was not until 1992, when military regimes across Africa began to be overthrown in favor of democratic institutions, that academia within the continent shifted its focus towards African social histories.^{2 3} It is within the context of this shift that the women Patriots came under greater scrutiny. This is fitting as the women *arbegnoch* were the lifeblood of the Ethiopian Patriots Association. Without them, the resistance would have lacked the physical, intellectual, and informative resources to survive in any meaningful capacity. Despite their decisive contributions, the

1 Zewde, Bahru. "The Ethiopian Intelligentsia and the Italo-Ethiopian War, 1935-1941." *The International Journal of African Historical Studies* 26, no. 2 (1993): 273.

2 Bizuneh, Belete. "Women in Ethiopian History: A Bibliographic Review." *Northeast African Studies* 8, no. 3 (2001): 8.

3 Fernyhough, Timothy, and Anna Fernyhough. "Women, Gender History, and Imperial Ethiopia." In *Women and the Colonial Gaze*, ed. Tamara L. Hunt and Micheline R. Lessard (London: Palgrave Publishers, 2002), 189.

campaign to create a complete historiography of women in Eastern Africa has reached a plateau. A pervasive neglect of Ethiopian women's history still exists and is structurally sustained by the high barrier to entry for women within Ethiopian academia. Without dissecting the participation and legacy of uniquely female elements of colonial resistance, the history of the *arbegnoch* – and the concept of a freedom fighter – is fundamentally incomplete.

To begin, this paper will contextualise the colonial motivations behind the Second Italo-Ethiopian War and the role of Ethiopian women in war. It will then identify some of the overlooked contributions and sacrifices of women freedom fighters. Next, the paper will move to an analysis of the role feminist historiography plays in deconstructing patriarchal narratives of history. Finally, it will conclude with the legacy of the Italian Occupation of Ethiopia.

Context

The Second Italo-Ethiopian War was a relatively brief conflict that resulted from a delayed desire for colonial expansion on the part of Benito Mussolini.⁴ As the European theatre for World War II began to form, Mussolini thought that it was necessary to annex Ethiopia. This was the only feasible way for Mussolini to render the existing Italian colonies in Eritrea and Italian Somaliland profitable and competitive with the Allied presence in Africa. Italy did not previously possess a colonial Empire, but Mussolini's desire to form a colonial power to rival that of England and France was based in his wish to deter war and generate clout in Europe.⁵ The Emperor of Ethiopia at the time, Haile Selassie II, had travelled to Geneva to petition European governments and the League of Nations to help prevent a looming Italian invasion.⁶

4 Nault, Derrick M. "Haile Selassie, the League of Nations, and Human Rights Diplomacy." Essay. In *Africa and the Shaping of International Human Rights* (Oxford: Oxford University Press, 2021), 67-68.

5 Sbacchi, Alberto. "The Italians and the Italo-Ethiopian War, 1935-1936." *Transafrican Journal of History* 5, no. 2 (1976): 125.

6 Nault, "Haile Selassie," 76-77.

In the Ethiopian Kingdom, the intellectual community had discussed the potential reconquest of Ethiopia by Italian forces since defeating the Italian army in the Adwa campaign during the First Italo-Ethiopian War of 1895-96. Empress Taitu, wife of Emperor Menelik II, was a fierce advocate against Italian rule and one of the first major political figures to act in favour of armed resistance to Italian invasion.⁷ During the war, she took a pivotal role in battle camps,



Figure 1: Empress Taitu circa 1880.⁸

having organised thousands of women to distribute water jugs, warm beverages, clothes and medicine to troops.⁹ In the aftermath of the first colonial conflict, women in Ethiopia were seeking to build on the momentum towards broader gender equality created by the roles given to them by Empress Taitu, pictured in Figure 1, during the conflict. While their progress during the interwar period was stifled by Emperor Selassie's strictly patriarchal policies, the children of these women, the *arbegnoch* studied in the rest of this paper, certainly capitalised on Empress Taitu's activism. Their roles in the Second Italo-Ethiopian War went far beyond providing support strictly within military camps.v

7 Adugna, Minale. "Women and Warfare in Ethiopia." *Organization for Social Science Research in Eastern and Southern Africa*, 13th ser. (2001): 15.

8 "Women in African History: Taytu Betul." UNESCO. UNESCO, 2019. <https://en.unesco.org/womeninafrica/taytu-betul/biography>.

9 Adugna, "Women and Warfare," 16-17.

Who are the Forgotten Freedom Fighters?

Whether participating directly in combat or as members of underground intelligence and supply networks, the women of the Ethiopian Patriots Association were the reason for its success. Following the end of the Italian Occupation of Ethiopia in 1941, a decree was passed creating a broad list of criteria through which an *arbegna* could be rewarded. If an *arbegna*'s contributions could be verified by others, they would receive a medal of honour and would have their name listed in the *Book of Honor 1935-41*. Even though documentation of participation in a war and resistance effort by women is a rare occurrence throughout history, a third of the heroes of the Italian Occupation recognized in the *Book of Honor 1935-41* are women.¹⁰ While this speaks to the importance of female resistance against the occupation, a thorough historical discussion of the women *arbegna*'s actions and impact is still lacking. Consequently, there is little historiographical acknowledgement of the invaluable role of women in the Ethiopian Patriots Association and few sources explaining their impact on the reconstruction of Ethiopian civil society.¹¹

There is no documentation of the female units of the resistance because resistance against the Italians often took the form of guerrilla raids. These raids were organized through the gathering of information and assassinations of local officials – efforts spearheaded by women; not a catalogued military force.¹² The participation of women in direct armed combat typically followed a trend of women choosing to abandon tending their husbands' land, to instead join the battlefield.¹³ This pattern holds strong across all social classes: Even Princess Romanework Haille Selassie and Woizero Lakech Demisew, the great-granddaughter of a former King, led troops into battle holding rifles and dressed in full uniform alongside their husbands.¹⁴ Furthermore,

10 Habtu, Hailu, and Judith A. Byfield. "Fighting Fascism: Ethiopian Women Patriots 1935–1941." Chapter. In *Africa and World War II*, ed. Byfield et al. (Cambridge: Cambridge University Press, 2015), 384.

11 Bizuneh, "Women in Ethiopian History," 8.

12 Bizuneh, "Women in Ethiopian History," 15.

13 Bizuneh, "Women in Ethiopian History," 12–14.

14 Bizuneh, "Women in Ethiopian History," 15–16.

unwed women dominated the organisational and supporting roles of the Association. The participation of women in the Patriots Association is even more significant in the context of Emperor Selassie's decision to explicitly forbid women from participating in any military affairs when drafting the first Ethiopian Constitution of 1931.¹⁵

Of course, the women of the Ethiopian Patriots Association without a royal lineage were not nameless nor were their stories entirely lost. Another empowering figure in this era was Wozero Shewareged Gedle. Gedle's father trained her in sword combat and she learned other rudimentary combat skills in the field.¹⁶ She went on to organise first-aid and medical clinics for government troops in anticipation of the invasion.¹⁷ Once the invasion ended, Gedle mobilised leagues of primarily female *arbegnoch* by using the money earned from selling her family's land to buy arms, medicine and clothes for guerrillas in the capital, Addis Ababa.¹⁸ Additionally, she used her high-ranking contacts to gather intelligence for the Patriots.¹⁹ However, Gedle's most significant contribution was her transformation of the Ethiopian Women's Volunteer Service Association (EWVSA) into a covert faction of the resistance.²⁰ The EWVSA was supervised and directed by Emperor Selassie's daughter, Princess Tenagne-Work. The women in the EWVSA stole or bought critical supplies from the Italian army, such as bandages and ammunition, to smuggle them to Patriots in combat. Some would even steal official documents to forge travel papers to allow other Patriots to enter Italian territory.²¹ Gedle's organisational role in the Association was fundamental for the success of various raids on Italian fortifications.²² The *arbegnoch* who were members of the EWVSA were officially recognized as *Yewist arbegna* in the *Book of Honor*.²³ This

15 Constitution of Ethiopia (1931).

16 Habtu, Hailu, and Byfield. "Fighting Fascism," 393.

17 Habtu, Hailu, and Byfield. "Fighting Fascism," 393.

18 Habtu, Hailu, and Byfield. "Fighting Fascism," 393.

19 Habtu, Hailu, and Byfield. "Fighting Fascism," 393.

20 Berhe, A. "Revisiting resistance in Italian-occupied Ethiopia: The Patriots' Movement (1936-1941) and the redefinition of post-war Ethiopia." *Rethinking Resistance : Revolt And Violence In African History*, (2003): 98.

21 Berhe, "Revisiting resistance," 100.

22 Berhe, "Revisiting resistance," 100.

23 Habtu, Hailu, and Byfield. "Fighting Fascism," 383.

term meant clandestine Patriot, and is still used today when referring broadly to intelligence operatives during the occupation.²⁴

Some *arbegna* were even pregnant during the resistance. Bitewush Metku, one of these women, gave birth to her son during a retreat through networks of rivers and caves after having fought a battle against fascist forces, only to get back up and continue fighting soon after her labour concluded.²⁵ To create a life in the midst of fighting against colonial soldiers extends the definition of a freedom fighter far beyond the stereotypical, masculine dimensions of resistance. When defined as a function of men, fighting for freedom is equated to a relationship between duty, patriotism, and battle. Aspects of life related to the female sex, such as birth, are not considered a related factor. Stories such as Bitewush Metku's allow for a deeper understanding of fighting for one's freedom: the fight to create a safe future governed by one's own sovereignty will never exclude the people who will also create the life that will inhabit said future. This is an example of an understudied, uniquely biologically female aspect of resistance and its exclusion resulting in a distorted definition of *arbegna*.

Siniddu and Yewubdar Gebru were two sisters who helped found the Black Lion Organisation, another faction of the Patriots Association.²⁶ The Black Lions were a group of young intellectuals who created their own constitution to outline the rules of their style of guerrilla warfare and the political objectives of a post-occupation Ethiopia.²⁷ Instead of joining their families in exile, the Gebru sisters decided to take up arms. Not much is known about Yewubdar Gebru's contribution to the war effort.²⁸ Siniddu Gebru, however, would become a household name in Ethiopia. Her first role in the Lions was

24 Berhe, "Revisiting resistance," 100.

25 "Ethiopia: Our History Should Be Passed to Posterity: Patriot Bitewush Metku." Geeska Afrika Online. May 10, 2016. Accessed February 14, 2021. <https://www.geeskaafrika.com/ethiopiaour-history-passed-posterity-patriot-bitewush-metku/>.

26 Abate, Heran. "7 History Lessons from Bomb-ass Ethiopian Women." She Leads Africa. August 08, 2016. Accessed February 20, 2021. <https://sheleadsafrica.org/7-lessons-from-ethiopian-history/>.

27 Berhe, "Revisiting resistance," 101.

28 "7 History Lessons," She Leads Africa.

dismantling the effects of fascist propaganda in the city of Gore, the farthest city from the colonial capital, Addis Ababa.²⁹ Gebru did this by lecturing on the importance of losing one's national identity and the evils of colonialism.³⁰ Upon the arrival of the leader of the resistance, Ras Imru Hayle-Sellassie, Gebru joined the men and adopted the *arbegna* lifestyle.³¹ Imru did not believe women needed to endure the hardships of military campaigns. He would frequently ask Gebru to join the other women he had ordered to leave the military camps. However, she wanted to stay, and asserted her agency by refusing the order. Gebru defied patriarchal notions of resistance when she gained basic military medical training and created a Red Cross unit for the freedom fighters.³² After recovering from pneumonia, Gebru became a spy. She was eventually imprisoned with her sister and taken to Italy where both would learn Italian, enabling them to understand and counter colonial Italian propaganda.



Figure 2: Senedu Gebru circa 1937.³³

29 Molvaer, Reidulf K. "Siniddu Gebru: Pioneer Woman Writer, Feminist, Patriot, Educator, and Politician." *Northeast African Studies* 4, no. 3 (1997): 66.

30 Molvaer, "Siniddu Gebru," 66.

31 Molvaer, "Siniddu Gebru," 67.

32 Molvaer, "Siniddu Gebru," 66.

33 "7 History Lessons," *She Leads Africa*.

The sisters were not released until the end of the occupation. Siniddu Gebru returned to Ethiopia and dedicated her life to improving the condition of women in Ethiopia out of a love for her compatriots and her country. She would become the first female member of congress as well as the first female Vice-President of Congress several years later.³⁴ Gebru was also made General Secretary of the Ministry of Social Affairs from 1965-69 and helped overthrow Emperor Haile Selassie II in 1974.³⁵ Her husband, a Major in the Patriots Association and the newly established Ethiopian Army, moved to the United States with their three children, but Gebru steadfastly stayed in Ethiopia, where she remained until her death in 2009.³⁶ Figure 2 shows a portrait of Siniddu Gebru during her time with the Black Lions, one of the only remaining photos of a female Patriot:

The female *arbegna* of the Ethiopian Patriots Association redefined what it meant to be a freedom fighter. Their sacrifices, including even giving birth on the battlefield, deepened the fight far beyond the front lines and brought tremendous value to the organisational capacity needed to sustain the psychophysical resolve of the Patriots. Female Patriots fought, gathered supplies, organised military strategy, cared for the wounded, sick, elderly, conducted intelligence operations and took up the jobs vacated by men who left to fight.³⁷ The actions of these women are simultaneously the lifeblood of the Patriots and one of many attestations that “war is not a monopoly of men.”³⁸

Feminist Historiography

To gain a deeper understanding of how women *arbegnoch* facilitated the redefinition of being a freedom fighter, their omission must be rectified. Despite the rising importance of social history in Ethiopian

34 Molvaer, “Siniddu Gebru,” 70.

35 Molvaer, “Siniddu Gebru,” 70.

36 Molvaer, “Siniddu Gebru,” 71.

37 Adugna, “Women and Warfare,” 31-33.

38 Adugna, “Women and Warfare,” 33.

historiography, meaningful historical analysis of women in Ethiopia is underdeveloped.³⁹ The decisive contributions of the *arbegna* to the rebuke of Italian colonial rule holds great significance for Ethiopian history. Yet, there is no historical work specifically focused on or written by Ethiopian women dating before 1992, when postcolonial efforts to document social histories were finally able to come to fruition.⁴⁰ Writing in the 2002 book *Women and the Colonial Gaze*, Anna and Timothy Fernyhough argue that this omission is the result of a desire on the part of Ethiopian historians, anthropologists, sociologists and other social scientists to conform to existing norms for anthropocentric study originating primarily from Europe and North America.⁴¹ While this can be attributed in part to Emperor Selassie's continuous push for rapid modernization, it also reveals deeper nuances of gender dynamics. The development of feminist works in Ethiopian literature, history and art have only begun to emerge in the last thirty years. As is common with the recorded history of women in many areas of the world, the recorded history of women in Ethiopia lies predominantly in dynastic weddings and status within the privileged, ruling classes.⁴²

There is also a case of regional literary discrimination deepening the existing divide in historical accounts of the country that needs to be taken into account. The northeastern parts of Ethiopia gain plenty of attention, especially in regards to colonial wars, owing to its proximity to the Red Sea and Indian Ocean. Interestingly, these regions are also those where women are least politically active, suggesting that their absence might be partially due to a desire from ruling Emperors, all male, to comply with foreign, patriarchal norms. This is indicated by the absence of any mention of the political roles held by women in the southwestern lowland regions of the country and the extensive literary focus on the northern regions considered strategically valuable to

39 Fernyhough and Fernyhough, "Women, Gender History, and Imperial Ethiopia," 189-190.

40 Fernyhough and Fernyhough, "Women, Gender History, and Imperial Ethiopia," 190.

41 Fernyhough and Fernyhough, "Women, Gender History, and Imperial Ethiopia," 190-194.

42 Fernyhough and Fernyhough, "Women, Gender History, and Imperial Ethiopia," 191.

colonists.⁴³ It is worth noting that the southwest of Ethiopia is also home to the city of Gore, capital of the rebellion and the Patriots Association. This context allows for a more holistic understanding of the absence of women in the recorded history of Ethiopia and furthers the need for a feminist focus on the dominant social tenets of modern historiography. The inspiring stories of the women that contribute to the survival of Ethiopia are not lost because they do not exist; rather, they have been historically overlooked due to ignorance and discrimination.

Despite the historical erasure of women's contributions to Ethiopian society, the emergence of modern academic movements offer a more promising future for a feminist historiography of the region. Notable works, such as "A Hidden History: Women's Activism in Ethiopia" by Gemma Burgess, are shining a light on histories that have never before been documented. At the core of Burgess' research is the relationship between the presence of women in the public and political sphere and the institutional suppression of civil society.⁴⁴ Burgess is one of the first researchers of social stability and the progress of women's rights in Ethiopia; notably the positive correlation between the two. Returning to the female *arbegnoch* of the 1930s, Burgess' analytical methods help shine a new light on the significance of the stifled potential for progress offered by women like Siniddu Gebru.

Gebru's movement through the political sphere occurred during a time of relative civil tranquillity, which given Burgess' research is also confounding as Gebru was one of the only women to have achieved such progress during that time. In the aftermath of the Italian Occupation, many women found themselves with land, arms and marketable skills useful to the reconstruction of a post-occupation Ethiopia. However, the return of Emperor Selassie II and his patriarchal policies and institutions slowly phased out the power of the average rural woman that participated in the Patriots Association. The precarious nature of newly-discovered outlets for activism and power of the *arbegna* is not usurped by civil unrest, as Burgess would

43 Bizuneh, "Women in Ethiopian History," 16-21.

44 Burgess, Gemma. "A Hidden History: Women's Activism in Ethiopia." *Journal of International Women's Studies* 14, no. 3 (July 2013): 97.

argue. Rather, it is usurped when leaders of civil society ignore the bond between progress and recognition.

Ethiopian society before the Second Italo-Ethiopian War was a society that centralised most power in men and was already on the verge of completely consolidating social capital within men. The rupture in these social developments posed by the Second Italo-Ethiopian War and the subsequent occupation were frenetic moments in which women created their own history through their unique contributions to the independence of their country and people. While Burgess accurately identifies moments for the political progress of women, this avenue is frequently unavailable to most women in history and does not promulgate fair interpretations of history. In fact, Burgess does not articulate any moments during the resistance period, preferring to work within the capillaries of institutional progress. In doing so, Burgess does not actively ignore the uniquely female modes of resistance during the colonial era of Ethiopia. Rather, they are implicitly overlooked by the other, far-reaching roles within the Patriots Association that women dominated. This is not a criticism, though, of Burgess' analysis. Rather, it is an example of the wealth of untapped knowledge that exists to be analysed for future historians to better understand the deeper dimensions of how one can use their individuality to change history.

Ultimately, the implicit and explicit neglect of female *arbegnoch's* history is exemplified by the lack of accessible Ethiopian sources regarding women's activism throughout their history. The few existing feminist historiographies of Ethiopia are thorough, but incomplete. In fact, in her bibliographic review of Ethiopian women's history, Belete Bizuneh discusses the "shocking" neglect of women specifically within the country.⁴⁵ By 1994, Bizuneh notes that of the 494 articles published on Ethiopian history by the *Proceedings of the International Conference of Ethiopian Studies* only 12 can be found indexed under "women."⁴⁶ While the few sources she analyzes are insightful and compelling studies of the field, none of them are written by Ethiopian women. Given the central role played by women in the

45 Bizuneh, "Women in Ethiopian History," 8.

46 Bizuneh, "Women in Ethiopian History," 8.

fight against the Italian occupation, it is encouraging to see the feminist historiography movement continue its growth with the emergence of female scholars of Ethiopia. Without them and their continued academic contributions, the significance of the resistance of women during the War would be direly misinterpreted.

Legacy of Colonial Ethiopia

The legacy of the Italian occupation is a disastrous one. The proof of genocide against Ethiopian populations by the Italian government is stark: bombing runs, mustard gas, environmental pollution and much more.⁴⁷ A British doctor of the Red Cross branch set up by Siniddu Gebru described the occupation as a “torture.”⁴⁸ Moreover, the war destroyed most of the existing productive elements of the Ethiopian economy and ravaged the families of rural populations, sending widows and their children into extreme poverty. Most women who fought alongside their husbands and brothers in the war were expelled from the military upon the return of Emperor Selassie. They returned home to nothing and were left to beg or become maids and prostitutes.

However, the actions that were taken by female *arbegna* did create lasting legacies for women’s empowerment in this time period. The few high-ranking women in military affairs saw a rise in military standing, and the workforce became much more diversified as women learned a myriad of new skills while occupying the jobs left behind by men. Furthermore, many women were invited to join newly-founded nursing schools and the political sphere saw a sharp rise in women’s participation.⁴⁹ However, one’s movement through the social strata of a newly-independent Ethiopia was dependent on where they started and what roles they had during the war. This is where most of the stories of *arbegnoch* are lost. The industries in which women were finding a rise in status were male-dominated and women became the exception; a more frequent exception, but an exception nonetheless. The areas

47 Adugna, “Women and Warfare,” 33-36.

48 Adugna, “Women and Warfare,” 34.

49 Adugna, “Women and Warfare,” 36.

where women were most vulnerable — failing industries, destroyed agricultural lands, intelligence operators hiding as concubines to Italian officials — were ignored by Emperor Selassie after his return in favour of transitioning towards replicating the modern, English society that Selassie witnessed during his exile.

During his exile, Emperor Haile Selassie became the most internationally recognized figure of the resistance — something rather problematic for women because of his strictly patriarchal Constitution. Selassie petitioned the League of Nations, to no avail, for humanitarian aid. Soon Ethiopia's cause would become a political tool in the buildup to the European front of World War II. As World War II started, Selassie had garnered enough support from British government officials that he was able to secure an Allied invasion of Ethiopia in 1941 to reestablish its independence. The counter-invasion began in Sudan and gained intense momentum, capitalising on the organisation of the Patriots Association strongholds in the south of Ethiopia. Selassie would earn global recognition for his fight to guarantee human rights for his homeland; his campaigns would go so far as becoming a foundational element of the United Nations Human Rights Declaration.⁵⁰ Ultimately, though, the success of the counter-invasion and anti-colonial campaign was due to the colossal effort of the *arbegnoch* in organising the Ethiopian resistance. Without the women of the resistance, the counter-invasion would have been a much longer, bloodier conflict as it would not have had access to the vast amounts of information nor have been able to grow upon the existing Patriots propaganda machine.

Despite the scale of their disenfranchisement, the ideas and organisations of the female *arbegnoch* live on in Ethiopia to this day. The Black Lion Organization, formed in part by the aforementioned Siniddu Gebru, had a groundbreaking constitution of its own. It affirmed “the supremacy of political over military command, the provision for the human treatment of prisoners and the non-molestation of the peasantry, the prohibition of exile, and the injunction of suicide

50 Nault, “Haile Selassie,” 84-93.

rather than capture by the enemy.”⁵¹ The themes of political command, universal application of ethics and protecting vulnerable populations make appearances in all three revisions of the Ethiopian constitution.⁵²
⁵³ ⁵⁴ This is because some members of the Black Lions would go on to have prolific political careers that took them into the spotlight of major political revolutions. Additionally, the Ethiopian Women’s Volunteer Service Association, the Patriots faction headed by Wozero Shewareged Gedle, was transformed into the Ethiopian Women’s Lawyers Association and continues to exist today and make decisive headway into the expansion of women’s rights in Ethiopia.⁵⁵

Conclusion

The marginalisation of the accomplishments of women in the Ethiopian Patriots Association and the resistance movement against Italian occupation as a whole is a troublesome trend in the contemporary historiography of Ethiopia. Such erasure marginalises the sacrifices of every single *arbegna* and reinforces patriarchal social hierarchies that maintain the status quo and undermine the universal appeal of the fight for freedom. The Ethiopian Patriots Association was dependent on the information and proto-institutions set up by its women. This does not take away from the direct combat that the Patriots engaged in, rather it demonstrates how this direct combat was far more effective due to the groundwork laid by the female divisions of *arbegnoch* upon which the Association functioned and thrived. The evolution of historical texts away from this and towards the feminist lens offered by some of the writers and research analyzed within this text offer a promising outlook on the future academic history. The names of the female *arbegnoch* are not necessarily lost — but that is sincerely the minimum in terms of discourse we can create. What is lost are their stories and without the stories of the *arbegna* we lose the ability to trace the extensive

51 Zewde, “The Ethiopian Intelligentsia,” 281.

52 Ethiopia Constitution (1955).

53 Ethiopia Constitution (1987)

54 Ethiopia Constitution (1995)

55 Burgess, “A Hidden History,” 103-104.

significance of their role in changing history. In ignoring the history of women and their unique roles within anti-colonial resistance, we risk losing the opportunity to deepen our definition of resistance as an act and a way of life. The shift towards expanding our academic knowledge of social history is a positive beginning to change historiographical narratives to bottom-up and female focused understandings of history. However, as exhibited by the analysis of female *arbegnoch*, the search for truth in social history does not require discovering entirely new social movements. Women have always been active participants in historical anti-colonial resistances. With the active participation of historic academia, we can find out exactly how.

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Fuel for the Brain

How Post-Secondary Institutions are Divesting From the Fossil Fuel Industry

Chris Hakim

Abstract

As part of the growing fossil fuel divestment movement, educational institutions constitute the second largest percentage of institutions committing to divest from the fossil fuel industry. This paper seeks to understand why post-secondary institutions are one of the predominant kinds of institutions that are divesting from the fossil fuel industry. This paper explores how student and faculty activist groups play a central role in post-secondary institutions divesting from fossil fuels by using the University of British Columbia as a case study, while further examining the impacts of post-secondary institutions divesting from fossil fuels on norm building. In addition, this paper shows how this activism and post-secondary institutions are contributing to the overall norm dictating that divestment from fossil fuels should be the standard. Finally, this paper calls for further research on the financial impact of post-secondary institutions divesting on the fossil fuel industry.

Introduction

In May 2020, the University of California System announced that it would fully divest its \$126-billion endowment from all fossil fuels—a decision many environmental activist groups would regard as monumental in the fossil fuel divestment movement.¹ The fossil fuel divestment campaign has grown faster than any previous divestment movement with 181 institutions comprising \$50-billion worth of assets committing to fossil fuel divestment in 2014, to 1115 institutions with over \$11-trillion worth of assets in 2020 making that same commitment.² As part of this movement, educational institutions, particularly post-secondary institutions, make up the second largest percentage of institutions committing to divest from the fossil fuel industry—a statistic that continues to grow as educational institutions rapidly decide to join this movement.³ Meanwhile, institutions that have a higher impact on the climate crisis such as governments, financial institutions (e.g. banks), and for-profit corporations lag behind educational institutions in their commitments to divesting from the fossil fuel industries.⁴ This difference between educational institutions and high-impact institutions in the fossil fuel divestment movement warrants researching why post-secondary institutions are one of the predominant kinds of institutions that are currently divesting or committing to divest from the fossil fuel industry.

In this paper, I examine the difference between educational and high-impact institutions in their commitments to fossil fuel divestment by arguing that student and faculty activism plays a key role in these decisions, especially in recent years. Moreover, I argue that there are three main factors that student and faculty activist groups leverage to successfully advocate for post-secondary institutions

1 Teresa Watanabe, “UC becomes nation’s largest university to divest fully from fossil fuels,” *Los Angeles Times*, May 19, 2020, <https://www.latimes.com/california/story/2020-05-19/uc-fossil-fuel-divest-climate-change>.

2 Yossi Cadan, Ahmed Mokgopo, and Clara Vondrich, “\$11 Trillion and Counting,” 350.org: 8, Accessed April 15, 2021, https://financingthefuture.platform350.org/wp-content/uploads/sites/60/2019/09/FF_11Trillion-WEB.pdf.

3 Cadan, Mokgopo, and Vondrich, “11 Trillion,” 8.

4 Cadan, Mokgopo, and Vondrich, “11 Trillion,” 8.

to commit to the divestment of fossil fuels: the minor position that post-secondary institutions have in the larger divestment movement, social proximity, and protests. Through the use of the above three main factors, this paper will use the University of British Columbia as a case study to show how student and faculty activist groups played a central role in post-secondary institutions deciding to divest from fossil fuels. This case study was chosen specifically because it is a recent example of post-secondary institution divesting from the fossil fuel industry that includes an extensive history of student and faculty activism in regard to divestment. Following that, this paper will discuss the impact of student and faculty activism and post-secondary institutions committing to divestment from fossil fuels on two planes: public discourse and norm setting, as well as the finances of the fossil fuel industry. By intertwining all these factors, this paper intends to show that while student and faculty activism does have positive effects on public discourse and establishing a norm of divesting from fossil fuels, the impact on the finances of the fossil fuel industry is still left ambiguous and warrants further long-term research to see whether post-secondary institutions divesting does, in fact, have a noticeable effect on the fossil fuel industry.

How activism plays a role in post-secondary divestment from fossil fuels

Post-secondary institutions can be considered to be minor institutions in the larger global divestment movement, which is an important factor that student and faculty activists leverage in their fossil fuel divestment campaigns. In other words, post-secondary institutions have a smaller influence on and from the fossil fuel industry, and can be considered places for small-scale changes in the wider divestment movement. For fossil fuel divestment activists, this minor status allows post-secondary institutions to be more malleable to fossil fuel divestment compared to major institutions, such as governments and banks.⁵ For example,

⁵ Luis Hestres and Jill Hopke, "Fossil fuel divestment: theories of change, goals, and strategies of a growing climate movement," *Environmental Politics* 29, no. 3 (2020): 380.

the fossil fuel industry and its lobbyists have a direct hold on United States lawmakers through political and financial influence; this hinders US government institutions from passing important climate policies related to the fossil fuel industry.⁶ On the other hand, post-secondary institutions are not as deeply connected to the fossil fuel industry as government institutions tend to be, making fossil fuel divestment changes to their investment portfolio more attainable.⁷ This is not to say that the fossil fuel industry is not connected to post-secondary institutions – they certainly are, especially in cases where fossil fuel company decision-makers (e.g. executives, major shareholders) double as large donors to universities and colleges. However, as Andrew Cheon and Johannes Urpelainen discuss, the influence that the fossil fuel industry has on post-secondary institutions is starkly different from governments and banks.⁸ Building upon this idea that post-secondary institutions can be considered as “minor institutions”, compared to major institutions such as governments and banks in terms of fossil fuel divestment activism, Luis Hestres and Jill Hopke discuss how this creates “flexibility and adaptability” in post-secondary institutions, which allows for divestment to be more in-reach at these institutions.⁹ This creates an opportunity for student and faculty activists to still advocate to post-secondary institution decision-makers to divest from fossil fuels without great hindrance or lobbying from the fossil fuel industry.

Social proximity is a key factor in why student and faculty activist groups are able to successfully advocate to decision makers at post-secondary institutions compared to other types of institutions, because it allows activists to get a foot in the door with decision-makers in order to make the case for divestment. Building on the work of Ward Ooms et al., this paper understands social proximity as the social connectedness or relationship that one group has with another, which garners a sense of social responsibility to interact with each other.¹⁰

6 Andrew Cheon and Johannes Urpelainen, “Activism and the Fossil Fuel Industry,” Routledge (2018): 99.

7 Cheon and Urpelainen, “Activism,” 99.

8 Cheon and Urpelainen, “Activism,” 99.

9 Hestres and Hopke, “Fossil fuel divestment,” 380.

10 Ward Ooms, Claudia Werker, and Marjolein Caniëls, “Personal and so-

For example, the Royal Bank of Canada (RBC), a multinational financial institution, and its decision-makers has a close proximity to its major shareholders due to their social nearness stemming from their investments in RBC, which means RBC's decision-makers feel a sense of responsibility to respond to their major shareholders when they have concerns. On the contrary, a climate activist who may hold no financial investment in RBC does not have a close proximity with its decision-makers, so when the climate activist has concerns about RBC's business practices, decision-makers at RBC do not feel a strong sense of social responsibility to address those concerns and can choose to ignore them. In the context of post-secondary institutions, student and faculty activists have a close proximity to decision makers at their schools, stemming from activists already having an existing social relationship between them and the post-secondary institution as learners, researchers, and instructors. Daniel Apfel describes this existing relationship as a clear moral foundation for post-secondary institutions to respond to the concerns of students and faculty.¹¹ Adding to that point, Hestres and Hopke mention that post-secondary institutions are seen as places with a "higher social purpose" to discuss these issues with their stakeholders.¹² Student and faculty activists leverage their close proximity to post-secondary institutions by requesting for meetings with key decision-makers in order to make the case for divestment or to garner a response on certain calls for actions.

Protesting is the final main factor that student and faculty activists leverage to run successful campaigns to get post-secondary institutions to divest from fossil fuels, allowing activists to garner media attention to their calls to action as well as naming and shaming institutions and decision-makers. By conducting protests and naming and shaming institutions and decision-makers, student and faculty activists are able to draw a shining spotlight to the investment practices that post-secondary institutions are taking part in and stigmatizing

cial proximity empowering collaborations: the glue of knowledge networks," *Industry and Innovation* 25, no. 9 (2018): 833-835.

11 Daniel Apfel, "Exploring Divestment as a Strategy for Change: An Evaluation of the History, Success, and Challenges of Fossil Fuel Divestment," *Social Research* 82, no. 4 (2015): 926.

12 Hestres and Hopke, "Fossil fuel divestment," 380.

them.¹³ This is important to highlight because as activists draw more attention to certain post-secondary institutions' investments in the fossil fuel industry, it harms these institution's social standing with its own stakeholders and with external partners.¹⁴ In addition, Gay Seidman notes that by putting the spotlight on an institution's shortcomings, activists are able to elicit a public response from these institutions on the issues they are advocating on.¹⁵ This puts post-secondary institutions in a difficult position, because whether or not they respond positively to protests for divestment from fossil fuels, the act of responding draws further attention to the issue.

Case study: the University of British Columbia

The University of British Columbia (UBC) is a Canadian public research university with more than 65,000 students, 6000 faculty members, and 11,000 staff members.¹⁶ UBC is responsible for managing an approximately \$1.8 billion endowment fund, the Main Endowment Fund (MEF), which they use to invest in an asset mix which then returns revenue back to the university's budget.¹⁷ However, as part of the asset mix, the money in the MEF is invested in companies in the fossil fuel industry.¹⁸ This created a reputational concern for UBC, one that Benjamin J. Richardson cites as causing a contradiction where "... they profess to promote research and education about environmental sustainability while investing in and benefiting from environmentally pernicious industries".¹⁹ UBC's investment in the fossil fuel industry

13 Gay Seidman, "Divestment Dynamics: Mobilizing, Shaming, and Changing the Rules," *Social Research* 82, no. 4 (2015): 1034.

14 Seidman, "Divestment Dynamics," 1034.

15 Seidman, "Divestment Dynamics," 1035.

16 "UBC Overview & Facts," University of British Columbia, accessed April 15, 2021, <https://www.ubc.ca/about/facts.html>.

17 "Funds Under Management," UBC IMANT, Accessed April 15, 2021, <https://www.ubcimant.ca/investments/funds-under-management/>.

18 Matthew Asuncion, "UBC says it's divesting its endowment from fossil fuels by 2030 Will it be enough?," *The Ubyyssey*, September 7, 2021, <https://www.ubyssey.ca/features/UBC-divests-from-fossil-fuels-is-it-enough/>.

19 Benjamin J. Richardson, "Universities Unloading on Fossil Fuels: The Legality of Divesting," *Carbon & Climate Law Review* 10, no. 1 (2016): pp. 66.

struck a controversial note to the university's students and faculty, sparking a long advocacy battle between the UBC community and the institution that resulted in the latter committing to divest from fossil fuels in 2019. This case study intends to outline how UBC's students and faculty leveraged UBC's minor position in the larger divestment movement, social proximity, and protests to get UBC to commit to divestment from fossil fuel.

The main political climate action group at UBC that has been central in the divestment from fossil fuels movement is Climate Justice UBC.²⁰ Previously branded as "UBCC350", the name suggests that it has a connection, at least in values, to the larger climate action movement "350", a grassroots international movement pushing for the divestment of fossil fuels.²¹ The connection between Climate Justice UBC and 350 is important because it illustrates that Climate Justice UBC is a group that is leveraging UBC's flexibility and adaptability as a minor institution in the global fossil fuel divestment movement. While they do conduct activism in regard to major institutions and climate issues, Climate Justice UBC's specific focus and effort spent on advocating for UBC's divestment from fossil fuels shows a recognition that it is much easier to leverage UBC's lack of strong connection with the fossil fuel industry and its adaptability compared to a major institution. Furthermore, Climate Justice UBC has been able to work with community members to build up the case for UBC's divestment, such as UBC Professors Dennis Pavlich and Jocelyn Stacey who published an article challenging UBC's legal arguments against divestment.²² Finally, by being a more local activist group compared to the global 350 movement, Climate Justice UBC is able to focus specifically on divestment at UBC and using their knowledge and experiences as a community-based group to effectively advocate for

20 It is important to note that at the time of writing, Climate Justice UBC had rebranded its name from "UBCC350". At the time of the events discussed in this paper, the group was branded as "UBCC350".

21 "About 350," 350.org, Accessed April 15, 2021., <https://350.org/about/>.

22 "Dennis Pavlich and Jocelyn Stacey, "UBC divestment decision based on perplexing understanding of legal obligations", The Ubysey, March 16, 2016, <https://www.ubysey.ca/opinion/ubc-divestment-decision-perplexing-understanding-legal-obligations/>.

fossil fuel divestment at UBC.

Proximity has been a key factor in Climate Justice UBC's success in advocating for UBC to commit to divesting from fossil fuels, as evident in their ability to elicit responses from UBC and meet with decision-makers. As mentioned previously, Climate Justice UBC is the main political climate action group based at UBC, with its members comprising both students and faculty—demonstrating close social proximity between the climate activist group and the institution. By leveraging this social proximity, in 2016, Climate Justice UBC was able to elicit a response from UBC's Board of Governors (the equivalent of a board of directors) in regard to divestment from fossil fuels.²³ At the time, the response from UBC was that divestment from fossil fuels was not a viable option and that they would instead establish a separate endowment pool which would be a low-carbon footprint fund, recognizing their responsibility to respond to Climate Justice UBC resulting from the proximity of the two parties.²⁴ Furthermore, through consistent use of their social proximity, Climate Justice UBC was able to continue meeting with decision-makers at UBC. Their most notable meeting was a presentation at UBC's Board of Governors in 2019 where the group was able to present the moral, legal, and financial argument for the divestment of fossil fuels.²⁵

Protests and open letters have been a common technique used throughout Climate Justice UBC's campaign and a factor in UBC's decision to commit to the divestment of fossil fuels. In 2019, Climate Justice UBC helped organize the UBC Climate Strike, a climate strike that followed in the footsteps of Greta Thunberg's Global Climate Strike, where thousands of students, faculty, and staff protested for climate justice.²⁶ During the UBC Climate Strike, amongst many

23 Sophie Sutcliffe, "[Full] divestment was not a viable option': Sustainable Future Fund parameters approved," *The Ubyyssey*, October 4, 2016, <https://www.ubyssey.ca/features/what-is-the-sff-fund-is-it-sustainable/>.

24 Sutcliffe, "[Full] divestment."

25 Emma Livingstone and Henry Anderson, "Amid student protests, Board of Governors sets divestment of over \$300 million in motion," *The Ubyyssey*, November 23, 2019, <https://www.ubyssey.ca/news/bog-sets-divestment-in-motion/>.

26 Jasmine Foong, "Thousands gather for UBC Climate Strike," *The*

other calls to actions, Climate Justice UBC and protestors called upon UBC to divest from fossil fuels with chants of “We won’t rest until UBC divests” being heard.²⁷ This climate strike attracted media attention with various activists mentioning to reporters the importance for UBC to act on the climate crisis. For example, student activist Kate Hodgson said to the CBC News that “... the climate crisis is so severe that [universities] refusing to engage ... is no longer an option”.²⁸ This tactic of attracting media attention and naming and shaming helped Climate Justice UBC in its open letter to UBC to call a climate emergency and commit to various commitments, first and foremost being the divestment from fossil fuels. Following the Global Climate Strike, Climate Justice UBC’s open letter, and meetings with stakeholders, UBC declared a climate emergency and committed to divesting.

Impact of post-secondary institutions divesting from fossil fuels

Advocacy for divestment is so impactful because it has the potential to move billions of dollars away from the fossil fuel industry, thus having a clear effect on the climate crisis. This section will examine the impact of divestment by post-secondary institutions on public discourse and norm setting in regards to the climate crisis and the fossil fuel industry. Through divestment, one post-secondary institution can demonstrate a domino effect, encouraging other institutions to divest and providing lobbying material for political advocacy groups. In addition, this section will discuss how fossil fuel divestment in post-secondary institutions has a social impact on the fossil fuel industry, but the financial impact requires further study.

Ubysey, September 27, 2019, <https://www.ubyssey.ca/news/thousands-gather-for-UBC-climate-strike/>.

27 Foong, “Thousands gather.”

28 Evan Mitsui, “‘We need universities to get political now’: Students slam UBC’s plan to stay open during climate strikes,” CBC News, September 18, 2019, <https://www.cbc.ca/news/canada/british-columbia/climate-strike-students-ubc-1.5287855>.

Post-secondary institutions divesting from fossil fuels contribute to the public discourse surrounding divestiture in general and the developing norm that institutions should not be invested in fossil fuel assets. As post-secondary institutions continue to divest, we begin to observe a domino effect where other post-secondary institutions begin to also commit to the divestment of fossil fuels as a result of their peer institutions doing so. In the case of UBC deciding to divest from fossil fuels, both Climate Justice UBC and the UBC Board of Governors relied on information related to whether other comparable post-secondary institutions were also divesting from fossil fuels.²⁹ Christopher Hrynkow agrees with this public discourse effect, noting that this activism seeks to push decision-makers to convince their peers in taking the leap to divest their institutions from fossil fuels.³⁰ In addition, this growing trend of post-secondary institutions divestment feeds into a norm setting process that divesting from fossil fuels should be standard for institutions in general. Julie Ayling and Neil Gunningham suggest that the fossil fuel divestment movement "... is at the very least succeeding as a policy shaper, and in the longer term may have a more expansive role, particularly as a norm entrepreneur."³¹ Since post-secondary institutions make up the second largest percentage of institutions divesting from fossil fuels, it follows that post-secondary institutions have had and are continuing to have a profound effect on the policy and norm setting process.

Since billions of dollars are intended to be moved away from the fossil fuel industry when post-secondary institutions commit to divestment, it is critical to examine how that impacts the fossil fuel industry and whether that impact is considerable. From a social standpoint, there is a clear impact on the fossil fuel industry as the

29 "Responsible Investing Approach Update," UBC Board of Governors, Accessed April 15, 2021, https://bog3.sites.olt.ubc.ca/files/2019/11/2_2019.11_Responsible-Investing-Approach-Update.pdf.

30 Christopher Hrynkow, "Putting Your Capital Where Your Mouth Is: Cultures of Peace, Fossil Fuel Divestment, and Post-Secondary Educational Institutions' Ethical Investing Policies," *Peace Research* 47, no. 1/2 (2015): 145.

31 Julie Ayling and Neil Gunningham, "Non-state governance and climate policy: the fossil fuel divestment movement," *Climate Policy* 17, no. 2 (2017): 133.

fossil fuel divestment movement looks to stigmatize investing in fossil fuels as well as eliciting negative responses from the fossil fuel industry. Noel Healy and Jessica Debski discuss how fossil fuel divestment amongst post-secondary institutions heavily contribute to the removal of the social license that the fossil fuel industry has enjoyed through reputational damage and stigmatization.³² By divesting from fossil fuels, post-secondary institutions are sending a message to the public and its peers that investing in fossil fuels is unethical and dangerous in the long-term. In response to the growing divestment movement amongst post-secondary institutions, there has been a negative reaction from the fossil fuel industry. The Independent Petroleum Association of America has pushed back with its own campaign, arguing that divestment would have little impact on carbon emissions.³³ From a financial standpoint, the impact of post-secondary institutions divesting from the fossil fuel industry is ambiguous. Tyler Hansen and Robert Pollin argue that the financial and economic impact of divestiture on the fossil fuel industry is negligible when studying the event-impact on short-term market prices of fossil fuel companies.³⁴ However, 350 argues that large-scale divestment announcements, such as the \$1-trillion Norwegian Sovereign Wealth Fund's divestment may have caused at least short-term drops in the share prices of fossil fuel companies.³⁵ Despite 350's point, post-secondary institutions' endowment funds make up only a fraction of Norway's fund, with the largest singular post-secondary institution's endowment fund being Harvard University's \$40.9-billion endowment.³⁶ Hansen et al. and 350's arguments are in contention, which emphasizes the point that the financial impact of fossil fuel divestment by post-secondary institutions requires further research. It is critical to examine the financial impact of individual post-secondary

32 Noel Healy and Jessica Debski, "Fossil fuel divestment: implications for the future of sustainability discourse and action within higher education," *Local Environment* 22, no. 6 (2017): 700.

33 Michael Melia, "Students push universities to stop investing in fossil fuels," *AP News*, February 19, 2020, <https://apnews.com/article/83593b-884fcba7ca1527a8ef6cae41b3>.

34 Tyler Hansen and Robert Pollin, "Economics and climate justice activism: assessing the financial impact of the fossil fuel divestment movement," *Review of Social Economy* (2020): 27.

35 Yossi Cadan, "\$11 Trillion and Counting," 8.

36 Michael Melia, "Students push."

institutions divesting on the fossil fuel industry and the economic effect of large numbers of these institutions divesting.

Conclusion

The case study of the University of British Columbia committing to the divestment of fossil fuels demonstrates how student and faculty activist groups can play a key role in post-secondary institutions divesting from fossil fuels. By using their locality, social proximity, and effective protests, Climate Justice UBC and other activist groups were able to get commitments from their respective post-secondary institutions to divest from the fossil fuel industry. However, it is important to note that post-secondary institutions play a minor role in the larger divestment movement. Post-secondary institutions have relatively small endowments compared to the funds and investments that other major institutions have, such as governments and banks. Despite this minor financial impact, post-secondary institutions divesting from fossil fuels still have a prominent and positive impact on the public discourse and norm setting surrounding the divestment movement. With the financial impact of post-secondary institutions still left with no clear answer, this subject warrants further research into the economic effect of this type of divestment. Although post-secondary institutions are a small drop in a large bucket, they play a critical role in shaping public opinion and the decision-making processes of other institutions in this divestment movement.

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Redistribution Under Captured Democracies

A Case Study of Chile

Luis Cervera

Abstract

Can democracy be gamed to limit redistribution? This paper examines Chile's top-down democratic transition to determine whether authoritarian enclaves and elite pacts can condition democracies' ability to redistribute political and economic resources. I argue that, through the establishment of electoral rules and arbitrary appointments in key political institutions, Chilean democracy was de facto "captured" by elite interests. This, in turn, resulted in a curtailment of redistributive labor and economic reforms, the preservation of Chile's constitutionally entrenched neo-liberal model of economic development, and the undue influence of elites in Chile's governance processes and public policy. Within the literature on comparative democratization, this research suggests that *ex ante* institutional setups under democracy can be leveraged to hinder redistributive prospects.

Introduction

A moment redefining what citizens expect from their democracies and their democratic institutions looms on the horizon for Chile, after a national plebiscite in late 2020 saw almost 6 million Chileans (78% of turnout) go out and vote, in the midst of a pandemic, in favor of drafting a new Constitution to replace the current one, drafted and ratified in 1980 under the rule of General Augusto Pinochet.¹ While Chile's experience with neo-liberal economic policies since the 1980s has received considerable praise in maintaining fiscal stability, achieving consistent economic growth and guaranteeing a general decrease in poverty², the country still lags significantly behind most OECD countries in terms of its distribution of income and opportunities.³ A year after violent protests over socio-economic inequality hit the country's largest cities, it is worth revisiting Chile's transition to democratic rule and its relationship with redistribution, particularly as many citizens consider socio-economic inequality to be one of the dictatorship's longer-lasting heritages.

This paper will, thus, aim to evaluate the extent to which elite pacts in Chile's democratic transition conditioned the country's ability to redistribute political and economic resources. This work will first do so through an analysis of the available literature on the relationship between democracy, authoritarianism and inequality, on elite dominance during democratic transitions, and the latter's potential consequences on consolidation and redistribution prospects for young democracies. This will be followed by an overview of the Chilean case-study as a relevant example to analyze the conditions that can limit redistribution under democracy *ex ante*, depending on the mode of transition. Lastly, through a critical reflection of the theoretical framework proposed by

1 "Plebiscito Nacional 2020", Servicio Electoral de Chile (Servel), accessed May 20, 2022, <https://historico.servel.cl/servel/app/index.php?r=Elecciones-Generico&id=10>.

2 "Poverty Headcount Ratio at National Poverty Lines (% of Population) - Chile," The World Bank Data (The World Bank), accessed May 20, 2022, <https://data.worldbank.org/indicator/SI.POV.NAHC?locations=CL>.

3 "Inequality - Income Inequality - OECD Data," OECD Data (The Organization for Economic Co-operation and Development (OECD), accessed May 20, 2022, <https://data.oecd.org/inequality/income-inequality.htm>.

authors Albertus and Menaldo.⁴ This article will argue that, due to the marked dominance of elites during Chile's democratic transition, the resulting institutional setup inherently limited later governments from embarking in more ambitious political and economic reforms to redistribute wealth and ensure better political representation.

Literature Review

Early research on the connection between democracy and inequality initially did so through the lens of modernization theory and social conflict theory, with authors like Lipset and Moore being some of the first scholars to link democratic transitions to development and redistributive conflict.⁵ Building on the study of interclass inequality and democracy explored in the 1960s, subsequent research in the twenty-first century developed a number of redistributive theories for democratization that suggest that regime change is driven by autocratic elites' fear of the relative costs of redistribution under democracy.⁶ Most notably, Acemoglu and Robinson, in their early work, found a U-shaped relationship between the levels of inequality in a country and their prospects for democratization.⁷ The authors argued that, among authoritarian regimes with fairly equal distributions of income, citizens

4 Michael Albertus and Victor Menaldo, "Gaming Democracy: Elite Dominance during Transition and the Prospects for Redistribution," *British Journal of Political Science* 44, no. 3 (2013): pp. 575-603, <https://doi.org/10.1017/s0007123413000124>;

Michael Albertus and Victor Menaldo, "Elites and the Causes and Consequences of Democracy," in *Authoritarianism and the Elite Origins of Democracy* (Cambridge: Cambridge University Press, 2018), pp. 25-62.

5 Seymour Martin Lipset, "Some Social Requisites of Democracy: Economic Development and Political Legitimacy," *American Political Science Review* 53, no. 1 (1959): pp. 69-105, <https://doi.org/10.2307/1951731>.; Barrington Moore, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World* (Boston: Beacon Press, 1966).

6 Ben Ansell and David Samuels, "Inequality and Democratization: A Contractarian Approach," *Comparative Political Studies* 43, no. 12 (2010): pp. 1543-1574, <https://doi.org/10.1177/0010414010376915>.

7 Daron Acemoglu and James A. Robinson, "The Creation and Consolidation of Democracy," in *Economic Origins of Dictatorship and Democracy* (New York: Cambridge University Press, 2012), pp. 173-254; Daron Acemoglu and James A. Robinson, "A Theory of Political Transitions," *The American Economic Review* 91, no. 4 (September 2001): pp. 938-963, <https://doi.org/10.2139/ssrn.195739>.

have little incentives to demand democratic governance, as they have little to gain from further redistribution.

On the other hand, when inequality is really high, economic elites perceive the cost of greater distribution to be high, and thus repress the population. Meanwhile, at “intermediate” levels of inequality, both the citizenry and elites have greater incentives to mobilize and to negotiate respectively, and so autocratic regimes democratize. Put simply, in a dictatorship, as inequality increases, so does the likelihood that a given country will mobilize and thus democratize. This will be the case until the level of inequality reaches a turning point in which the crackdown on citizen mobilization from elites is such that a transition to democracy actually becomes less likely.⁸ Similarly, Carles Boix argued that unequal societies produce economic elites with a low disposition to allow greater redistribution and thus greater democratization⁹.

Nonetheless, the theoretical frameworks proposed by the three authors to explain why countries with greater equality have higher levels of democracy¹⁰, or how the likelihood of experiencing democratic transitions is related to a country’s level of inequality¹¹, have been met with inconclusive empirical evidence ever since, with different scholars coming to differing conclusions.¹² Freeman and Quin for example, find that the effect of inequality on democratization depends on whether the autocratic regime is financially integrated or not, with the former

8 Acemoglu and Robinson, “Creation and Consolidation of Democracy,” 173-254; Acemoglu and Robinson, “Theory of Political Transitions,” 938-963.

9 Carles Boix, “A Theory of Political Transitions,” in *Democracy and Redistribution* (Cambridge University Press, 2003), pp. 19-64.

10 Acemoglu and Robinson, “Creation and Consolidation of Democracy,” 173-254.

11 Carles Boix, “Theory of Political Transitions,” 19-64.

12 Kenneth A. Bollen and Robert W. Jackman, “Political Democracy and the Size Distribution of Income,” *American Sociological Review* 50, no. 4 (1985): pp. 438-457, <https://doi.org/10.2307/2095432>;

Edward N. Muller, “Economic Determinants of Democracy,” *American Sociological Review* 60, no. 6 (1995): pp. 966-982, <https://doi.org/10.2307/2096435>;

being more likely to democratize than the latter.¹³ That is, whether inequality impacts democratization prospects or not depends on how closely linked a dictatorship's financial markets are to its neighbors.¹⁴ Burkhart, contrary to Acemoglu and Robinson's 2006 work, instead found an inverted U-shaped relationship between income distribution and democratization prospects.¹⁵ Haggard and Kaufman, through a set of causal process observations, found that only half of the transitions from Huntington's Third Wave of Democratization were triggered by economic inequality. Instead, the authors argued that transitions to democracy can actually take place at any economic stage, regardless of the degree of inequality.¹⁶

Other research has moved away from solely exploring the role of income distribution as a catalyst for regime change to now further consider how inequalities persist once democratic regimes are established. Albertus and Menaldo lead in this regard, through their study of elite-led democratic transitions and subsequent elite-biased democracies, both of which are critical concepts for the research in this paper.¹⁷ The authors found that, while there is a positive relationship between democracy and redistribution, it only holds when economic elites are politically weak throughout the democratization process. Most importantly however, their research notes that certain factions of elites may, not only be willing to support a democratic transition if they can "bargain for institutions under democracy that can provide a credible commitment to their rights and interests", but they can also entrench these interests so that they can have better access to representation, induce gridlock into democratic institutions, and even rely on military allies.¹⁸

13 John R. Freeman and Dennis P. Quinn, "The Economic Origins of Democracy Reconsidered," *American Political Science Review* 106, no. 1 (2012): pp. 58-80, <https://doi.org/10.1017/s0003055411000505>.

14 Freeman and Quin, "The Economic Origins," 58-80.

15 Ross E. Burkhart, "Comparative Democracy and Income Distribution: Shape and Direction of the Causal Arrow," *The Journal of Politics* 59, no. 1 (1997): pp. 148-164, <https://doi.org/10.2307/2998219>.

16 Stephan Haggard and Robert R. Kaufman, "Inequality and Regime Change: Democratic Transitions and the Stability of Democratic Rule," *American Political Science Review* 106, no. 3 (2012): pp. 495-516, <https://doi.org/10.1017/s0003055412000287>.

17 Albertus and Menaldo, "Gaming Democracy," 575-603; Albertus and Menaldo, "Elites and the Causes and Consequences of Democracy," 25-62.

18 Albertus and Menaldo, "Gaming Democracy," 575-603

The idea of elite-biased democracies proposed by Albertus and Menaldo has found considerable echo around the scholarly community, including Acemoglu and Robinson's later research explaining why inequality may in fact not decline once countries turn to democratic governance. Based on their 2006 work, Daron Acemoglu and James Robinson have theorized about the possibility of elites undertaking costly investments to increase their de facto power, thus "capturing" young democracies after transition.¹⁹ Other mechanisms include elites forming coalitions that guarantee the continuation of patronage²⁰ and de jure constitutional provisions.²¹ Bartels succinctly summarizes the logic behind "captured" and "elite-biased" democracies, arguing that, given that certain social groups, namely elites and economically marginalized sectors, differ in the information available to them and access to political processes, each therefore have different impacts on policy making and policy outcomes.²² In other words, those with greater economic and political power are better represented. Empirical evidence of the arguments provided by all previous authors has been found in countries like Italy²³, India²⁴ and even the United States.²⁵

19 Daron Acemoglu and James A Robinson, "Persistence of Power, Elites, and Institutions," *American Economic Review* 98, no. 1 (2008): pp. 267-293, <https://doi.org/10.1257/aer.98.1.267>.

20 Daron Acemoglu, Davide Ticchi, and Andrea Vindigni, "Emergence and Persistence of Inefficient States," *Journal of the European Economic Association* 9, no. 2 (2011): pp. 177-208, <https://doi.org/10.1111/j.1542-4774.2010.01008.x>.

21 Daron Acemoglu et al., "Democracy, Redistribution and Inequality," in *Handbook of Income Distribution*, ed. Anthony Atkinson and François Bourguignon, vol. 2 (Cambridge, Mass: National Bureau of Economic Research, 2015), pp. 1885-1966.

22 Larry M. Bartels, *Unequal Democracy: The Political Economy of the New Gilded Age*, 2nd ed. (New York, NY: Russell Sage Foundation, 2016).

23 Valentino Larcinese, "Enfranchisement and Representation: Italy 1909-1913," LSE Research Online - Economic Organisation and Public Policy Discussion Papers, 32 (March 2011): <http://eprints.lse.ac.uk/58066/>.

24 Siwan Anderson, Patrick Francois, and Ashok Kotwal, "Clientelism in Indian Villages," *American Economic Review* 105, no. 6 (2015): pp. 1780-1816, <https://doi.org/10.1257/aer.20130623>.

25 Robin L. Einhorn, *American Taxation, American Slavery* (Chicago: University of Chicago Press, 2014).

Case study

Chile has a rich political history that makes it an exceptional case-study to evaluate how elite-led transitions to democracy and elite-biased or “captured” democracies can hinder economic and political redistribution. Economic hardship following the Great Depression helped establish in Chile a stable multi-party system that bore great resemblance to Western European democracies instead of its Latin American counterparts and represented a great source of pride for Chileans.²⁶ From the 1940s and throughout the rest of the twentieth century, new political forces in the country shifted the political spectrum to the left²⁷ and, bolstered by a strong labor movement, promoted sizable progressive social policies.²⁸ Then, in 1973, on the onset of the election of socialist president Allende, Chile’s armed forces staged a coup and a military junta governed ruthlessly, with General Augusto Pinochet at the head of the authoritarian regime. During this time, Pinochet not only engaged in politicking to ensure his subsistence in power, but also started to build his own vision for Chile, based on deconstructing the long-sought welfare state built the previous decades and instead embarking on a dramatic conversion to free-market economics.²⁹ However, one of Pinochet’s most significant moves took place in 1980 when, in an attempt to legitimize its control, the government drafted and ratified a new Constitution through a controlled plebiscite.

In this paper, I will argue that the main significance of this event was that it enabled the institutionalization of authoritarian institutions and practices, many of which have had profound implications for Chilean society decades after the fall of the military dictatorship. Today, Chile’s economy has consistently been one of the

26 Hudson, Rex A., Library of Congress. Federal Research Division, and LLMC-Digital. *Chile: A Country Study*. 3rd ed. Vol. 550-77. Washington, D.C.: Federal Research Division, Library of Congress, 1994.

27 Hudson, “Chile: A Country Study,” 550-577

28 Albertus and Menaldo, “Elites and the Causes and Consequences of Democracy,” 25-62.

29 Hudson, “Chile: A Country Study,” 550-577

fastest growing in the region³⁰ and its democracy has not faced any considerable challenges from authoritarian forces since the turn of the century. Chile's economy and democracy are vibrant and well-instilled, and yet, when we examine its institutions closely, authoritarian enclaves put in place by the outgoing military junta and its political and economic allies to remain in power persist. This paper will show that it is precisely these enclaves that can explain why, despite Chile's overall success, we still find strong economic and social stratification.

Evaluating Elite-Biased Democracies: Chile's Democratic Institutions and Elite Capture

In their study of the relationship between inequality and democracy, Albertus and Menaldo³¹ argue that, given the uncertain nature of authoritarian regimes and their lack of reliable institutions to protect their rights and interests, elites may in fact have considerable incentives to push for greater liberalization and eventually, democratization if they deem they can participate in a meaningful way "setting the rules" of the new democratic regime. This inflated influence allows elites to shape new democratic institutions to ensure access to power or to establish obstacles for incoming politicians seeking to re-orient public spending priorities.³² These institutional arrangements translate into unequal distributions of power and wealth in several key ways.

The first characteristic of elite-biased or "captured" democracies proposed by the authors in their theoretical framework is the adoption of electoral rules or institutions that increase the odds that elected public servants will be less hostile to their interests).³³ According to the authors, this gaming of the system is meant to allow elites to influence redistributive politics under democracy and can

30 "Overview - The World Bank in Chile," World Bank, 2020, <https://www.worldbank.org/en/country/chile/overview>.

31 Albertus and Menaldo, "Gaming Democracy," 575-603; Albertus and Menaldo, "Elites and the Causes and Consequences of Democracy," 25-62.

32 Albertus and Menaldo, "Gaming Democracy," 575-603

33 Albertus and Menaldo, "Gaming Democracy," 575-603

take any form from restrictions on the franchise, limits on the political right to be elected to office, or structural biases in favor of conservative parties.³⁴ Chile's binomial electoral system was established by one of the last few constitutional reforms proposed by the Pinochet regime after losing the 1988 plebiscite, and it was one of a kind in the world, before it was replaced by a more inclusive proportional representation system in 2017. The binomial system was unique because it had two-member districts with two competing coalitions where, for a party or coalition to win both seats, they had to get at least twice or more of the total votes than their competition.³⁵ In other words, the coalition conformed by conservative parties called "Alianza por Chile" could guarantee they would have more or less the same number of seats in the National Congress than the left-leaning "Concertación" as long as they could garner at least 34% of the vote³⁶.

The result was an overrepresentation of conservative policy-makers that had been historically akin to the military dictatorship and leaned strongly to the right in the political spectrum. In 1989, for example, the first elections after the end of the military regime resulted in the coalition of conservative parties receiving 34% of votes and securing nearly 48 of the 120 seats in the Chamber of Deputies.³⁷ In fact, throughout the rest of the 1990s, the Alianza coalition was consistently able to hold a higher percentage of seats in the Chamber of Deputies than the percentage of total votes they received in the elections.³⁸ Even as recently as 2005, Alianza was able to hold 45%

34 Albertus and Menaldo, "Gaming Democracy," 575-603

35 Ministerio del Interior, "Modifica Leyes Orgánicas Constitucionales N°S. 18.603 Y 18.700", Ley 18799, *Biblioteca del Congreso Nacional de Chile*, 1989, accessed May 16, 2022, <https://www.bcn.cl/leychile/navegar?i=30177>.

36 That is because, with one third or less of votes, the "Concertación" coalition could theoretically have 66% of votes or more and thus take both seats of a given district or circumscription.

37 República de Chile Ministerio del Interior, "Elecciones - Gobierno De Chile - Ministerio Del Interior - Resultado Histórico Electoral," accessed November 19, 2020, https://historico.servel.cl/SitioHistorico/index1989_dipu.htm.

38 República de Chile Ministerio del Interior, "Elecciones - Gobierno De Chile - Ministerio Del Interior - Resultado Histórico Electoral," accessed November 19, 2020, https://historico.servel.cl/SitioHistorico/index1993_dipu.htm;

of parliamentary seats despite receiving only 38.7% of votes.³⁹ The implications of this overrepresentation of conservative or right-wing parties are significant in terms of redistributive prospects if we assume that ideology will translate into different public investment strategies and priorities. For example, in an analysis of the development of public sectors among OECD countries, Thomas Cusack found that left-wing governments tend to expand public expenditure more compared to right-wing administrations.⁴⁰ Similarly, Hicks and Swank as well as Potrafke found that leftist governments tend to pursue expansionary policies and greater welfare investment than their counterparts.⁴¹ While arguably “more social spending of left-wing parties only testifies their larger preference for social justice”⁴² the prominent presence of conservative parties has given them a significant say in the legislative process and allowed the continuation of interests of right-wing elites, many of whom were from the Pinochet era.⁴³

Florencia Antía’s study of the distribution of power resources between elites and low-income sectors in Uruguay and Chile found that the close split of seats in the National Congress allowed the Chilean economic elite, with close ties with the right-wing parties, to halt or

República de Chile Ministerio del Interior, “Elecciones - Gobierno De Chile - Ministerio Del Interior - Resultado Histórico Electoral,” accessed November 19, 2020, https://historico.servel.cl/SitioHistorico/index1997_dipu.htm.

39 República de Chile Ministerio del Interior, “Elecciones - Gobierno De Chile - Ministerio Del Interior - Resultado Histórico Electoral,” accessed November 19, 2020, https://historico.servel.cl/SitioHistorico/index2005_dipu.htm.

40 Thomas R Cusack, “Partisan Politics and Public Finance: Changes in Public Spending in the Industrialized Democracies, 1955-1989,” *Public Choice* 91, no. 3/4 (1997): pp. 375-395, <https://doi.org/10.1023/a:1004995814758>.

41 Alexander M. Hicks and Duane H. Swank, “Politics, Institutions, and Welfare Spending in Industrialized Democracies, 1960–82,” *American Political Science Review* 86, no. 3 (1992): pp. 658-674, <https://doi.org/10.2307/1964129>;

Niklas Potrafke, “Did Globalization Restrict Partisan Politics? an Empirical Evaluation of Social Expenditures in a Panel of OECD Countries,” *Public Choice* 140, no. 1-2 (April 2009): pp. 105-124, <https://doi.org/10.1007/s11127-009-9414-2>.

42 Helmut Herwartz and Bernd Theilen, “Ideology and Redistribution through Public Spending,” *European Journal of Political Economy* 46 (2017): pp. 74-90, <https://doi.org/10.1016/j.ejpoleco.2016.11.002>.

43 Albertus and Menaldo, “Elites and the Causes and Consequences of Democracy,” 25-62.

modify labor proposals.⁴⁴ This was most evident during the Lagos presidency and their 2001 labor reform, in which the Production and Trade Confederation - *Confederación de la Producción y el Comercio*, the biggest representative of the Chilean business sector - was able to limit the original bill, removing changes that would have improved collective action and scraping all clauses that were rejected by this sector.⁴⁵ During President Bachelet's term, the CPC was also successful in removing the issue of sector-level collective bargaining from the government's agenda, even at a time of strong union mobilization.⁴⁶

Another significant consequence of the electoral rules established in the eve of the military dictatorship was that it made it particularly difficult to even embark on reforming the Chilean Constitution. Chile's 1980 Constitution is notoriously rigid. Chile's National Congress can draft and pass legislation aiming at changing the Constitution but, not only do they need a two-thirds majority, the Constitution also grants the presidential figure with a veto power to make "observations" and change any reforms.⁴⁷ Moreover, a two-thirds majority is needed by both Chambers of the National Congress to override the President's veto, and even then, he or she could rely on or threaten to call a plebiscite to settle the disputed matters. Some of the last changes implemented by the outgoing dictatorship also added four chapters of the Constitution that could not be reformed without a waiting period that included the election of a new National Congress, and the subsequent passing of the reform bill as it is.⁴⁸ This demanding requirement of supermajorities to reform the Constitution and override veto players is all the more challenging when we consider the distribution of seats that the electoral system encourages as outlined

44 Florencia Antía, "The Political Dynamic of Redistribution in Unequal Democracies: The Center-Left Governments of Chile and Uruguay in Comparative Perspective," *Latin American Perspectives* 46, no. 1 (2018): pp. 152-166, <https://doi.org/10.1177/0094582x18806827>.

45 Antía, "The Political Dynamic," 152-166

46 Antía, "The Political Dynamic," 152-166

47 Carlos Andrade Geywitz, "Reforma De La Constitución Política De La República De Chile De 1980" (Editorial Jurídica de Chile), accessed November 19, 2020, <http://www.memoriachilena.gob.cl/archivos2/pdfs/MC0042474.pdf>.

48 Geywitz, "Reforma De La Constitución," 12-14

before. Reform is possible nonetheless. To date, Chile's Constitution has been changed 33 times.⁴⁹ However, the oversized voice and presence of conservative parties means that elites' interests are often protected during the drafting of significant reforms⁵⁰ as perhaps best showcased by President Frei's inability to reduce the role of the armed forces and change the electoral system in the late 1990s.⁵¹

The rigidity of the Chilean Constitution is relevant to redistributive politics because, for the first decades after the authoritarian regime stepped down, it made it incredibly difficult for left-leaning parties in the country to reform or replace principles and rules that embedded the neoliberal economic model into Chile's political and economic system. Some examples of this "constitutionalization" include the "principle of subsidiarity" within article 1, which Cristi⁵² and Alemparte⁵³ note was intended by one of the Constitution's architects, Jaime Guzmán, to entrench the notion that the State can only provide a social right if private entities cannot do so⁵⁴, thereby limiting the Chilean government's ability to embark on expansive welfare policies that aid in redistribution. Similarly, key provisions within the 1980 Constitution barred the possibility of an exclusively public-run system of care to be established in Chile, bound the creation and operation of state-owned companies to laws requiring qualified majorities, and limited the State's debt capacity.⁵⁵ With a rigid Constitution at hand,

49 Carlos Carmona Santander, "Las Reformas a La Constitución Entre 1989 y 2013," *Revista De Derecho Público* 0, no. 0 (2014), <https://doi.org/10.5354/0719-5249.2014.31676>.

50 Claudio Fuentes, "Shifting the Status Quo: Constitutional Reforms in Chile," *Latin American Politics and Society* 57, no. 1 (2015): pp. 99-122, <https://doi.org/10.1111/j.1548-2456.2015.00258.x>.

51 Albertus and Menaldo, "Elites and the Causes and Consequences of Democracy," 25-62.

52 Renato Cristi, "Jaime Guzmán, Capitalismo y Moralidad," *Revista De Derecho Universidad Austral De Chile* 10, no. 1 (1999): pp. 87-102, <http://revistas.uach.cl/html/revider/v10n1/body/art08.htm>.

53 Benjamin Alemparte, "Towards a Theory of Neoliberal Constitutionalism: Addressing Chile's First Constitution-Making Laboratory," *Global Constitutionalism* 11, no. 1 (2021): pp. 83-109, <https://doi.org/10.1017/s2045381721000058>.

54 Javier Couso, "Chile's 'Procedurally Regulated' Constitution-Making Process," *Hague Journal on the Rule of Law* 13, no. 2-3 (2021): pp. 235-251, <https://doi.org/10.1007/s40803-021-00157-3>.

55 Albertus and Menaldo, "Elites and the Causes and Consequences of

it may come as no surprise then that the democratic governments following Pinochet's defeat continued the legacy of neo-liberal state-building and conservative economic policies that scholarly work since has found to be linked with growing inequality and lower social welfare provisions.⁵⁶

Lastly, a defining feature of the post-authoritarian Chilean democracy was the tutelary and overarching role of the military forces and former members of the Pinochet regime in the political and economic landscape. Given that elites played a pivotal role in Chile's democratic transition, the years following the dismantling of the dictatorship were characterized by high levels of impunity that allowed former regime officials to directly participate in democratic institutions and take advantage of Chile's economic policies. Many remained unscathed by their repressive past thanks to a constitutional provision that barred civilian authorities from removing any high-ranking military officials.⁵⁷ Not only that, but the democratic president's powers were marginalized by limiting his appointments to the armed forces to the five most senior military officials, whom serve a 4-year term during which they may not be replaced without assent from the National Security Council (NSC) (Constitución Política de la República de Chile, 2019).⁵⁸

A similarly overwhelming presence of Pinochet appointees dominated some of Chile's most important institutions, including

Democracy," 25-62; Alemparte "Theory of Neoliberal Constitutionalism," 83-109; Couso "Constitution-Making Process," 235-251

56 Katherine E. Smith et al., "Neoliberalism and Health Inequalities," in *Health Inequalities Critical Perspectives* (Oxford: Oxford University Press, 2016), pp. 125-137;

Vicente Navarro, "Neoliberalism as a Class Ideology; or, the Political Causes of the Growth of Inequalities," *Neoliberalism, Globalization, and Inequalities*, 2020, pp. 9-23, <https://doi.org/10.1201/9781315231082-3>;

Vicente Navarro, "Neoliberalism, 'Globalization,' Unemployment, Inequalities, and the Welfare State," *The Political Economy of Social Inequalities* 28, no. 4 (2020): pp. 33-107, <https://doi.org/10.4324/9781315231051-5>;

57 Peter Siavelis, *The President and Congress in Postauthoritarian Chile: Institutional Constraints to Democratic Consolidation* (University Park, PA: Pennsylvania State University Press, 2000).

58 "Constitución Política De La República De Chile," 2019, https://cdn.digital.gob.cl/filer_public/ae/40/ae401a45-7e46-4ab7-b9d3-1f7cc5afa9d6/constitucion-politica-de-la-republica.pdf.

the NSC, with at least half of its composition being military officers; a Constitutional Tribunal that addressed constitutional disputes but had its initial members all appointed by other institutions with prominent authoritarian enclaves; and nine appointed senators. In the early years of the Chilean democracy, it was in fact these set of non-elected senators that deprived the “Concertación” coalition from an electoral majority in the upper chamber of Chile’s National Congress and, due to their affinity to stand with the right-wing parties in most issues, they therefore limited the scope and types of legislation that democratically elected presidents and deputies could propose.⁵⁹ Albertus and Menaldo (2018) also found that many of the top officials during Pinochet’s regime - including figures like Carlos Cáceres, interior minister, Enrique Segel, finance minister, and Cristián Labbé, government secretary general - all eventually joined the private sector as top members of some of the major multinational corporations in the country or held public office.⁶⁰ This demonstrates that, under Chile’s captured democracy, elites were able to maintain and exercise a sizeable degree of the political and economic power previously achieved during authoritarianism.⁶¹

Conclusion

Throughout this paper, I have explored and analyzed the role elite pacts and their entrenchment in an institutional setup can have on the redistributive prospects of young democracies. Given that the relationship between income distribution and democratization remains contested⁶² this paper has instead sought to test whether elite dominance during transition can in turn translate into democracies that favour the latter’s interests and are thus less likely to redistribute political power and economic benefits. Using the theoretical framework proposed

59 Siavelis, “The President and Congress,” p.40.

60 Albertus and Menaldo, “Elites and the Causes and Consequences of Democracy,” 25-62

61 Albertus and Menaldo, “Elites and the Causes and Consequences of Democracy,” 25-62.

62 Bollen and Jackman, “Political Democracy,” 438-457; Freeman and Quinn, “The Economic Origins,” 58-80; Haggard and Kaufman, “Inequality and Regime Change,” 495-516

by Albertus and Menaldo ⁶³to analyze elite-biased democracies, the paper relied on the Chilean case study to showcase the influence elites hold in the state's ability to reform its economic policy and political institutions. First, through the setup of electoral rules that result in an overrepresentation of political parties and coalitions that hold close ties to elites' interests and priorities. This resulted in limited labor and economic reforms that could have potentially benefited the working class and lower-income sectors of Chilean society from early on in its return to democratic rule. This distribution of parliamentary seats has also made it considerably difficult to reach the thresholds outlined by the 1980 Constitution to induce any changes to the Magna Carta, likewise capping significant reforms throughout the 1990s given the undue influence and participation of right-wing politicians. This in turn translated into the continuation of the economic model established by Pinochet's government of neo-liberal, open-market economic policies.

Just as important was the process outlined and established in the Constitution and during negotiations with the incoming leftist coalition to guarantee the continuation and predominance of political and economic elites from the authoritarian regime within key institutions of the Chilean democracy, such as the National Security Council, the Constitutional Tribunal and the Senate, continuously influencing the decision-making process of an otherwise democratic system. All these factors portray the significant implications elite-led transitions and elite-biased democracies may have on a country's ability to change institutions and economic systems to favor those that are worse off. Chile is nonetheless a prime example that it is also possible to escape from these authoritarian enclaves to attempt to redefine the economic priorities and political opportunities citizens have. While reform may have been limited and slow due to the considerable stake elites played in the decision-making process, as noted above, the Constitution has however been changed a considerable amount since its ratification in 1980 and as former authoritarian officials pass away, some of the country's most important institutions begin to make way for a more democratic configuration. Having learned from these

63 Albertus and Menaldo, "Gaming Democracy," 575-603; Albertus and Menaldo, "Elites and the Causes and Consequences of Democracy," 25-62.

limitations nevertheless, the Chilean nation's most recent desire to part with its authoritarian past and start anew is a bold and courageous move towards a new democratic future that is bound to improve the economic and political opportunities of its citizens.

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