crossings.

an undergraduate arts journal

OASIS
UNIVERSITY OF ALBERTA
FACULTY OF ARTS

volume two

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Volume Two

Land Acknowledgement

The Organization for Arts Students and Interdisciplinary Studies, *Crossings*, and the The University of Alberta respectfully acknowledges that we are located on Treaty 6 territory, a traditional gathering place for diverse Indigenous peoples including the Cree, Blackfoot, Métis, Nakota Sioux, Iroquois, Dene, Ojibway/Saulteaux/Anishinaabe, Inuit, and many others whose histories, languages, and cultures continue to influence our vibrant community.

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Kael Kropp

I have the distinct honour of welcoming you to our second volume of *Crossings*: An Undergraduate Arts Journal. We publish the best student work from across the fine arts, humanities, and social sciences in the Faculty of Arts at the University of Alberta. I have had the privilege of serving as this journal's Edtor-in-Chief for the past two years. During that time, I have seen firsthand the innovative research and creative pursuits completed by Arts students, each contributing to our vibrant academic and artistic community.

This year's editorial and review teams have been, without a doubt, the finest that I have had the pleasure to work alongside. Our editorial team met virtually dozens of times amid tenuous public health conditions while navigating unprecedented academic restructuring and multiple extracurricular pursuits in addition to their studies. Our business & communications director and editorial director, Hailey Lothamer and Nandini Chandra, supported the onboarding and daily management of the journal. Our art & design director, Nataly Zuria, experimented with and produced two gorgeous editions of *Crossings*, for both last year's and this present volume. Our section editors, Samantha Buryn, Marissa Gell, and Andrianna Loraas, each managed comparatively large review teams, always exceeding expectations. Finally, our senior copy editor, Gavriel Kesik-Libin, led our copy editing team through exhaustive revisions and citation management.

Crossings boasts a review team of extraordinary magnitude and skill. Our project benefits from the careful eye and vast knowledge of twenty-four peer reviewers and five copy editors. Each of their enthusiasm, insights, and dedication to this project undoubtedly strengthened its final form. I encourage you to read through their names and remember them, for each of them contributes something incredible to our faculty.

J'aimerais remercier nos amis de l'Association des universitaires de la Faculté Saint-Jean pour leur aide dans la traduction des sections de notre site Web. Nous sommes impatients de travailler avec eux pour mieux intégrer les soumissions en français dans les futurs volumes.

We were fortunate to amass great interest in our journal, receiving over triple the submissions than our first volume including those from other Albertan and Canadian institutions. Twenty-one authors comprise our current volume with works ranging across eleven programs in the Faculty of Arts. It was an absolute pleasure to work with each author–their work demonstrates the importance of undergraduate publication, each filling gaps in existing literature and advancing arguments with equity, diversity, and inclusivity in mind.

I owe personal thanks to several people in my life, without whom I would not be able to effectively manage this project. To my OASIS co-executives–Maddie Dempsey, Vivek Gala, Ariane Lamoreaux, Hilary Meng, and Angela Park–the unending support and latitude you granted our editorial team was so appreciated. Our OASIS Council also provided great support for our operations, lending many volunteers to our efforts. Thank you to my friends and family for their equal enthusiasm for this project.

A highlight of this year's editorial process was presenting at the National Student Journal Forum at the University of Toronto. Our project benefitted from feedback provided by other journal managers across Canada.

I am excited to announce that the incomparable Hailey Lothamer will succeed me as *Crossings*' Editor-in-Chief. Her intimate knowledge of journal management, submissions recruitment, and publication dissemination will serve *Crossings* and OASIS well. I am excited to see how she and next year's team will elevate this project.

On that note, I turn to two people who have been instrumental in *Crossings*' success: Drs. Steve Patten and Christine Brown. Thank you for your guidance throughout this and earlier volumes of this project. Your dedication to undergraduate research and creative activities has not gone unnoticed. Much thanks are also due to Sarah Severson; her work with the University of Alberta Libraries makes what we do possible.

To the reader: I wish you an enjoyable and worthwhile experience as you explore this volume. You will learn much as your advance through these pages–I know that I did.

Kael Kropp
Editor-in-Chief

Madeline Dempsey

Over the last 2 years, *Crossings* has become an integral part of OASIS. Watching the journal flourish under Kael's leadership this year has been an absolute pleasure as the project has grown, receiving praise on a national scale. This project has provided incredible opportunities for students throughout the Humanities, Social Sciences, and Fine Arts–something OASIS strives to achieve in all of our initiatives. This year's edition offers a snapshot of the diverse research that undergraduate Arts students at the University of Alberta have been completing, and we are extremely proud of all those involved. On behalf of OASIS, I want to sincerely thank all of our authors, peer reviewers, copy editors, artists, and of course, Editor-in-Chief Kael Kropp. Your leadership has seen this journal soar to unbelievable heights and OASIS and *Crossings* are forever changed by your work.

Madeline Dempsey
OASIS President

Dr. Steve Patten

It's a real pleasure to welcome readers to the second volume of *Crossings*: An Undergraduate Arts Journal. Founded in December 2020 by the Organization for Arts Students and Interdisciplinary Studies (OASIS), *Crossings* is a uniquely interdisciplinary journal of impressive quality.

In 2021, the first volume of *Crossings* comprised twelve articles written by undergraduate students in a range of humanities and social science disciplines. Building on this success, but intent on attracting submissions from students in the fine arts, the *Crossings* editorial team redesigned the journal to include students' visual media in its print and digital publications.

For this second volume, *Crossing*s expanded its editorial team to include students from academic programs across the Faculty of Arts. The expanded team ensured greater outreach and a continued commitment to rigorous double-blind peer review and strong support for contributing authors. An impressive 75 submissions were received and considered for publication.

As a result of the *Crossings* team's outreach efforts and work to further professionalize, the journal received considerable attention. *Crossings* was featured in stories in UAlberta's Folio and the student newspaper The Gateway. The journal's Editor-in-Chief, Kael Kropp, received publication inquiries from students at a range of other universities, including Mount Royal University, the University of Calgary, and the University of Manitoba.

Of course, *Crossings* was created to serve and benefit students in the Faculty of Arts at the University of Alberta. By providing opportunities to publish in a student journal with high standards, students gain invaluable experience that is not typically available to undergraduates. The support that *Crossings* provides in the form of tailored submission feedback helps to nurture contributors' scholarly writing skills, while also ensuring a high-quality product for readers.

Crossings also enriches the academic culture of the Faculty of Arts by promoting interdisciplinary research and fostering collaboration across diverse Arts disciplines. *Crossings* authors are invited to present their published projects (written or visual) at ArtsCON, a research and design symposium hosted by the Organization for Arts Students and Interdisciplinary Studies.

This second volume of *Crossings* includes works from 21 of our Faculty's most impressive undergraduate students. Contributors major in disciplines from across the fine arts, humanities, and social sciences, including Criminology, Economics, Political Science, Drama, English, Religious Studies, Film Studies, History, Sociology, Linguistics, and History of Art & Design. As impressive as the range of subject matter addressed in this interdisciplinary journal, is the high level of theoretical sophistication and commitment to methodological rigour. This is, without a doubt, an undergraduate journal of impressive quality.

I hope you enjoy exploring the rich offerings of volume two of *Crossings*: An Undergraduate Arts Journal.

Dr. Steve Patten
Interim Dean, Faculty of Arts

Dr. Christine Brown

As the academic sponsor of the journal, I want to congratulate the editorial team on their excellent work in assembling the second edition of *Crossings*. The University of Alberta Library is thrilled to support student-led journals such as *Crossings* and congratulate the student authors who have contributed to this edition.

I want to recognize the highly organized and efficient editorial team for their dedication to providing a vehicle that highlights undergraduate student thought and research. The quality of the work of the student authors is very high and represents many subject areas in the Faculty of Arts. The pandemic has challenged students to sustain course work, other academic endeavours, personal life, and extracurricular activities over the past year. The student authors and editorial team have all demonstrated resilience in their engagement, resulting in a creative and enlightening group of papers. I admire the student authors for putting in the extra work required to prepare a manuscript for publication and put forward their ideas for critique and review. They should all be very proud of this accomplishment, and I hope it leads to new opportunities and experiences.

Dr. Christine Brown
Head, Faculty Engagement
(Social Sciences, Humanities & Law)


FINE

ARTS

Artist: Kane Pendry
Year: 2nd Year

Marissa Gell

Fine Arts

Section Editor

"Art is not a mirror held up to reality, but a hammer with which to shape it"

- Berthold Brecht

It is in this sentiment that I am happy to introduce *Crossings*' inaugural Fine Arts Section. As a previous contributor to this journal, I am thrilled to see its inclusion and highlighting of academics within the University of Alberta's fine arts community. Exploring the fine arts offers a deeper understanding of historical, cultural, and sociopolitical societal configurations. Brecht positions the fine arts as a force which shapes our society and ways of knowing. The two articles that are included in this edition explore this very notion, interrogating artistic representations of social and aesthetic values. This is explored performatively in "Holiness and Horror: The Gendered Spectacle of Romantic Sleepwalking," or physically, through the painted medium, in "Possession and Legitimacy in Yongsheng's Twelve Beauties." These articles speak for themselves; the quality and depth of their content are impressive. I look forward to future *Crossings* volumes continuing to highlight fine arts academics at the University of Alberta.

Holiness and Horror:

The Gendered Spectacle of Romantic Sleepwalking

Author: Emily Samson
Discipline: Drama

ABSTRACT: Approaching the turn of the nineteenth century, somnambulism took various forms on the European stage as a morbidly fascinating window into the subconscious. Franz Mesmer's somewhat divisive theory of animal magnetism, or "mesmerism," was nevertheless taking hold in medical circles, and its often-female subjects were mirrored through portrayals of vulnerable sleepwalking heroines on the stage. But where there was vulnerability, there was also sublimity– more elevated manifestations of sleepwalking also emerged here, such as in the allegedly subconscious composition of Samuel Taylor Coleridge's poem "Kubla Khan" (1797; 1816) and the divine, genderless power attributed to Joan of Arc in Friedrich Schiller's play Die Jungfrau von Orleans (1801). These and other portrayals of Romantic somnambulism provide a glimpse into the gendered subconscious as understood in the dramatic landscapes of late-eighteenth and early-nineteenth-century Europe. Ultimately, this research seeks to uncover who is victimized and who is exalted by these somnambulistic states, and to unblur the lines between gendered presuppositions and medical realities.

KEYWORDS: Animal magnetism, Mesmerism, opera, pseudoscience, Romanticism, sleepwalking, somnambulism,

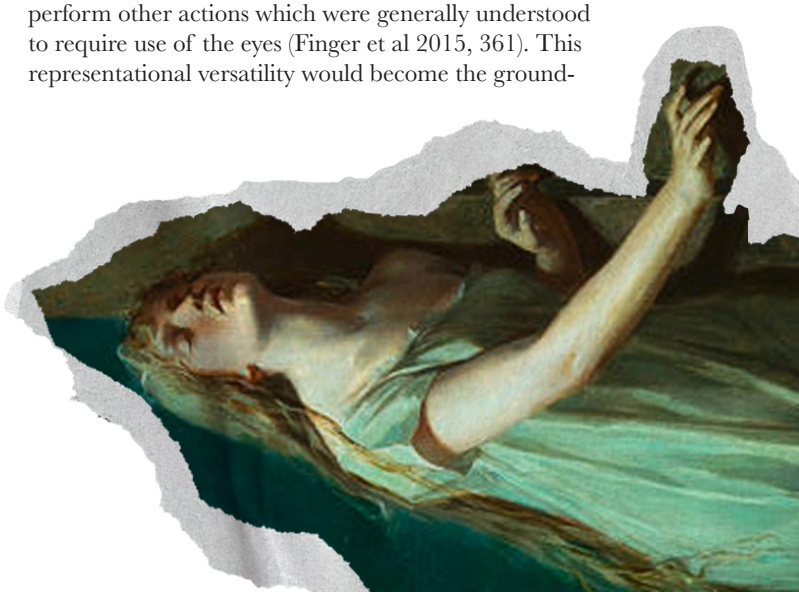
> Sleepwalking generates fears over whether we are autonomous or determined, awake or asleep. But sleepwalking is also seductive, for it intimates scenes unconstrained by the will or morality: languorous tranquility and sexual lassitude. Eliciting these impulses—fear of coma, lust for lotus—somnambulism throbs between bewildered life and careless death.
> – Eric G. Wilson (2006, 336)

Somnambulism possesses a deeply Romantic aesthetic quality. The boundaries between sleep and wakefulness become blurred, and the body is transformed. The body, which was once grounded by the rationality of consciousness, becomes a vehicle for the transmission of one's innermost desires; a vulnerable object which may be viewed, manipulated, and pursued. Despite the picture of passive erotic fantasy painted by Eric G. Wilson's description, sleepwalking can also be conceived of as the powerful and ecstatic sublime. By temporarily surrendering the autonomy of the body, control is given up and exercised elsewhere. But by whom or what, and for what purpose? For some, such as Samuel Taylor Coleridge, the supernatural gifts bestowed by somnambulism could be akin to clairvoyance. Sleepwalking proved a fascinating concept in the medical and spiritual imagination of late-eighteenth and early-nineteenth-century Europe, where Franz Mesmer's spiritually-oriented theories of animal magnetism (or mesmerism) held strange implications for the somnambulist (Hibberd 2004, 116). Responding to these ideas, Coleridge posited that the sleepwalker could engage in a kind of reverie external to the self, and that these dreams had the potential to exert unconscious poetic force upon the waking world (Ford 1997, 39). With these parameters in mind there arises two distinct Romantic perceptions of the somnambulist: the vulnerable and eroticised sleepwalker, and the sublime spiritual orator. These archetypes might primarily be traced to gendered understandings of somnambulism, hence the appearance of "sleepwalking heroines" in many ballets, comedic vaudevilles, and operas on the Parisian stage in 1827 (Hibberd 2004, 108). The voyeuristic potentiality of these heroines during the Bourbon Restoration, coupled with their unknowable degrees of personal and sexual autonomy, placed them in stark contrast to the Coleridgean ideal of the dreaming poet.

Overall, I want to discuss sleepwalking and its dichotomy of gender association in the literary, dramaturgical, and scientific spheres of late-eighteenth and early-nineteenth-century Europe. Also explored here are the relationships between somnambulism and agency, and the question of who is exalted and who is victimized through somnambulistic states. In my research, I suggest that the often-sensationalized depictions of sleepwalking in this period ultimately acted as vessels by which ideas about the unconscious human psyche were communicated. Two works of particular interest will serve as case studies for the analysis of these ideas: Coleridge's poem "Kubla Khan" (written 1797; published 1816) and Vincenzo Bellini's opera semiseria La sonnambula (1831). In the interest of avoiding an overly binary impression of gendered somnambulism, I would like to consider additional examples which are less explicitly gendered, such as the many variable stage depictions of Joan of Arc. My work here will also examine links between somnambulism and topics of religion and the supernatural, voyeurism, madness, and pseudoscience. I seek to illuminate the ways in which gender and trancelike sleep states interacted during this period, and to explain how the vulnerability of Bellini's sleepwalking stage heroine differs from the masculine sublimity of Coleridge and his feverish, opium-induced reverie.

La sonnambula and Sleepwalking in the Romantic Imagination

By the turn of the nineteenth century, somnambulism—derived from the Latin somnus (to sleep) and ambulare (to walk)—was already a focus of medical curiosity and otherworldly speculation (Wilson 2006, 331). The more serious treatment of somnambulism by prominent physicians and natural philosophers such as Erasmus Darwin and John William Polidori began to break previous associations between somnambulism and devilish influence. This newer categorization, however, failed to completely shake its strange, supernatural aura (Finger et al 2015, 359), as the mysterious concept of a trancelike, semi-waking sleep held boundless potential for dramatized Romantic narratives. The Romantic notion of somnambulism extended well beyond the arena of just walking. Varying accounts of sleepwalking described those afflicted as having been able to read, write, maneuver around objects in space, and perform other actions which were generally understood to require use of the eyes (Finger et al 2015, 361). This representational versatility would become the ground-



work upon which the 1827 spectacle of the sleepwalking heroine was built, and that would eventually inspire Bellini's La sonnambula. When only considering works penned during this principal trend in Paris, one could draw conclusions about the sleepwalking heroine based on her proximity to other depictions of feminine madness or hysteria—Shakespeare's Ophelia and Lady Macbeth, for example. However, Sarah Hibberd as rightly denotes "violent, unhinged femme fatales of Italian opera of the 1830s and beyond" are a popular model by which to contextualize these entranced leading ladies (Hibberd 2004, 131). She goes on to explain that the heroines were more often sentimentalized than feared.

Both Bellini's La sonnambula and the ballet-pantomime from which it took inspiration, Ferdinand Hérold's La somnambule, ou L'arrivée d'un nouveau seigneur (1827), involve important scenes that depict the sleepwalking heroine as simultaneously seductive and sentimental. Hibberd's observational comparisons (2004) of La somnambule and François-Adrien Boieldieu's opéra comique La Dame blanche (1825) also apply to Bellini's work:

> Both involve a private viewing of the ghost /sleepwalker, in which a young man is 'seduced' by her image, and then at the climax of each work there is a public viewing, in which the truth is revealed: the ghost's identity and the sleepwalker's condition– and thus innocence. Both are shown to be unthreatening. (130)

Felice Romani, librettist for La sonnambula and frequent collaborator with Bellini, evidently took inspiration from this tender and sympathetic Parisian style. Despite its 1831 premiere in Milan rather than Paris, La sonnambula similarly employs a more sensitive alternative to the prototypical operatic madwoman. This first private viewing of the sleepwalker manifests more darkly in La sonnambula than in Hérold's La Somnambule. Its heroine, Amina, the docile and virtuous adopted daughter of a milleress, sleepwalks into another man's room before her much-anticipated wedding to Elvino. The other man, Rodolfo, is initially captivated and amused by Amina's sleepwalking, but he arrives at an internal crisis as he considers sexually assaulting her. This frustration manifests in a duet; Rodolfo struggles with his impulses (O ciel, che tento / "God! What am I doing?") while Amina happily dreams of being married to Elvino (Oh! come lieto è il popolo / "How happy all the people are [accompanying us to the church]") (Bellini 2008). In the opera's climax, Amina sleepwalks over a high and unstable mill bridge, singing a sorrowful lament after Elvino renounces their engagement on account of her perceived infidelity with Rodolfo. Amina's innocence and purity, made evident by her candid statements during her somnambulistic reverie, prevents Rodolfo from carrying out his desires and spares her from an untimely demise once Rodolfo proves her innocence to Elvino. The agency of the sleepwalking heroine is surrendered to those around her, and her exposed innermost thoughts become the ultimate test of her character. What might have happened if Amina's subconscious imaginings had not been so decent? It is an interesting hypothetical, one which connects to the larger function of the sleepwalking heroine as a narrative device. These heroines inspired a voyeuristic curiosity in their audiences, almost mirroring the involuntary seduction of Rodolfo by Amina. The dramatic aesthetic of the entranced, half-sleeping woman served as a corporeal representation of the supernatural that lies beyond, wandering among the mundane in her billowing white nightdress.

Mesmerist Implications of "Kubla Khan"

Conversely, masculine somnambulism had more to do with the contemplative sublime than with objectification. Coleridge's "Kubla Khan," which he claimed to have written in the summer of 1797 in an anodyne-induced sleep state over the course of three hours, is perhaps one of the more famous examples of (allegedly) somnambulistic writing. Before evaluating the content of "Kubla Khan" itself, it helps to contextualize Coleridge's poetic reverie around the existent polemics of sleep, dreaming, and animal magnetism. In his theory of animal magnetism, Franz Mesmer proposed that every living organism has within itself a pervasive fluid which travels through the magnetic "poles" of the body, and must be balanced through the induction of trancelike states by a magnetiser in order to maintain good health (Wilson 2006, 331). Mesmerism attracted its fair share of skeptics, including an empiricist critique which alleged these so-called "professional magnetisers" were using their medical authority to prey upon young women (Wilson 2006, 332; Hibberd 2004, 116). Eric G. Wilson (2006) proposes a link between mesmerism and Romantic anxieties of the uncanny:

> Those who embraced mesmerism and the clairvoyant possibilities of the trance generally exhibited the fervor of mystics. They saw in the vital flow God on earth. Those opposed to mesmeric practice and the sleepwalkers it produced often expressed terror over the improprieties of one person controlling another, frequently

> a woman in dishabille. This suspicion over the erotic overtones of the magnetic sleep likely clothed more serious fears over the possibility that humans are secretly cogs and levers that walk and talk. (334–5)

There are also connections between these magnetised female subjects and the sleepwalking heroine; audiences may have drawn parallels between these supernatural conduits (often seen publicly in the company of their male magnetisers) and the vulnerable sleepwalking women they saw onstage, such as La sonnambula's Amina in Milan (Hibberd 2004, 118). Despite these unsavoury claims, which might have been enough to formally discredit animal magnetism altogether, Coleridge continued to entertain Mesmer's theories in his writings (Stanback 2016, 112). Coleridge was deeply preoccupied with topics of mysticism and altered states of consciousness—a preoccupation which Emily B. Stanback argues may have been correlated with his numerous ailments of the body (195). These altered states could not only provide temporary relief, but also provide access to an awakened, transcendent mind (125).

Given Coleridge's more positive associations of somnambulism, "Kubla Khan" reads much differently compared to the delicate sleepwalking of heroines like Amina. Coleridge claimed to have written this fragmentary poem after he had consumed opiates, which sent him into a deep, three-hour sleep of only the "external senses" (Wilson 2006, 339). During this trance-like sleep, he was shown visions of poetic verses which seemed to write themselves, requiring no intentional strain or effort on the part of Coleridge. He claimed to have written between two and three hundred lines of verse, before his stream-of-consciousness "composition" was interrupted by someone who came to visit him. He was able to recall as many lines of the poem as were published, before the rest "passed away like the images on the surface of a stream into which a stone had been cast" (339). Coleridge's account of this sublime, transcendent dreamscape seems a far cry from Amina's demure fantasies. The opening fragmented half-stanza, a phantasmagorical description of his visions of the Mongolian summer capital of Xanadu, reads as follows:

> In Xanadu did Kubla Khan
> A stately pleasure-dome decree:
> Where Alph, the sacred river, ran
> Through caverns measureless to man
> Down to a sunless sea. (lines 1–5)

Coleridge's supposed experience provides an important contrast between Romantic notions of masculine and feminine somnambulism. The Coleridgean somnambulistic event is something which is entered into consensually (or at least enthusiastically), and which elucidates sublime images for the contemplation of the dreamer. This connects to masculine concepts of mesmerism as well. For Coleridge, the charismatic power of a successful reciter or poet was akin to the authority of a professional magnetiser. Where the magnetised or sleepwalking woman is always assumed to be a conduit for the will of another, the realm of the masculine poet-orator might fall into two separate categories: 'eloquence as communion' and 'eloquence as mastery.' The poet therefore assumes the role of both magnetiser and magnetised (Wilson 2006, 339). The masculine reciter may borrow cosmic power, much like the sleepwalking heroine borrows her supernatural ability to move around as she sleeps. Wilson goes so far as to describe the role of the orator as "a clairvoyant somnambulist fallen into auto-hypnosis" (339). The magnetism of the poet is something achieved through mastery; a skill which ultimately belongs to him, and that he might use to entrance, hypnotize, or manipulate others. The masterwork poet becomes a channel for the sublime as penetration—"alternately elevating and undoing the male subject," as Matthew Head has observed in his work on the queer sublime (Head 2020, 58). Coleridge's measureless caverns become just one of many poetic sights that similarly overwhelm the listener.

Joan of Arc and a Genderless Sublime

Despite an insistence on the masculine sublime up to this point, heroines such as Joan of Arc have assumed the role of divine orator (although the preestablished concept of the sublime remains primarily a masculine one). In her work, "'Dormez donc, mes chers amours': Hérold's La Somnambule (1827) and Dream Phenomena on the Parisian Lyric Stage," Sarah Hibberd (2004) analyses the trend of the sleepwalking heroine not through the lens of a comedic protagonist, but through Joan of Arc (107). Glossing through varied depictions as "a sleepwalker, a madwoman, a religious fanatic and a witch," Hibberd uses Joan of Arc to illustrate the confluence of unexplainable reverie and feminine instability (107). Something equally intriguing to consider, however, is whether she is even explicitly feminized in the first place. In Annette Richards' chapter on Antoine Reicha's 1806 composition Johannas Abschied von ihrer Heimat, which he produced for the blind glass harmonica virtuosa Marianne Kirchgessner, Richards focuses on the otherworldly aspects of not only Joan of Arc, but also of Kirchgessner. Like Wilson's (2021)

concept of eloquence as communion, the extraordinary sounds of the glass harmonica under Kirchgessner's fingers led to associations between Kirchgessner and the holy spirit itself (72). This perception of Kirchgessner by audiences lends itself well to comparisons with the Coleridgean sublime—through this virtuosic power, Kirchgessner becomes a kind of conduit for both religious fantasy and technical wonder, bringing Reicha's image of Joan to the forefront through the spectral resonance of the glass harmonica. But was this power borrowed in the manner of eloquent, somnambulistic communion, or was it always hers to wield? One could form a plausible argument for both or either. Regardless of the conclusions we arrive at for Kirchgessner, there is still the matter of Joan of Arc, divine sublimity, and gender.

Johannas Abschied was composed as a musical setting of a famous monologue from Friedrich Schiller's play Die Jungfrau von Orleans (1801), which sees Joan of Arc leaving her homeland and ultimately falling in love with an enemy English prince, Lionel. Joan is portrayed as both vulnerable and authoritative; a godly instrument of raw power, who is simultaneously weakened by the temptations of earthly love. Richards (2021) asserts that the heavenly ideal of Kirchgessner could be viewed as "saintly, beyond physical presence, even beyond gender" (72) but I believe this gender transcendence (or perhaps ungendering) of Kirchgessner has to do with Joan herself, specifically in the context of Schiller's monologue. The following is a section of Joan's monologue, spoken while she slays a member of the forces attacking France, which is perhaps most arresting when considering the gendered sublime:

> [Joan kills the Englishman Montgomery] in
> cold blood as she rejects his pleas for mercy.
> In her armour she has disavowed sex,
> distanced herself from gender, renounced
> feeling, become disembodied like a ghost:
> "Do not appeal to my gender! Do not call
> me Woman. Like the incorporeal ghosts,
> who do not [marry] in earthly ways, I identify
> myself with no human gender, and this
> armour protects no heart. (Richards 2021, 80)

For Joan to fully inhabit the world of the sublime and access her godlike strength, she must fully remove herself from that which makes her human, as well as that which would gender her as 'Woman.' Schiller's interpretation of Joan's martyrdom extends beyond the sphere of her life, as she also relinquishes identity. Where the prototypical sleepwalking heroine flirts with the idea of the supernatural, Joan occupies it fully. Despite the high cost she ends up paying, her embodiment of the sublime may be something else entirely from the masculine, Coleridgean ideal. Coleridge's idea of masterful elocution might be capable of reproducing the sublime, but that is also its limitation. What is awe-inspiring is not the dreaming Coleridge, but the "Kubla Khan"—the imperial pleasure-dome, the sacred river of Alph, the sunless sea—that which is nearly incomprehensible to man. In Schiller's depiction, however, Joan of Arc is the worldly avatar of the sublime. She surrenders the corporeal limiters of gender, sex, and humanity, and in doing so, becomes an object of God's divine wrath. The Englishman Montgomery's horror at her appearance just before he is killed certainly recalls the forceful penetration of the masculine sublime. "There the terrible one appears," he exclaims, "Out of the flames of the conflagration she appears, shining darkly, like a phantom of the night out of the jaws of Hell" (Richards 2021, 80).

Conclusion

Having looked at a few diverse examples of how gender intersects with the Romantic concepts of sleepwalking, mesmerism, sublimity, and generally the realm of the subconscious, we can arrive at a clearer picture of how the dramatic fantasy of the unseen mingled with the physical world in late-eighteenth and early-nineteenth-century Europe. Other manifestations of Romantic somnambulism fell outside the scope of my research, including the presence of somnambulistic characters and other experiments with altered sleep states in early Gothic fiction certainly contributed to these Romantic imaginaries of sleepwalking. But the interactions between the clairvoyance of Coleridge, the genderless spectacle of Joan of Arc, and the ignorant bliss of the sleepwalking heroine provide a few prominent angles by which to approach this fascination with dreamscapes bleeding into the world of the corporeal. The binary gender organization of both mesmerising practices and somnambulists, and the subsequent dismantling of them through Schiller's Joan of Arc, complicates the question of who exactly is empowered by somnambulism and who is victimized by it. Joan of Arc may have gained unfathomable strength through what she sacrificed to achieve ultimate sublimity, but is there any empowerment in martyrdom, or in Coleridge's tormented and aching sleep? There remains much to uncover about gendered understandings of sleep states, their evolution over time, and the morbid curiosities surrounding them, but these instances of Romantic fascination continue to provide a glimpse into the uniquely supernatural allure of maidens and magnetism.

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Possession and Legitimacy

In Yongzheng's Twelve Beauties

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Discipline: History of Art & Design

ABSTRACT: Yongzheng's Twelve Beauties is a series of six-foot-tall painted screens depicting beautiful women in intriguing locations. The screens were created for the Yongzheng emperor (r. 1722 to 1735) of Qing dynasty China while he was still a prince. In particular, a study of the screen featuring a woman surrounded by antiquities provides several insights into the concerns of the eighteenth-century Qing court. First, it helps us to understand how imperial collections of antiquities and art objects were used to legitimize the rule of the foreign dynasty. Second, the woman depicted on the screen is a representation of how art featuring ethnically Chinese women could be used to "geogender" China and justify the Manchu Qing rule over what they perceived as an exotic and feminine country. Last, the screen is an insight into courtesan culture and its representation in various artistic genres in eighteenth-century China. Through a close analysis of the painting, this paper will examine the eighteenth-century Manchu Qing court and how the use of art and imperial collections were used to respond to the perceived cultural threat of sinicization.

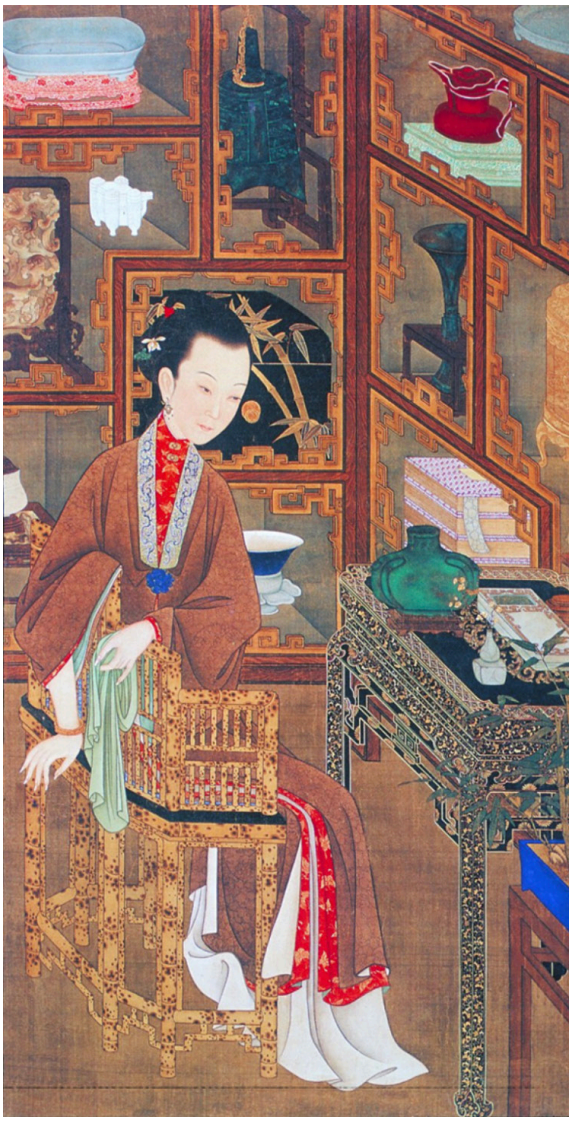
KEYWORDS: Chinese art history, Eighteenth-Century Art History, Qing Dynasty, Yongzheng Emperor

Poised, beautiful, and elegant, a woman perches like a caged bird in a space lined with exquisite and unique treasures, a sumptuous image fit for a future emperor (fig. 1). The woman is dressed in multiple layers; a brown, loose-fitting outer robe, an ornately embroidered red and gold robe, and lastly, a long white robe that pools around her feet. She wears jewelry and holds a sinuous seafoam green cloth. Her hands and facial features are slender and delicate. One of the woman's sleeves is caught on the back of the chair and reveals her delicate, pale wrist. She is in the foreground, and her pale skin stands out against a work dominated by shades of black and brown. The walls behind the woman are covered in shelves of beautiful objects such as vases, boxes, a large black bell, and an impressive black lacquer chest.

This screen is part of a set of twelve, all featuring beautiful women in beautiful settings. They were created through the Imperial Workshop and commissioned for prince Yinzhen, who became the Yongzheng Emperor. The paintings were displayed in "the Reading Hall Deep Inside Weeping Willows in the Yuanming Garden," (Hung 1996, 203) a favourite location of the prince. The women in the screens are presented as Yongzheng's lovers who are waiting for him (Hung 1996, 220). There is debate over the identity of the women; some scholars believe that they are depictions of actual imperial consorts, whereas others argue that they are simply generic beauties (Stuart 2018, 65).

The work is six feet tall, creating a sense of immediacy with the viewer. It and the other eleven works of the series were mounted on screens that enclosed a seating area, surrounding the viewer (Hung 1996, 203). Such large works of art function as "an invitation into the woman's actual presence" (White 2013, 25). The bodily relationship that is created in such a large work is appropriate to its subject matter: beautiful women. Undoubtedly, the visual pleasure that the emperor experienced when seeing these works was increased by their life-sized scale and their surrounding placement. In such an immersive work of art, the prince would be able to feel the presence of the painted ladies. Moreover, surrounded by the twelve screens in an enclosed sort of room, the viewer becomes part of the women's space, a guest in their quarters. The way the screens transport the viewer in space and time are essential to understanding their function.

To understand this work, it is necessary to understand the context in which it was created. The Qing dynasty was first established in 1636 by the Manchu people, an ethnically non-Chinese group who ruled the northeastern part of what would later become China. The Qing took control of China in 1644 and ruled until 1912, making them China's last dynasty. Questions of ethnicity were an issue throughout the Qing reign, as there was tension between the Han (ethnically Chinese) people and the foreign dynasty who ruled them. These tensions are visible in Yongzheng's Twelve Beauties. Yongzheng was the third Qing emperor to rule China and ruled from 1722 to 1735, when questions of ethnicity were still fresh in the minds of many Chinese people.



In the screen of the beauty with antiquities, the location of the treasure cabinet and the woman's identity are irrevocably tied to each other in service of the Qing court's demonstration of legitimate control over the people and the culture of China. For the Qing emper-

ors, finding ways to legitimize their rule was of great concern. In Yongzheng's screen, the woman is a part of the room, rather than a force that exerts agency on it. Just like the treasures that line the walls, she is also an item used to legitimize Manchu rule over China. First, through the display of an imperial collection, Yongzheng is positioning himself as continuing the tradition of palace collections and demonstrating Manchu rule as a continuation of previous dynasties. He is also employing the legitimizing nature of the treasures themselves, which were often seen as conveying qualities essential to a good rule. Second, through the depiction of a woman that fits Han Chinese beauty ideals, Yongzheng is positioning himself as having power over the Han people. This process also feminizes the space of China and invites conquest. Moreover, the screens draw upon other contemporary genres of art, such as popular beauty prints and meiren hua (paintings of beautiful women), to convey their meaning.

Beautiful Women in Beautiful Spaces

Yongzheng's screens have many similarities to other styles of painting during the Qing dynasty, such as meiren hua and vernacular prints made for a mass audience also featuring beautiful women. The screens are similar to vernacular beauty prints, as they feature beautiful, refined, and wealthy women in beautiful settings. A key part of these popular prints was the creation of an idealized life, featuring high-class beautiful women dressed in fine clothing located in spaces frequented by the elite (Wang 2018, 63), like the women in Yongzheng's screens. These women could be depicted in "private spaces . . . often furnished with items associated with the cultured and wealthy" (Wang 2018, 74). In this way, the beautiful locations that the women were found in added to their beauty. Physical beauty, however, was not the only basis on which women were considered beautiful in the Qing dynasty. Education was also an important factor and was often pictured in vernacular prints (Wang 2018, 68). Perhaps this can also explain the location of the beauty in this screen: she is in a room filled with antiquities, beautiful objects, and books. These objects presuppose the woman's prior knowledge of history and literature that would lend a proper appreciation to her location.

Yongzheng's screens are also similar to meiren hua paintings. This genre often depicted women waiting for their lovers, like the women in Yongzheng's screens. In images like these, "the male viewer can take on, in imagination, the role of the one [the woman] is waiting for" (Cahill 2013, 14). This genre connects the owner of the works, in this case Yongzheng, to his paintings, as he is the one who the women are waiting for. As well, courtesans were often the subjects of meiren hua and were possibly the subjects of Yongzheng's beauty screens. Images such as these quite often featured erotic undertones. For example, an open sleeve, like that of the woman in the painting, was often seen as a sexual invitation (Handler 2013, 37). These types of sensual undertones are an important part to understanding the functions of Yongzheng's screens and would likely have been heightened when the prince was physically surrounded by the twelve paintings.

Moreover, meiren hua serve to demonstrate the similarities between courtesan culture and Yongzheng's beauties. Oftentimes meiren hua display courtesans in locations with precious objects, such as antiquities, which demonstrate the education of the courtesan. This makes her a good match for a man of high social status, who also would have been educated (Handler 2013, 38). These objects demonstrate her education and status and are important to a courtesan's identity, as "the ideal courtesan is not merely an object of sexual desire but a true participant in a man's aesthetic, artistic, and literary life" (Handler 2013, 38-49). A courtesan must not only be beautiful but also have an education that would allow her to be a valued companion to a gentleman (White 2013, 29-30). These qualities of learning can consequently be transferred to Yongzheng's screen of the beauty surrounded by antiquities. Her location is crucial to her identity and suggests that she is someone worthy of the educated emperor's time. A man as well-educated as the prince would have appreciated a companion who was not only beautiful but shared his learned background. Therefore, the location of the beauty in Yongzheng's painting speaks to the refinement and quality of its subject.

Precious Objects

The treasures in this screen hold further significance than simply demonstrating the educated and refined background of the woman. Similar to how palace women were hidden from men (Stuart 2018, 62), secrecy was an important aspect of the imperial collection. The concealment of important objects lent a greater amount of authority to the owner (Chiang 2019, 115). The power of the emperor was visible in the fact that he controlled who could see the objects in his collection (Chiang 2019, 118). The private location of both the woman and the treasures surrounding her speak to how highly valued they were by the Yongzheng emperor. The collection possessed by the emperor was a way to position himself in history as well as in the world – a physical way of demonstrating his rule (Chiang 2019, 121). It also revealed the diversity of his empire (Chiang 2019, 132). In this way, by collecting objects from

various regions of China, Yongzheng was positioning himself as the conqueror and ruler of these areas. The objects would have stood in as representations of specific regions of his empire. Objects were used as pieces of information, almost like a library (Chiang 2019, 134). The emperor controlled this crucial information, to which only he (and later his heirs) had access (Chiang 2019, 119). The location of the woman among these important objects demonstrates that she also is used as a way for the emperor to position himself, or as an exotic object providing him with information about his empire.

Throughout Chinese history, treasures have been a way to legitimize the emperor's rule (Ledderose 1978-9, 33-34). This continued into collections such as those of the Qing. Treasures were a way of physically representing the mandate of heaven, which legitimized the rule of Chinese emperors (Ledderose 1978-9, 34). Precious objects could be a tangible manifestation of an abstract concept. Moreover, virtue and the possession of treasures were interconnected (Ledderose 1978-9, 35). Oftentimes, the beginning of an emperor's reign (or a new dynasty, like the Qing) was a time of expansion for the imperial collection "as a demonstration that they were going to conduct a virtuous and enlightened government" (Ledderose 1978-9, 39). When the state became more secularized, art objects "acted as a guarantee for the legitimate political and cultural tradition in the secularized state" (Ledderose 1978-9, 35). The fact that the Manchus, a foreign dynasty, continued this tradition lent a sense of legitimacy to their rule. Not only did treasures themselves give a rule legitimacy but collecting Chinese objects and antiques in the same manner as previous dynasties would position the Qing as part of the same lineage throughout Chinese history. This continuation of tradition likely contributed to their attempts to legitimize and naturalize their rule. Perhaps, along with the treasures she is surrounded by, the woman is also a tool used to demonstrate that the reign of the Yongzheng emperor would be virtuous and legitimate.

Chinese Beauties

The treasures are not the only intriguing aspect of this painting. It is also important to note that the beautiful woman was placed in this specific location and to question how the woman and her setting are related. Like the treasures in the background, imperial consorts were seen as the property of the emperor (Stuart 2018, 61). Similar to the way that important possessions were kept in secrecy, the way that these women were hidden from male viewers could also be a demonstration of their importance to the emperor. The possession of women was also used as a symbol of status (Wang 2004, 212). This is evident in the position of imperial consorts. Under Manchu rule, the ethnicity of consorts was of great concern, as it was in other dynasties that were not ethnically Chinese (Wang 2004, 212-13). More Han and Manchu people were marrying, and Manchu lords in the eighteenth century became more interested in Chinese culture and less interested in their traditional culture (Wang 2004, 216). For many elite Manchu lords, as well as some emperors, this sinicization and loss of traditional Manchu culture was of great concern, and the court became more focused on keeping their Manchu lineage pure (Wang 2004, 216).

This concern can be seen in the imperial selection system, the xiunu system, which was created so that all imperial consorts were ethnically Manchu (Wang 2004, 214-15). However, this rule was not completely set in stone, as the emperors Shunzhi, Kangxi, and Yongzheng were all known to have had Han Chinese consorts (Wang 2004, 215). This fact demonstrates the fascination with and attraction to Han women experienced by the Manchu rulers. Moreover, many women who entered selection for being an imperial consort had Han lineage or were brought up in a Han Chinese manner (Wang 2004, 220). This adoption of Han Chinese culture was noticed by the Qianlong emperor, who noted that "this is truly not the Manchu custom. If they do this before me, what is willfully worn at home? . . . Although this is a small matter, if we do not speak to correct it, there must gradually be a change in our customs, which are greatly tied to our old Manchu ways" (Wang 2004, 220). Therefore, both Han Chinese women and Han manners of expression were regarded with suspicion by the Manchu court, as a threat to traditional Manchu culture.

Despite the fear of bringing Han women into the Forbidden City, the woman in Yongzheng's screen is dressed in a Han Chinese manner (Stuart 2018, 70). This is visible in the jewelry that she is wearing; Manchu women wore three earrings in their ears, whereas the woman in the screen wears one earring - a Han style (Stuart 2018, 70-71). The flowing robes of the ladies in Yongzheng's screens were similar to those in contemporary vernacular Chinese paintings (Stuart 2018, 71), a contrast to the stiff portraits of the imperial consorts in Manchu dress. These garments and jewelry created the appearance of being Han Chinese and contrasted with the official portrayal of Manchu women. This Han manner of presentation is notable, considering that it was frowned upon at the time. If the elite were so concerned with preserving their Manchu ways, why was the future emperor sitting in a location surrounded by images of beautiful Han women?

A Feminine Space

Although the Manchu nobility were aware of the sinicization of its members and were wary of Han culture, the emperor still enjoyed images of attractive women who followed the ideals of southern China (Stuart 2018, 71). Perhaps the women in his beauty screens were more than simply beauties. The Han women in the screens could be representations of China itself; a way of "geogendering" southern China through attractive Han women (Stuart 2018, 71). This process may be similar to how treasures in Yongzheng's collection stood in for abstract ideas, such as history or geographical space. Through the image of a beautiful Han woman, southern China is viewed as attractive and exotic to the Manchu elite, but also vulnerable and submissive (Hung 1996, 217). She is a way of representing China as foreign and feminine (Hung 1996, 217). This could be a reassuring image to a Manchu court feeling threatened by the sinicization of its members. There is an important power dynamic at play in these images: Yongzheng is seen as having control over this woman, which extends to control over China itself (Hung 2017, 221). Moreover, Yongzheng not only has control over Han women, but he also has control over their treasures. As discussed, treasures were not only beautiful objects but also contained information regarding the nation's history. By demonstrating his possession of these objects, he may also be demonstrating his possession of Chinese history. In the same way that the Han women are a stand-in for the Han people, the treasures may be a representation of Chinese history itself. The depiction of Han Chinese women was not only an aesthetic choice but a demonstration of the emperor's power and control over southern China, its people, and its culture.

Moreover, the screens do not show real people or locations, but are rather depictions of a "feminine space" (Hung 1996, 211). This idea is echoed by the location of the screens - Yuanming Garden, often seen as a feminine space and a favourite location of Yongzheng (Hung 1996, 210). The prince enjoyed spending his time in this place of beauty. As well, by being enclosed by images of beautiful women, he was inside another kind of feminine space.

Although created for a future emperor, Yongzheng's twelve beauty screens are works that are situated in the artistic tradition of their time, such as vernacular beauty prints and meiren hua. The context of these genres provides the viewer with information crucial to understanding the screens, such as the depiction of educated and cultured women and the depicted women waiting for their lover, who can be seen as the viewer of the works. The screen that is the focus of this paper, through its depiction of Chinese treasures, legitimizes the Qing dynasty, as it continues in the Chinese tradition of imperial collections. It also employs precious objects as signifiers of virtue as well as the Mandate of Heaven, and the objects may be a stand-in for concepts of space and time. Through analyzing the garments and jewelry of the painted beauties, we can discover that they are presented as Chinese women, which is especially striking when taken in context with the contemporary Manchu fears of sinicization. By depicting Han Chinese beauties, Yongzheng's screens feminize China and invite the emperor's control over the region while quashing concern over the sinicization of the Manchu court. Yongzheng's Twelve Beauties, when considering the court at the time of their creation, provide an insight into the concerns of the Qing court and how it responded to perceived cultural threats.

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Photographer: Naomi Caulfield
Year: 3rd Year


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Photographer: Megan Paslawski
Year: 2nd Year

Samantha

Buryn

Humanities

Section Editor

Spanning the departments of English, Film, History, and Religion studies, this selection of articles proves that humanities students are producing an ever-increasing array of critical, innovative, and excellent research at an undergraduate level.

This collection is united by its authors' shared interest in exploring and understanding the human experience. Many of these essays offer important meditations on political issues, asking: was Jesus a socialist? To what extent did alcohol consumption relate to political ideology in communist Poland? How might a study of the Mazarinades pamphlets help us to understand French anxieties surrounding female leadership in the late-seventeenth century? Other papers perform critical re-readings of texts representing a variety of genres, time periods, and media. These works include an exemplary examination of Jules Dassin's *Brute Force* as a case study for representations of queer-coded villainy in the film noir tradition; a compelling critique of James Cameron's *Avatar* that interrogates the relationship between heteronormative gender roles and colonial ideology; an incisive inquiry into the consequences of microaggressions in William Shakespeare's *Othello*; and a sophisticated study of dictation as a form of resistance to colonial, nationalist, and masculine determinations of self in Theresa Hak Kyung Cha's *Dictee*.

I am proud and honoured to have worked alongside *Crossings*' supportive Editorial Board, outstanding peer review team, and dedicated authors as the journal's Humanities Section Editor. This collection of articles only confirms the importance, value, and worthiness of undergraduate humanities research.

"Dangerous Conceits":

Racial Bodies and Microaggression in Shakespeare's Othello

Author: Jonna Stewart
Discipline: English

ABSTRACT: Many scholars read Othello, written during England's entrance onto the global stage as a colonial power, as Shakespeare's reflection upon the increasingly diverse population of England and the rise of a modern conception of race and racism. While conceptions of race and racism shift with culture, Othello is positioned at the inception of racism and systems of oppression that are still at work today. Similarly, subtle racial slights towards Othello mirror what Professor Chester Pierce first termed as microaggressions. Drawing on Kevin Nadal's clinical research and the poetry of Claudia Rankine that details the bodily experience of microaggressions, I argue that the barrage of subtle and explicit racism that Othello experiences provide context for what at first appears to be an unbelievably quick turn against Desdemona. Othello's tragic demise, rather than resulting from an individual character flaw, demonstrates the devastating and accumulated impact of microaggressions on racialized bodies and their collective function within a system of oppression.

KEYWORDS: Microaggression, Othello, race, racialized bodies, racism, Shakespeare

Introduction

As the subtitle to Shakespeare's Othello, The Moor of Venice implies, both the titular character and the play itself are immersed in the burgeoning discourse of race and racism. Many scholars read Othello, written during England's "establishment as a colonial power" (Antor 2016, 73), as Shakespeare's reflection upon "both the physical presence of racial 'others' in England and an incipient ideology of racism . . . that arose from a new, and distinctly modern, attitude towards race, and especially colour" (Schalkwyk 2004, 1). Though conceptions of race and racism shift as culture develops, Othello's discussion of race remains relevant within contemporary systems of racism and oppression. Similarly, subtle racial slights towards "His Moorship" (1.1.34) mirror what Professor Chester Pierce first termed microaggressions, the "incidents of racial antagonism [that] might seem small, but once properly understood are shown to play a role in large systems of oppression" (Rini 2021, 15). Although critics often read Othello's wrath and jealousy as a tragedy of "the deadly sins of the spirit" (Bevington 2013, 605), Othello can also be interpreted as a tragedy of the deadly impact of microaggressions on the spirit. Microaggressions accumulate, and the racism that Othello experiences provide context for what appears to be an implausibly quick turn against Desdemona in Act 3 Scene 3. Othello's tragedy demonstrates the devastating impact of microaggressions on racialized bodies and the collective function of those microaggressions within a system of oppression.

Microaggressions in Othello

Building from Pierce's work, Derald Wing Sue popularized the definition of microaggressions as "brief and commonplace daily verbal, behavioural, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial, gender, sexual orientation, and religious slights and insults to the target person or group" (Rini 2021, 20). In Kevin Nadal's discussion of racial microaggressions and trauma (2018), he highlights being treated as a second-class citizen, feeling like an alien in one's own land, assumption of criminality, colourblindness, and (often negative) ascription of intelligence from Sue's taxonomy of microaggressions (60), all of which describe the racism in Othello.

Before the audience encounters the titular character, "Othello is othered by Iago and Roderigo onstage, and this emphasis on his alterity is closely linked to his physical blackness." Roderigo calls him "the thick-lips" (1.1.68) while Iago refers to him as a conventionally black "devil" (1.1.93) and portrays him as a lesser other through the sexual and colour-coded bestial imagery of "an old black ram / Is tupping your white ewe" (1.1.90–91). "Othello is not once referred to by his name in this scene" (Antor 2016, 74) to emphasize the foreignness of the Moor of Venice within the Venetian social hierarchy (Comensoli 2004, 90), as he remains a "wheeling stranger / Of here and everywhere" (1.1.139–40) despite his work for and position within the state. Even though "Moor" was not an inherently derogatory term and simply referred to anyone of Arabian or African descent (Bevington 2013, 606), Iago and Roderigo use it here to other Othello. When Brabantio discovers that his daughter married Othello, he accuses Othello of witchcraft, citing magic as the only possible explanation "[f]or nature so preposterously to err" that his daughter would desire a "sooty bosom" (1.3.64, 1.2.71). While Brabantio's assumption of criminality argues for the unnaturalness of miscegenation and activates negative stereotypes of the East (Antor 2016, 80), Desdemona asserts that his stories allowed her to almost literally "overlook his blackness" (Lutz 2019, 307) in favour of the "visage in his mind" (1.3.255). Desdemona's colourblindness ignores the racism that Othello faces, resulting in her unintentionally othering Othello (Antor 2016, 102) when she asks, "why gnaw you so your nether lip?" (5.2.46). Additionally, in constructing Othello's race as something to be ignored, Desdemona implies that whiteness is the neutral default, which only further others Othello. As Iago insults Othello's "uncivilized" intelligence and labels him an "erring barbarian" (1.3.358), all of Nadal's examples of racial microaggression occur in the first Act alone.

The Duke appears to address this persistent and developing ideology of racism, dismissing Brabantio's racist ranting as "thin habits and poor likelihoods / Of modern seeming" (1.2.110–11). Even though his statement criticizes racism as an unfounded "recent but widespread and popular prejudice" (Antor 2016, 83), he also compliments Othello as "far more fair than black" (1.3.293), which "still operates on a racialist analogy linking what is 'fair' to virtue and what is 'vice' to blackness" (Lutz 2019, 314). Despite the microaggressions that pervade even his praise, Othello appears unaffected, and "the possibility of racist discrimination does not even seem to occur to him" (Antor 2016, 81). While Othello does not hear Iago's and Roderigo's most heinous racial insults, even if Othello's calm demeanour derives from ignorance of racism rather than—as the sheer ubiquity of microaggressions implies—simply being used to it, Claudia Rankine (2014) argues that "the body has memory" of the microaggressions it experiences (27). Iago exploits this bodily memory to convince Othello of Desdemona's infidelity.

Bodily and Physical Imagery

Corporeal imagery dominates Iago and Othello's conversation. For example, jealousy's "green-eyed monster, which doth mock / The meat it feeds on" (3.3.119, 179–80) begins to affect Othello's body. "Iago uses bodies as instruments" (Antor 2016, 94) in both graphically describing Desdemona's adultery and in the effect he has on Othello:

> Dangerous conceits are in their natures poisons, Which at the first are scarce found to distaste, But, with a little act upon the blood, Burn like the mines of sulphur. (3.3.329–333)

Iago's description mirrors both Pierces' experience of seemingly insignificant microaggressions and Rankine's (2014) description of them as a "daily diminishment

[that] is a low flame, a constant drip" (29). Through affecting Othello's humoral body, Iago also affects his racial body, as he argues that Desdemona should be with someone "Of her own clime, complexion, and degree, / Whereto we see in all things nature tends" (3.3.246–47). Iago says this in response to Othello repeating, without any prompting from Iago, Brabantio's espousal of unnatural miscegenation, as Othello wonders aloud whether Desdemona marrying him is truly "nature erring from itself" (3.3.243); Othello is aware of the racial microaggressions directed towards him, and racist concepts deeply impact his sense of self.

Othello worries that he cannot be loved and, like many victims of microaggressions, experiences issues of low self-esteem (Nadal 2018, 61). While Othello is undoubtedly a play about jealous passion, Othello first voices his doubt of Desdemona in racial terms, and he directly connects his lack of self-confidence partially to negative conceptions of his race: "Haply, for I am black / And have not those soft parts of conversation" (3.3.279–80). Othello later unknowingly repeats "Iago's animal comparison from Act 1" (Antor 2016, 100) in referring to himself as a "hornèd man's a monster and a beast" (4.1.60), which implies that Othello has already heard and internalized these racist insinuations. Iago's careful rhetoric, like all microaggressions, does not operate "in isolation" (Rini 2021, 73); Iago can flip Othello's opinion of Desdemona in a single scene because he activates Othello's history of microaggressions, serving as a triggering case that "suddenly releases the built-up experiential aftermath of many different oppressive acts" (89).

Just as microaggressions can negatively impact an individual's self-esteem, they can also make an individual doubt their own conclusions. Othello's insistence on physical "ocular proof" (3.3.376) further mirrors the experience of microaggressions, as victims are often uncertain if they have even occurred; Pierce, a Black man similarly occupying a position of power in a white-dominated space, wrote "[o]ne could argue that I am hypersensitive, if not paranoid, about what must not be an unusual kind of student-faculty dialogue" (Rini 2021, 28). Just as "trifles light as air / Are to the jealous confirmations strong" (3.3.338–30), Iago uses Othello's hypervigilant paranoia against him to provide visual and bodily proof of Desdemona's infidelity. Desdemona's lost handkerchief, which Iago ensures Cassio comes to possess, and Iago's graphic conversation with Cassio about his relationship with Bianca in Act 4 Scene 1, which Othello believes refers to Desdemona, thus become irrefutable evidence of infidelity to a man constantly plagued with the uncertainty that accompanies microaggressions.

Iago's weaponization of microaggressions brings Othello's Blackness to the forefront. After Iago falsely tells Othello that Cassio confessed to having an affair with Desdemona, Othello becomes "light of brain" (4.1.271) and can no longer control his racialized body, as he falls into a seizure after an increasingly fragmented monologue where the mind and body merge (Vozar 2012, 185). In addition to Iago's racist insinuations literally possessing and seizing Othello's body (Vozar 2012, 184), Othello himself echoes Brabantio's racist insinuation of witchcraft when he tells Desdemona that the handkerchief has "magic in [its] web" (3.4.71), as if to see whether the one person who supposedly does not see his black body could believe the racist rhetoric. Othello's repetition of the racial microaggressions he experiences further illustrates the complete racialization of his body—even within his own mind, Othello cannot escape racist stereotypes. As Othello's mental state deteriorates, Desdemona remarks that "[m]y lord is not my lord, nor should I know him / Were he in favour as in humour altered" (3.4.122–123). The seemingly sudden and transformative change in Othello's temper mirrors Rankine's assertion that the eruption of anger due to a triggering microaggression "might make the witness believe that a person is 'insane'" (Rankine 2014, 25). Though microaggressions, and an individual's response to them, may appear like an isolated event to those who do not constantly experience microaggressions, they are both connected to a larger system of oppression acting on Black bodies.

Structural Power Dynamics

Othello specifically considers the "issue neither of race nor of sexuality but of power" (Emily C. Bartels qtd. in Antor 2016, 77), as Othello and Desdemona's marriage breaks the conventions of "social structures [treated] as if they were natural forces" (Rini 2021, 84). Brabantio directly invokes this transgression, as he perceives

Othello's marriage as not only unnatural but as a threat to the established political and social hierarchy (Antor 2016, 81) when he proclaims "[f]or if such actions may have passage free, / Bondslaves and pagans shall our statesmen be" (1.2.99–100). Iago, angry over not being promoted, similarly raises his self-worth and reasserts his power "by reducing Othello and others to his own miserable condition" (Bevington 2013, 607), with all the play's "villains 'continually invok[ing] the clichés of accepted belief'" (Eldred Jones qtd. in Lutz 2019, 306) and using abstractions to oppress others. Iago especially employs sweeping statements and a priori logical justifications (Bevington 2013, 608) to convince Othello that Desdemona must be unfaithful, not only because she is a Venetian woman and "[i]n Venice they do let God see pranks / They dare not show their husband" (3.3.217–17), but also because she must logically prefer to be with a white man. Iago uses accepted cultural generalizations as "a misogynist and racist who uses the bodily otherness of blacks as well as women to construct a discourse of negative alterity that marginalizes and subjects them to his own masculine authority" (Antor 2016, 89). Through his use of microaggressions, Iago works to restore the power relations of the world to what he deems as their proper order.

Though microaggressions are harmful, "the problem is a vast social structure that operates through individuals . . . [and] internal mechanisms keeping oppressed people down" (Rini 2021, 78). Iago embodies the duality of the internal and external nature of microaggressions, as he resembles "both the Vice and the devil, suggesting his relationship both to Othello's inner temptation and to a preexistent evil force" (Bevington 2013, 608). However, constructing Othello's jealous and wrathful inclinations as inherent "inner temptation[s]" ignores the microaggressions that slowly erode Othello's sense of self. Iago is simply an individual exploiting Othello's racial insecurities using patterns of oppression; Othello's sinful vices can therefore be read as symptoms of Othello internalizing the racist stereotypes he constantly encounters throughout the play. Although "oppression doesn't require any central director or explicit plan", narratives often require "villains, people who set out to cause massive harm through deviously clever manipulation" (Rini 2021, 83; 79). While Iago's "motive hunting of a motiveless malignity", as Samuel Taylor Coleridge terms it, evokes the tradition of morality plays (Bevington 2013, 606), his nebulous and amorphous motivation also leaves an individual-shaped hole in the play that invites the audience to look through Iago to the systems behind his racist and misogynist microaggressions.

Language and Reified Bodies

Othello ends with bodies becoming "defamiliarized and 'petrified'" (Antor 2016, 103) as Othello kills Desdemona before killing himself; Othello describes Desdemona as "whiter skin of hers than snow, / And smooth as monumental alabaster" and states that she "dost stone my heart" (5.2.4–5, 67). Their bodies, the physical signifier of their sexual and racial difference, are forever racialized and gendered, immobilized through Iago's use of microaggressions and their connected systems of oppression. While Othello acknowledges his culpability, in his final monologue he emerges as both the victim and the perpetrator and complicates the neat categorizations of others. As Antor (2016) explains, "by 'smiting' himself in the same way that he 'smote' [(5.2.366)] the Turk in Aleppo, Othello also places himself in the role of the Turk, he becomes both slayer and slain, Venetian defender and Turkish enemy" (105).

The play draws attention to "the body as the site not only of desire but also of linguistic overdetermination" (Schalykyk 2004, 20), as Desdemona calls Iago's construction of white and black as polar and moral opposites "old fond paradoxes" (2.1.139); Othello arguably kills Desdemona first in his description of her, as through comparing her to "absolute whiteness . . . he raises her to an absolute, dead ideal" (6). When Othello gives the epilogue to his story, instructing his audience to "[s]peak of me as I am; nothing extenuate, / Nor set down aught in malice" (5.2.352), Othello "reminds us of the complex interaction of the empirical and the ideal" (Schalkwyk 2004, 7), as the white Venetian Iago is the play's true devilish monster. Crucially, he also does not use the absolutes of white and black, and only refers to Desdemona as a more relative "pearl" and himself as the shades of an "Indian" (5.2.357). Othello's final words reject a polarizing and absolute concept of otherness and draw attention to microaggressive language that works to create and enforce seemingly clear and natural categories of others.

Conclusion

Othello demonstrates how microaggressions, as some of the smallest links that connect to larger systems of oppression, can arrest and trap bodies into racial categories within similarly racialized power dynamics. As microaggressions accumulate, they can undermine an individual's self-worth, even to the point of contributing to a complete and abject catastrophe worthy of immortalization through one of Shakespeare's tragedies. Othello's audience within the play seems to understand this destructive potential of microaggressions. Just as Gratiano's statement that "[a]ll that is spoke is marred" (5.2.367) can be read as "a warning against a literal understanding of any such discursive concepts" as otherness, Lodovico's comment on the bed-grave that "poisons sight" (5.2.375) similarly implies an understanding of the corruptible perception of bodies. Even though the play does not escape the "mechanisms of othering" (Antor 2016, 105), as Othello reinforces the dichotomy between Turks and Venetians and Lodovico still refers to Othello as "the Moor" in addition to dehumanizing Iago as a "Spartan dog" (5.2.377, 372), "Othello is a play of missed opportunities and thwarted potentialities" (Lutz 2019, 315) that, with a clearer perception and the right conversations, could have been averted. While Rankine (2014) relays the crushing experience of asserting one's identity only to realize that "no amount of visibility will alter the ways in which one is perceived" (25), Othello's final recognition scene, where he asserts his presence to the play's diegetic audience during the very inception of systemic racism, creates the possibility of awareness within the non-diegetic audience regarding the consequences of their own seemingly insignificant microaggressive acts.

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A Regency Possessed:

Passion, Disorder, and Anne of Austria in the Mazarinades, 1648-52

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ABSTRACT: During the Fronde of 1648-52, the absolute monarchy of France came under attack both by weapons and by words. A relaxation in censorship laws during the four-year period of unrest led to the production of thousands of pamphlets, known as Mazarinades, which discussed the nature of the French monarchy and power. Although most were focused on the Prime Minister, Cardinal Mazarin, a subset also considered the role of the Queen Dowager and Regent, Anne of Austria. Factions both for and against the monarchy expressed a fear of her public role in government: as a female ruler, they worried that Anne would be too passionate and gullible to be able to govern fairly. Pamphleteers presented her as a disordering figure, one who turned the natural social hierarchies of the early modern era upside down. To some, she was a puppet for Mazarin, who they believed seduced her; to others, by acting as regent she neglected her quintessentially feminine maternal roles. All agreed that Anne was unsuitable as regent. Using a variety of literary techniques, Mazarinade authors ultimately demanded that she resign, pleading with Anne to return to the private, domestic world of women.

KEYWORDS: Anne Queen Consort of Louis XIII, Mazarinades, Regents (Sovereigns), 17th Century French Literature

Introduction

Everyone, it seemed, had an opinion on the regency of Anne of Austria. Indeed, mid-seventeenth-century France was a veritable "open season" on the reputation of the Spanish-born queen (Kleinman 1985, 225). She had become sole regent for her son Louis in 1643 when she had dissolved the Regency Council her husband had established; her reign had already overseen the end of the Thirty Year's War (Merrick 1994, 667). Despite this, her leadership and her reputation came under fire. This was especially true during the civil wars of the Fronde. Not only did the Frondeurs directly challenge her authority, but they claimed that they did so in the name of the King, Louis XIV (Bakos 2000, 336). Furthermore, her opponents opened the floodgates for new discourse, questioning Anne's very ability to rule as a female regent. Nowhere is this clearer than in the Mazarinade pamphlets published throughout the unrest. Because of the relaxation of censorship laws, over the course of four years thousands of pamphlets engaged in a discourse about the nature of absolute monarchy in the French government (Merrick 1994, 668; Bakos 2000, 337). Most of these, as the name suggests, focused on the role of Anne's Prime Minister, the Italian Cardinal Jules Mazarin. But others discussed Anne. They critiqued her government, offered paternal advice, and attempted to pull back the curtain of her bedchamber. In doing so, pamphleteers voiced questions and fears regarding the role of women in the French government. This paper illustrates that the Mazarinade pamphlets of the Fronde in France see Anne of Austria's regency as the origin of the unrest throughout the country. Through a variety of literary devices and rhetoric, pamphleteers both for and against her government reinforce the weakness of female reason in order to impose their fears of female leadership.

A Topsy-Turvy Regency

As a woman governing independently of male supervision, Anne posed a threat to the traditional French ruling order. As a result, her regency and her relationship with her first minister not only was considered unnatural but an inversion of the natural social order. Given that women were forbidden from ruling under Salic Law, pamphleteers feared the ramifications of such a flagrant violation of nature (Merrick 1994, 687). To them, Anne's government was a world turned upside down. It was a place where an inferior could usurp the position of their master and a woman could take the place of a man (Merrick 1994, 676; 686). Authors depicted this upset in established ruling hierarchies by describing instances where Anne shirks her maternal duties as regent. In one particularly vulgar pamphlet, Anne herself admits this inversion. Enchanted as Anne is by her prime minister, the author implies, she is "content to sacrifice every duty" in order to satisfy her relationship with him, even those of her own sons' well-being (Kleinman 1985, 225). She is content in her debauchery. In a particularly damning statement, another pamphlet even suggests that it was not Anne but Mazarin who "a enlevé scandaleusement… la sacrée personne du Roy" (scandalously raised… the sacred person of the King) and his brother. Although as mother and Regent she is tasked with looking after both the political and physical body of her regnant son, Anne is incapable of fulfilling either (Mitchell 2019, 12-14). Though she may speak "in the name of the king", Anne equally betrays the duty of the body politic to rule in a "just and paternalistic" manner. As a result, yet another perversion must take place: a man must raise her children. Pamphleteers feared that Anne loved her minister more than her own son, allowing her manufactured passion to overrule her sense of reason (Kleinman 1985, 225).

Passion and Possession

Some authors attempted to understand the topsy-turvy nature of Anne's regency in terms of enchantment. In their eyes, the queen herself could not be the source of the court's corruption; an unnatural situation could only be caused by unnatural means. By using the rhetoric of magic, they were able to instead shift the blame to her first minister, making him the scapegoat for the unrest. These anti-Mazarin discourses argue that "par ses enchantemens et ses sortilèges" (by his witchcraft and his enchantments) the queen's first minister had caused her obsession for him. His prominence in her government was the result of supernatural activity (Carrier 1982). As a result of these spells, he dominated her, bent the government to his will, and, more seriously, threatened the sanctity of an already vulnerable body politic (Merrick 1994, 692). Similarly, other pamphlets characterized his hold over the government with other equally supernatural means. According to this view, Mazarin is a demon who possesses the queen and needs to be exorcised (692). The use of the supernatu-

1 "Contract du marriage du parlement et la ville de Paris," in La Fronde, constestation démocratique et misère paysanne: 52 Mazarinades, ed. By Hubert Carrier (Paris: EDHIS, 1982), 7. As most Mazarinades, including those discussed in this paper, are not available in English, all translations into English have been made by the author.

2 Mitchell, Queen, Mother, and Stateswoman, 13. Mitchell also notes that the combination of maternal love and political exclusion in the queen mother made French queens dowager ideally suited to the role of regent, as they were deemed less likely to usurp the throne. By the time of Anne's regency, this tradition was well established.

ral in this way, however, not only scapegoats Mazarin but removes Anne from both responsibilities for her actions as regent. Whether positive or negative, these pamphlets indicate that her actions leading up to and during the Fronde were simply not her fault. Rather, it is Mazarin who, as sorcerer and demon, acts as the surrogate victim for the French court. The queen's gullible nature absolves her from guilt.

Other authors blamed this perversion of the natural hierarchy on a woman's passions. To warn Anne against the dangerous and unnatural character of her rule, they invoked the personalities of historical female rulers. Although France had a tradition of female regency, pamphleteers sought to demonstrate how impossible it would be for the sceptre to be controlled by the distaff (Slaven 1997, 452). As Jonathan Merrick indicates, ongoing debates about a woman's nature at the time of the Fronde stressed that women were morally inferior to men. They ruled by their whims rather than by reason (Merrick 1994, 686). Certainly, in France, it was this assumed emotional character that precluded women from most means of rulership. Unlike Habsburg women in other regions, Salic law "barred women from all aspects of royal succession" and prohibited a tradition of female rule (Mitchell 2019, 13). The Mazarinades' use of "notorious powerful women", such as Agrippina and Brunhild, underlines the need for masculine governance (Klaus 2020, 379). By comparing the "gullible and incompetent" Anne to these women, pamphleteers situated her in a tradition where passion caused "eternal punishment" (Merrick 1994, 687; Klaus 2020, 379). In one pamphlet, Saint Geneviève tells Anne that she is just like these notorious women. Agrippina, for example, was blinded by her ambitious nature. Her regency for her son Nero led directly to his disastrous reign, and eventually to her own demise. Implicit in the allusion is a warning about one regency to another. If Anne continues to let her love prevail over her reason, she will face a similar fate (Merrick 1994, 687; Klaus 2020, 379). The same is true with Brunhild. Just as she ordered the murder in service of her rage against another queen, so too is Anne "responsible for millions of murders" on account of her role in instigating civil unrest in France (Merrick 1994, 687; Klaus 2020, 379). Through these allusions, Mazarinade authors warned Anne of the dangers of a government led by feminine emotionality. Pamphleteers pleaded with her, entreating her to trust in masculine reason.

A Poisonous Body: Pro-Mazarin Rhetoric

Even pro-Mazarin discourses agreed with the portrait of Anne as a disordering regent. Whereas pro-Frondeur authors argued that that disorder was the result of her possession by her first minister, his supporters instead declared that enchantment was necessary to maintain good governance in France. Similar to later pamphlets attacking Marie Antoinette, Anne was cast as the corrupting figure who polluted the French court. Both were strangers and women, which made them dangerous. Early modern France was not a welcoming place. Indeed, when Anne had first arrived at court she had even had sanctions placed on her household precisely because of her Spanish origins (Rodier 2017, 448). Furthermore, both queens inhabited a liminal space between their roles in the private and public political spheres that Mazarin supporters placed at the centre of ongoing unrest (Hunt 2003, 122; Merrick 1994, 697-8). Throughout her reign, attacks on Marie Antoinette's morality emphasized her role as a "political tarantula" causing the degeneration of the French royalty (Hunt 2003, 129). Her body was both "polluted with crimes" and corruptive; she was so obsessed with debauchery that it prevented her from fulfilling her feminine role as a mother (122;126). The same can be said for Anne. Her disordering influence is described as penetrating every aspect of the French court. "Excepté trois douzaines de fidel" (except three dozen faithful men), all of its members must be expelled by a heroic Mazarin because of their complicity in the Regent's misguided debauchery (Carrier 1982, 4). Like Marie Antoinette, her body cannot be separated from the state (Merrick 1994, 694). As we have already seen, Mazarinades too called into question her ability to govern as regent, regardless of what side they took in the conflict. We have also seen that, like her relation 140 years later, her maternal instincts were called into question because of the balance she maintained as a female regent in a male-dominated government (698). Unlike Marie Antoinette, however, there is disagreement over the degree of Anne's culpability (Carrier 1982, 8). That being said, there is no question for the pro-Mazarin pamphleteers: Anne's guilt is total.

We can see this pro-Mazarin perspective on Anne in the pamphlet "Dialogue de Iodelet et de L'Orviatan"

3 Hunt also illustrates how Marie Antoinette was compared to the abstract state, which in republican discourse was cast as the ideal mother. The same concern is also present in the Mazarinades; pamphleteers argue that that Anne is too attached to the king, whose true mother is the state. See Merrick, "The Cardinal and the Queen," 688-9.

(Dialogue between Iodelet and Orviatan). The character of L'Orvatian, an Italian like Mazarin, demonstrates to the audience the urgent need for a male figure to supervise the regent's activities (Carrier 1982, 8). Under Anne, it is chaos: the nobles are in servitude, the princes "gouvernez par les coquins et des indifferens" (are governed by the impish and indifferent), and the Clergy cannot effectively serve their flock (4). With such disorder, Mazarin's domination of the government becomes a need in order to preserve "la tranquilité publique" (the public order) of France (4). With Anne "incapable dans l'autorité" (incapable of governing), the pro-Mazarin view argues that he had to "dissipé les tenebres…, pris le time de l'Estat," and " conduit la Regence de la Reyne" (eliminate the shadows…, take the reins of the State… and steer the Queen's Regency). Simply put, she could not effectively do so herself (4). Thus Anne's Prime Minister does not usurp her position. Rather, it is his good conduct that sets her on a better course of action. Without Mazarin's guidance to eliminate supporters of the Frondeurs, L'Orvatian argues, "tout est corrompu" (everything is corrupt) within the court (7). Other accounts of the regency see Mazarin as an ordering figure. In his memoirs, for example, Cardinal de Retz records a 1648 episode in which a hot-tempered Anne responded to a request to release political prisoners with violent words and an equally violent plan of action. Mazarin, however, "calmed her down", and persuaded the queen to a more reasonable approach (Kleinman 1985, 208).

Disenchantment

Inevitably, however, many pamphleteers urged an end to the enchantment and the regent to come to her senses. To do so, Anne needed to recognize her problematic role as regent and focus on her responsibilities as a mother. Just as pamphleteers saw her as "possessed … and obsessed" to the detriment of her "conjugal, maternal and regal responsibilities", so too did they see the release of the enchantment as an opportunity or Anne to accept (Merrick 1994, 689). Indeed, this is the outcome that many a Mazarinade encourages. Although Mazarin had ensnared her, Anne ought to break free, recognize her shortcomings, and recede into private life. L'Orvatian and Iodelet urge her to step back from her role as regent and even to "prenez le Cilice" (take up the veil) and cloister herself in a convent (Carrier 1982, 5). In a similar treatment, Saint Genevieve encourages Anne "take seriously her responsibility" as a caretaker for her son's kingdom and to listen to the French people as is fitting for a mother (Klaus 2020, 380). In this narrative, Anne had already awoken from her enchantment by the time the saint had arrived. Indeed, she realized that she had been

under the influence of a love potion. With the help of Saint Genevieve's intervention, the regent comes to recognize that she will be able to restore the natural hierarchies that she had violated. This restoration could only be done by releasing Mazarin from his service and by stepping away from public life. Only then can Anne make amends for her crime (Klaus 2020, 379-80). Similar to Iodelet's plea for her to enter a convent, in this narrative too Anne steps away from her role as regent. Although it is not clear whether she cloisters herself as he and L'Orvatian advise, this version of Anne also announces that finally disenchanted, she will retire. Distancing herself from the discord she caused, she will "reflect upon the evils she has brought" to her son's kingdom (Klaus 2020, 380).

Conclusion

In conclusion, the Mazarinades of the mid-seventeenth century reveal anxiety around female leadership in France. Although the kingdom had a tradition of female regency, during the unrest of the Fronde these concerns took on a new political meaning. Indeed, it was widely felt that Anne of Austria's role as regent without a regency council unnaturally inverted the pre-existing beliefs in female inferiority to men. Pamphleteers concurred with these beliefs. In their eyes, Anne was too passionate to rule well, like many historical women before her. Subsequently, they saw her as a disordering figure in the French government. Some Mazarinades tried to deflect the responsibility from Anne's person by using a language of enchantment. The discord was not Anne's fault but that of Mazarin, the Prime Minister who possessed her. These depictions, however, shared the belief in her passionate nature. Such sentiments even crossed faction lines, with opponents of the Frondeurs also viewing the queen as a hot-tempered and disordering figure in need of male supervision. In the end, the pamphleteers urged for a restoration of a familiar balance where Anne was no longer a public figure. That is, they encouraged a retreat from public life. Authors pressed for a return of the status quo, where a man was in control of the government, where a queen lived away from the public eye, and where a king could fulfill his own body politic.

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Alcoholism in Communist Poland:

How Regime and Alcohol Interact

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ABSTRACT: In communist Poland, while the state took care of the basic needs of its people, there was a widespread social issue plaguing society: alcoholism. Alcoholism was an increasing issue from the period of destalinization, to the Solidarity movement and over time, sobriety became a symbol of resistance under a regime that relied on the vodka industry as the most important source of domestic revenue. By analyzing the high levels of consumption, the consequences, and the response from the state, church, and union, I analyze the political nature of alcoholism in Poland. To highlight the role ideology played, I also compare the social responses and methods of treatment in state socialism, to those in Western democratic countries. From this, an image begins to emerge of how alcoholism interacted with the regime and feelings of mass disenchantment. While it is yet to be seen if communist regimes directly impacted people's drinking habits, the Polish communist government certainly allowed the health and wellness of its citizens to come second. Further research into the dynamics of alcoholism in other Eastern European communist countries such as Hungary and Czechoslovakia could further develop an understanding of this complicated relationship between alcohol and communism. This topic of study remains important as the intergenerational dynamics for the families who lived under this system remain; looking at alcoholism under this regime can help us understand these ongoing social relations.

KEYWORDS: Addiction, alcoholism, communism, Eastern Europe, Poland, solidarity, sobriety

The treatment of those who are the worst off in a society can tell us a great deal about the society itself. While state-socialist countries in Eastern Europe did not experience social issues like unemployment or homelessness, there was a social problem lurking beneath the surface that was impacting the masses in a very real way: alcoholism. For the most part, the state took care of the basic needs of people through expansive social services, yet heavy drinking was an increasingly large issue. It was different from the kind of addiction we see in capitalist countries, where those who are afflicted tend to be those who have fallen through the cracks in society. Was alcoholism in these state-socialist countries a remnant of the capitalist era, or was it a sign of mass disenchantment with state socialism itself? The communist regime stood idly by for decades as the problem of alcoholism grew worse, and this contributed to the politicization of the problem. By looking at the dominance of heavy drinking in Poland during this period and the responses of the Polish communist government and other social institutions, we can see the political nature of the issue. To highlight the role ideology played, I will also compare the social responses and methods of treatment in state socialism to those in Western democratic countries.

Consumption and Consequences

It is difficult to get a clear understanding of the scope of alcohol abuse in Eastern European state socialism because statistics only account for legal consumption ("The Problem of Alcoholism in Poland" 1972). In Poland, these statistics do not include the "large amounts of alcohol systematically stolen from their factories" nor do they include "illicitly distilled moonshine, which [was] produced on a larger scale, especially in rural districts" ("The Problem of Alcoholism in Poland" 1972, 7). In 1950, 4.2 litres of pure alcohol were legally consumed per capita, by those aged 15 and older, and that number rose fairly steadily, peaking at 11.1 litres in 1980 (Gorsky et al. 2010, 2061). While these numbers reflect typical consumption for Europe, the way Poles consumed alcohol was heavy drinking in one sitting — as opposed to the French tradition of drinking wine daily at dinner ("The Problem of Alcoholism in Poland" 1972, 7). Culturally, Poland is part of a Northern European drinking tradition that involves the consumption of primarily hard spirits and is characterized by "irregular binge drinking episodes (e.g., during weekends and at festivities), and the acceptance of drunkenness in public" (Popova et al. 2007, 466).

The legal consumption statistics clearly do not tell the whole story, but nevertheless, they demonstrate that consumption was on the rise throughout the communist rule. There were efforts to reduce alcohol consumption even during the early communist years, but they were to little avail. By the early 1980s, a lot had changed — the Solidarity movement was in full swing — but the growing problem of alcoholism remained. In midst of political turmoil, all of Poland's major political forces were conducting campaigns in an attempt to tackle the issue; the Roman Catholic Church, the communist government, and the Solidarity trade union each knew that alcoholism had become a major social problem for Poland (Smith 1982; Kaufman 1984).

The problem of alcoholism was evident in many aspects of life — from the bar, to the workplace, to crime. While going to work drunk was against the law, this was not strictly enforced. In order to meet quotas and stay on schedule, managers could not afford to dismiss people, and oftentimes "the foreman himself [drank] with the worker" (as cited in "The Problem of Alcoholism in Poland" 1972, 21). There was a tradition of drinking at work that left "hundreds of empty bottles" to be carried away by night watchmen for a refund (21). Despite being so widespread, workplace drinking was a concern; between 11 and 18% of workplace accidents in 1969 were due to drinking according to the Chief Inspectorate for the Protection of Labor of the Central Council of the Trade Unions (22). Additionally, it was estimated that the same year that 20 million workdays were lost due to absenteeism as a result of excessive drinking (22). Data from a 1978 study from the Ministry of Labor Wages and Social Affairs reported that one in 39 employees was working drunk and one in 26 public transit workers was driving their vehicle drunk ("Situation Report" 1978, 6; Chase 1985, 423).

Chase (1985) found that in the southeastern rural area of Poland the state-owned restauracja was a popular drinking spot not only for factory workers, but also for truck drivers passing through. These drivers "drank in spite of severe penalties in the

form of cash payments (500 zlotys) and immediate loss of license" (417). Many Poles were caught driving under the influence and "many of them were drivers of trucks and of public transport buses" (as cited in "The Problem of Alcoholism in Poland" 1972, 34). As opposed to looking at statistics on consumption alone, these examples are perhaps more useful for understanding how widespread the problem of alcoholism was. The problem was real for the people who lived in Poland at this time, and while many wanted drastic action to address the issue, that action never seemed to come.

The Social and Cultural Conditions of Alcohol Abuse

Kerr (1978) highlights that alcohol abuse often starts with drinking to "counter depressions" or to cope with fear and "existentialist Angst" — meaning that one's environment does play a role (182). Working conditions for many in communist Poland were not conducive to sobriety. When faced with a bleak or uncertain future, one is more compelled to drink. Henryk Korotynski suggested that people had little incentive to get clean because of these social conditions:

> why should one make an effort, since it is well known that honest work does not pay, that managerial positions are staffed with yes men who have "connections" with the higher authorities, since personal and organizational talent only counts if you have a party membership (as cited in "The Problem of Alcoholism in Poland" 1972, 2-3).

People perceived alcoholism as being directly related to their social circumstances and their disenchantment with the system they were living in. Of course, the idea that there could be alienation in a workers' state and that it contributed to drinking habits was fiercely opposed by Eastern European regimes; but in private, affected individuals were more likely to say differently (3).

Cultural drinking practices interacted with the way people felt about their own social situation in the communist regime. In Chase's (1985) ethnographic study, he got first-hand accounts of the culture of drinking in rural Poland, during this time, which highlights the nature of how and why Poles got drunk. A great deal of the discussed dynamics surrounding alcohol can be exemplified through the story of a trip to the bar:

> Working class men are generally served in a large room of the hotel which they call the chaupa. It is usually enveloped in a screen of smoke, which incidentally, makes it somewhat easier to mask the quick replenishing of one's kieliszek with illicit, home brew or cheaper store-purchased alcohol hidden under the table. Fines in the amount of 5,000 zlotys could be extracted for such an offence; the guilty were rarely reported for in a system where favours are rendered for favours, waitresses were bribed to keep silent (418).

Chase explains that in this town, waitresses and innkeepers were motivated to sell as much alcohol as possible through receiving commissions, that stores often had a greater stock of alcohol than food, and that illegal homemade alcohol was widespread (417-23). Culturally, there was a belief that some degree of alcohol was healthy, but people also recognized alcohol was serving as an escape — particularly for young men who worked in the local factories or mines. For many, drinking was thought to serve as "a cushion not only against the hazards of bitter winter weather but also as a palliative for political and economic oppression" (421). Poles were somewhat culturally sympathetic to drinking and also lived in a system where alcohol was always readily available, even encouraged, and this contributed to a culture of drinking as an escape.

Alcoholism as an Industry and State Responses

At the centre of the Polish alcoholism problem was a glaring irony: the state's most important source of domestic revenue was vodka (Kaufman 1984). Vodka was a huge industry in Poland that employed 40,000 people and accounted for 10% of state revenue in the 1970s (Smith 1982, 99). The state not only had a monopoly over alcohol production but also controlled the anti-drinking lobby (Gorsky et al. 2010, 2060). As a result, the health of the population was not a strong consideration in alcohol policy. Commercial interests and the reliance on alcohol for economic stability were what

guided the decision-making of the state. Gorsky et al. (2010) point out that this situation "embodied a fundamental contradiction" in that for the regime, "[e]xcessive drinking must be curbed because it transgressed the ideals of socialist citizenship, yet the production and consumption of alcohol must be encouraged because it was fundamental to the socialist economy" (2067). Little alcohol was imported or exported. Since most of the alcohol produced in Poland was also consumed there, production and consumption were in a direct relationship (Smith 1982, 99). The state was a mass enabler for the addiction of citizens and also responsible for addressing and treating addiction (Smith 1982). The result was that for most of the years leading up to the Solidarity movement, little action was taken.

Before Solidarity, the state was aware of the problem of alcoholism and did take modest action to combat it (Gorsky et al. 2010; Smith 1982). A 1959 anti-alcoholic bill gave the people's councils the responsibility of managing the funds allocated to addressing alcoholism, which was raised through surcharges on bottles ("The Problem of Alcoholism in Poland" 1972, 12). However, the bill only required 10% of the funds to be used on fighting alcoholism and the councils failed to meet that number, coming in at closer to 7% (13). It was often quite mysterious where the remaining funds ended up, and with little accountability, there was paradoxically even a case of the funds being used to build a new bar (Kerr 1978, 191; "The Problem of Alcoholism in Poland" 1972, 11).

There were 9 respective increases in the price of alcohol in the 25 years between 1950 and 1975, "each time leading to a temporary moderation in the increase in consumption" (Smith 1982, 99). According to the June 1978 Polish "Situation Report" from Radio Free Europe, in 1974, the cost of alcohol increased by an average of 25% and again by that number in 1978 (3). The "Situation Report" from later that year in October, said that it was "common knowledge" that the price increases had no effect, and that consumption was still rising (1978, 7). An "action program" was created that same year by the Sejm deputies as reported by a lawyer's journal but there was little attention paid to it, as even the existing regulations were not enforced (7). The October "Situation Report" noted, "as things now

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stand, virtually nobody is legally responsible for putting existing regulations into actual practice". The action taken by the state consisted of empty words, stolen funds, and plans that everyone knew would never come to fruition.

The communist government in Poland consistently used propaganda posters to spread an anti-alcohol message to the people, while simultaneously failing to take meaningful action (Gorsky et al. 2010). Anti-alcohol posters changed in style as time went by (2061). They fit the socialist realism style during the Stalinist years, then took on more macabre styles that rejected realism during de-Stalinization (2061). Regardless of style, however, a common theme in the posters was labelling alcoholics as social deviants and not as people in need of medical intervention. "Government anti-alcohol strategies were geared to containing disorder" and the discourse in these posters served the state in that they "legitimized a policy with little capacity for medical or self-help responses" (2064). Posters showed alcoholics as freeloaders who were not contributing to society, as deviants who were eroding traditional institutions, or as a deadly risk to society. One poster from 1952 depicts a drunk man lying on the street as his comrades yell at him "Stop Drinking! Come With Us and Build a Better Tomorrow" (2064). Another from 1984 has no words, only a noose in the shape of a bottle against a black background (2066).

Despite these government messages, alcohol was always readily available; while the "economy consistently failed to meet the appetite for consumer goods, drinking remained comparatively cheap and easily available" (2064). It was the only commodity which was easily accessible to everyone in society and few alternative quality goods — like coffee, tea, candy, and cultural items — could be purchased as inexpensively as a bottle of vodka ("The Problem of Alcoholism in Poland" 1972, 30). In the years before Solidarity, production was never reduced, and cost remained relatively low (Chase 1985; Smith 1982). While the communist government appeared concerned with the issue through the anti-alcohol campaign, there was no meaningful action taken that would disrupt economic interests.

Alternative Responses: Church and Trade Union

This contradiction was no secret, and once the Solidarity movement permitted a greater degree of liberalization, people were emboldened to point it out, as "[p]eople who hadn't been allowed to speak their minds for thirty-five years had suddenly come unstopped" (as cited in Zimny 2000, 30). Solidarity encouraged Poles to be "Sober, Prudent and Strong" and was unafraid to point out this state hypocrisy (Kaufman 1984). Starting in the Lenin shipyards in Gdansk in 1980, Solidarity had a policy of prohibition where the selling of alcohol was banned (Smith 1982, 98). This policy was extended to other strikes that were emerging across the country, and campaigning against alcoholism was a recurring theme for the movement as a whole (Kaufman 1984; Smith 1982).

On the surface, this anti-alcohol sentiment was about the nation's health, but it was also a boycott of state vodka, recognizing the covert political nature of alcohol in Poland. Solidarity openly stated what many believed to be true about the state, vodka, and the growing problem of alcoholism. This is exemplified by the following Solidarity commission appeal:

> The totalitarian Government aims at a complete subjugation of all people… Promotion of alcoholism is a very effective method whereby this aim can be attained. We have to counter it…We can continue fighting only if we are sober, prudent and strong (Kaufman 1984).

Smith (1982) argues that the common belief within the movement that alcohol was used to suppress the people was justified with three pieces of evidence: despite shortages of most other consumer goods alcohol was always available in the country; Poland's alcohol problems were censored up until 1976; and, lastly, the government enabled the operation of many more retail outlets than legally allowed (100). People knew that vodka was an important industry for the government and that in addition to economic benefits, the nation's alcohol problem had political benefits for the state as well.

The church has always played a strong role in Poland as the nation is overwhelmingly Catholic — in spite of the rise and fall of communism. During the communist years, church officials consistently expressed concern about growing alcohol abuse;

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but, they were limited in that they were "denied the right to any form of organized social work" ("Situation Report" 1978, 7). However, this period also saw the relationship between church and state grow more friendly; the church was consulted on "ethical and spiritual matters" and was given permission to establish "anti-alcoholic circles" (7). Eventually, however, the church sided with Solidarity in the 1980s and sponsored the boycott of vodka in 1984 after the imposition of martial law (Kaufman 1984). A letter from Bishop Jan Mazur of Siedlce — the head of one of the antiliquor committees — called alcoholism a threat both in moral and biological terms (Kaufman 1984). During this time, the church took a political stance against the oppressive regime and did not look back, as demonstrated by another passage of this letter: "[n]o Christian and no Pole should drink alcohol this month, buy it or serve it. And let every drunk in this month be a reminder of the yoke of occupation and a symbol of those who oppressed, persecuted and exploited us at any given time" (Kaufman 1984). In Poland specifically, the role of the church cannot be underestimated: while it lacked power in the political sense, it held significant sway over the population and its position on alcohol and the Solidarity movement was highly influential.

The government responded to this developing narrative in Solidarity with a more radical alcohol policy of its own. In 1981, under General Jaruzelski, alcohol outlets were reduced from roughly 50, 000 to 30, 000, production was lowered by 20-30%, and prices went up by 50% for vodka in March of that year (Smith 1982, 100). However, Smith points out that the state was already struggling with production due to conflict with potato farmers. Additionally, in a state with many alcohol-dependent people, alcohol was highly sought after — no matter the price. Everyone panic-bought, and alcohol was soon rationed: half a litre of vodka monthly (100).

Smith notes that while there are no official statistics, doctors during this time told him that poison units were busy dealing "with alcoholics who had been drinking antifreeze or whatever came to hand" (100). The state taking drastic action had real implications. Many were addicted to alcohol and having their habit severely restricted for the first time, without any supports, was untenable. In light of the accusations of Solidarity, the state's legitimacy was questioned and there was a need for a firm approach (100). Alcoholism served as a symbol of societal decay that peaked during this time in what was a "struggle for moral superiority between trade union and state" (Gorsky et al. 2010, 2061). In December of 1981 Martial law was imposed in Poland and "[w]ithin 24 hours of taking over Poland…the Military Council of National Salvation imposed a ban on the sale of alcohol" (Smith 1982, 98). The Solidarity trade union was forced underground where it would operate until the collapse of the regime (Zimny 2000).

Addiction Narratives and Treatment Across East and West

Looking at differences in treatment between the Eastern bloc countries and the West can be helpful in identifying how ideology underpinned the way people thought about addiction. Rouse and Unnithan (1993) argue that in the United States, alcoholics are defined against a Protestant work ethic, and in the Soviet Union, against a proletarian ethic; but in both systems "alcoholics are defined as unproductive in the political-economic system" (213). Being an alcoholic under a communist regime, one is cast as a social deviant whose behaviour is not compatible with the "socialist way of life" (219). Under capitalism, the alcoholic "fails to answer the moral calling of work and 'honest effort'" (220).

The way that alcoholics were treated in these respective systems, also diverged. Under communism, a more medical, dehumanized approach was taken that focused on behaviour (217). The Soviets treated alcoholics with state-paid doctors and "aversion therapy along with the drug disulfiram (Antabuse) and mild shock treatments were common" (218). In the United States, treatment for alcoholics has been primarily performed through social work and by psychologists (219). Under this model, a more moralistic approach is taken where alcoholism is seen more as a personal moral failing that one must overcome. Moralistic and medical approaches were taken in both systems but, generally speaking, this was a point of distinction. The prevalence of alcoholism was far higher in the Soviet Union than it was in Poland and there is no available English literature on aversion therapy being used in Poland (Popova et al. 2007). Nevertheless, this comparison between the United States and the Soviet Union says something about how addiction is thought of in

different ways under capitalism and communism — but addicts are thought of in broadly similar ways. Poland had its own obstacles to treatment as there was a severe shortage of beds in treatment centres and an insufficient number of centres in general ("The Problem of Alcoholism in Poland" 1972, 26). According to the Department of Preventative Medicine and Treatment in habit-breaking centres, there were "only 1,500 beds available for the 5,000 people in need of mandatory treatment" (as cited in "The Problem of Alcoholism in Poland" 1972, 26). A problem associated with this shortage was the period of treatment being shortened (27). Doctors were also insufficiently trained on how to treat alcoholics, and there was a need for more social service workers to address the social conditions of drinking (27).

There was a large demand for treatment options and Alcoholics Anonymous (A.A.) emerged in Poland to fill that gap. A.A. turned up in Poland in Pozan in the 1950-60s and in Warsaw in the 1980s. Rouse and Unnithan (1993) suggest that the American addiction treatment system was not incompatible or overly foreign. A.A. works rather well under both capitalism and communism; while it is rooted in Protestantism and relies on appeals to a higher power, this could instead be the "principles of socialism" as A.A. actually uses camaraderie and collective, mutual forms of help (221). Nevertheless, the communist government did not see it this way and censored the Polish translation of the 12-step program from being published in a magazine in 1957 (Jannasz 2018, 9). For the state, A.A. was "an idea imported from America, which the Communist authorities believed was hard to control" (9). A.A. eventually did, however, begin rapid expansion in the 1980s as "[e]veryone was looking for an effective way to get rid of the habit" (7). It was no coincidence that the major turning points in Polish A.A. history in 1957 and 1980 corresponded with general Polish history: the 1956 thaw and the 1980 visit of John Paul II and the beginnings of Solidarity (10). People saw these historical political disturbances and the repeated failure of the government to address the problem of alcoholism and were emboldened to take the matter into their own hands.

Conclusion

In Poland during the formative years of communism, alcoholism steadily rose while little was done to adequately address it. In this case, the communist government certainly was complacent and allowed the health of its own people to come second. Furthermore, the government profited from enabling this mass addiction. By creating an economy reliant on vodka production for domestic consumption, the Polish government was able to generate significant revenue while benefiting from huge portions of the population being pacified and disengaged through alcohol. The state policies for treatment and prevention were also ineffective and insufficient. Taken together, these factors leave the communist regime in Poland as not only a bystander of the problem, but a perpetrator and part of the problem itself.

The way communist regimes impacted people's drinking habits, however, remains to be fully seen. Promising research is being done: a study from Malisauskaite and Klein (2018), for example, found a statistically significant connection between exposure to communism and binge drinking for men. Potential topics for further study could shed light on this such as examining if alcoholism shifted with the change of regime and how democratization influenced Poland's alcohol problem. Additionally, further comparative analysis of other Eastern European countries would be of value as many of them such as Hungary and Czechoslovakia also had very high rates of alcohol consumption (Popova et al. 2007). While the events of this story happened over 50 years ago, they are still relevant today. Communism created intergenerational dynamics for the families and societies that remain; by studying alcoholism during the period, we can better understand these ongoing social relations.

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Artist: Kane Pendry
Year: 2nd Year

An Affinity for Wagner, Michelangelo, & Sadistic Torture:

The Implicit Homosexuality of Captain Munsey in Jules Dassin's Brute Force

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Discipline: Film Studies

ABSTRACT: Known for its transgressive narratives and anti-hero characters, film noir is an American film cycle that dominated the box office in the 1940s and 50s. At the time, homosexuality was banned from American cinema under the Production Code, yet film noir still managed to offer subtle and implicit representations of homosexuality. The sadistic prison guard in Jules Dassin's Brute Force (1947), Captain Munsey, is one such example and the film uses many signifiers to suggest his homosexuality. The implications that such a reading has on the narrative of the film are immense, and this paper merely scratches the surface of possible interpretations. Despite film noir offering some of the earliest portrayals of homosexuality in American cinema, scholarship on representations of homosexuality in film noir is few and far between. By revisiting Brute Force and examining how it manages to queercode Captain Munsey under the restraints of the Production Code, this paper seeks to spark new conversation among film scholars regarding homosexuality in film noir, and more broadly, films made under the Production Code. Moreover, the discourse surrounding representations of LGBTQ characters in American cinema has become increasingly mainstream, and by revisiting films from the past and analyzing them from a modern perspective, scholars can seek to gain new insight into the history of LGBTQ representation in cinema.

KEYWORDS: American cinema, film noir, homosexuality, homosexuality, LGBTQ+ representation, production code, queercoding

Whether intentional or not, the villain at the center of Jules Dassin's 1947 film Brute Force, Captain Munsey, is implicitly homosexual. In a chilling performance by Hume Cronyn, Munsey delights in blackmailing, punishing, and torturing the inmates of Westgate Penitentiary. Before Munsey even appears on screen, the film captures one of the inmates referring to a fellow inmate who has died as "another dead guy, compliments of Captain Munsey" (00:04:34), implying that death at the hands of Munsey is routine. This penchant for violence and sadistic torture is complicated by the fact that all of Munsey's victims are men. Due to the inherently sexual nature of sadism in film, as theorized by Linda Williams, which typically sees women victimized as a way of appealing to the male gaze (Williams 1991, 6), Munsey's proclivity for victimizing men potentially indicates a repressed homosexual desire. Under the Production Code, a set of censorship guidelines that American studios followed from 1934 to 1968, which banned sexuality, nudity, profanity, interracial relations, and violence—among other things—homosexuality was classified under the coded term "sexual perversion" (Noriega 1990, 22) and was heavily censored. Despite this, gay tropes and stereotypes were often used to mark characters, typically villains, as especially deviant. While there is a long history of film antagonists being coded as gay or queer, including in film noir (Dyer 1977, 18–21), there is an overall lack of academic study around the topic and even less focus on Munsey and Brute Force. Therefore, this essay will explore which specific signifiers the film uses to indicate that Munsey is a homosexual, including body language, costuming, and the use of Wagner's Tannhaüser and Michelangelo's "The Rebellious Slave." This essay will also explore the implications of such a reading on the larger narrative in relation to the depiction of homosocial bonds in predominantly masculine environments; the threats homosexuality purportedly poses to hegemonic masculinity; the link between queercoding and Nazi-coding; and how such depictions of villainous characters as homosexual deviants inherently harm the queer community.

What Makes Munsey Gay?

While there is no direct mention of Munsey's sexuality in the film, the mise-en-scene and characterization suggest that Munsey could be a homosexual, albeit a repressed one. His effeminate way of speaking, in a high and nasal tone with a softness that feels almost tender or loving, is a common stereotype associated with gay men. Furthermore, his small stature and scrawny frame put him in direct opposition to the inmates, particularly the protagonist, played by Burt Lancaster, who has a muscular frame and taller stature and symbolizes traditional masculinity (see fig. 1 and 2).

Munsey's way of dressing is another signifier of his sexuality. While he wears a uniform similar to the rest of the prison guards, Munsey always looks impeccably put together, with precisely creased fatigues and a perfectly placed hat. Munsey does not wear a wedding ring, and while this alone does not indicate that he is gay, it is odd for a man of his status and age to be unmarried, especially in the 1940s. The lack of a female significant other in his life—or of any other family or close friends—is confirmed later in the film inside Munsey's office, where the only photograph seen hanging is one of himself. Not only does this support a reading of Munsey as alienated and alone, but it could be suggestive of how "during the twentieth century, He never married was a code phrase used by obituary writers in the UK to signify that the deceased had been gay" (Stollznow 2020, 105).

Munsey's body language is also suggestive of popular gay stereotypes, as he is often seen lounging in chairs with his legs crossed in a feminine manner (see fig. 3). He is also quite comfortable with laying his hands on the inmates, and not just for violent purposes. In the dining hall, he gently places his hand on the shoulder of an inmate who is sick (see fig. 4) and later, leans in

Figures 1 and 2. Examples of the physical difference between Cronyn and Lancaster. (Brute Force, directed by Jules Dassin, 1947, 00:05:11 and 00:06:10.)

close to Gallagher while speaking with him. When he visits Lister in his cell near the middle of the film, he sits close to him and brushes his hand as he reaches for his mail (see fig. 5). While these can be read as intimidation tactics, it is unclear why Munsey would need to resort to this since he already holds power over these men, as demonstrated by the entire room falling silent when he enters the dining hall. Therefore, it appears that Munsey is actively choosing to be physically close to the men; this choice can be read as another implication of his desire for men, with touch and closeness standing in as an outlet for that desire.

Figures 3. Munsey's impeccable dress and feminine way of lounging in chairs on full display.
(Brute Force, 1947, 01:04:35.)

Figures 4 and 5. Physical contact and closeness with the inmates appears to be no issue for Munsey.
(Brute Force, 1947, 00:10:10 and 00:38:30.)

The Interrogation

Near the end of the film, a particularly homoerotic interrogation scene takes place between Munsey and an inmate, Miller, played by Sam Levene. Filled with homosexual symbolism, it is perhaps the most obvious display of Munsey's homo-sadism, in which violence against men gives him sexual pleasure and can be read as allegorical to a sex scene, where Munsey's homosexual desire is released through violence as opposed to sexuality.

When Munsey is first shown in the interrogation scene, he is partially undressed in an undershirt while polishing his gun. This state of undress is unusual for Munsey, who is typically well put-together, and the suggestive oiling of the phallic object that is his gun is a very provocative image (see fig. 6). The artworks that decorate his office are, upon closer examination, statues and images of nude men. For Munsey to be surrounded by images of naked men while half-undressed and manhandling a phallic object suggests that Munsey is preparing for the interrogation in a sexual way.

The overture to Wagner's Tannhaüser plays throughout the scene, and a shot of the opposite side of the office reveals that the music is coming from a record player (see fig. 7). While some may argue that Dassin's decision to use Tannhaüser functions as a reference to Munsey's Hitler-esque tendencies and dictatorial rule over the prison—Wagner was one of Hitler's favourite composers, and his music was often played at Nazi ceremonies and celebrations (Ticker 2016, 55–66)—Munsey's taste can also be read as a homosexual signifier, as a love of artwork and classical music, especially opera, is a stereotype often associated with gay men. This implication is reinforced considering that Wagner's sexuality is widely disputed due to his years-long affair with the King of Bavaria (Carpenter qtd. in Norton 1998) and that many members of the queer community view Tannhaüser as an allegory for the gay experience (Clarke n.d.). The opera follows the young knight Tannhaüser as he struggles to choose between his lover, Venus, and the sexual ecstasies he has discovered with her, and the sacred, yet chaste, life of knighthood. Choosing Christian knighthood can be read as a decision to remain morally 'pure,' or bound to a life of heterosexuality, while choosing Venus and a life of sexual fulfillment can be read as a decision to live freely as a homosexual. The dilemma of choosing between conformity (heterosexuality) and authenticity (homosexuality) is a common concern for members of the queer community; due to the inclusion of Tannhaüser, one wonders whether Munsey is reckoning with the same internal dilemma. There are further connections between Tannhaüser and homosexuality, as Oscar Wilde discusses Tannhaüser in The Picture of Dorian

Gray. This text is important to the gay community and is itself a text thematically concerned with homosexuality and homosexual desire (Endres 2016, 67–85). In The Picture of Dorian Gray, Wilde uses Tannhaüser as a symbol of gay desire, where the music itself is so powerful that it can stir up even the most hidden of desires within his protagonist. Considering this context, it is clear that Munsey listening to Tannhaüser as he beats Miller arouses his homosexual desires and may even explain why the beating is so brutal, as though he is overwhelmed by the feelings and desires brought up by the music that he takes it out on Miller. Therefore, the use of this specific piece of music, which is strongly connected to homosexuality, is one of the most explicit allusions to Munsey's implicit homosexuality.

Figure 6. Munsey polishes his gun in a suggestive manner, while artwork of nude men adorns his office. (Brute Force, 1947, 1:17:07.)

Figure 7. Michelangelo's The Rebellious Slave on the wall while Wagner's Tannhauser plays on the record player. (Brute Force, 1947, 01:17:30.)

The shot of the record player is also important as it reveals Michelangelo's "The Rebellious Slave," which hangs on the wall above it (see fig. 7). Michelangelo is a gay historical figure, and one of his series of sculptures also known as "Prisoners," which includes "The Rebellious Slave," portrays partially or completely nude men trapped in stone as if trying to free themselves. This series has been read by many as an allegory for attempting to escape the material world and its trappings in favour of pursuing desire ("Michaelangelo's Prisoners"). By having homosexual desires and being unable to act on them, Munsey himself is a kind of Rebellious Slave. He is trapped in a prison of his own making, literally and metaphorically, but yearns for an outlet for his desire. Munsey is the rebellious one because he does find an outlet, albeit a violent one, for his desire.

In the same scene, the guard brings Miller into the office as Munsey washes his hands. Miller is put into a chair close to Munsey's desk and handcuffed with his arms crossed, unable to move freely and forced to face Munsey, who sits uncomfortably close to Miller and speaks gently and softly to him, treating the interrogation more like a seduction than an attempt to procure a confession. When Munsey doesn't get the answer he wants, he backhands Miller, then draws the shades in his office and asks the guard to leave (see fig. 8 and 9). Threatening Miller with a length of rubber hose (another phallic object, like the gun, held near his groin), Munsey asks again for Miller to confess (see fig. 10). When Miller does not answer, Munsey turns up the music and proceeds to beat Miller with the rubber hose. In another context, the demand for privacy, followed by the drawing of the shades and the increase of the volume of the music would have sexual connotations and would precede an offscreen sexual encounter between lovers. Instead, a mostly off-screen sadistic beating takes place. This beating indicates some level of homosexual desire and reinforces the reading of Munsey's sadism as a psychosexual displacement of his repressed homosexual desire.

The scene concludes with Munsey beating Miller nearly unconscious, only to determine that Miller has no information for him. Turning off the music and throwing away the rubber hose with a look of disgust, he calls in the guard to have Miller taken away, and proceeds to wash his hands, an action that may symbolize him

Figures 8 and 9. Munsey draws the shades so he can be alone and up close with the handcuffed Miller. (Brute Force, 1947, 01:18:50 and 01:19:10.)

Figure 10. Munsey and his rubber hose, face to face with Miller. (Brute Force, 1947, 01:20:45.)

washing his hands of his sins, or in other words, purifying himself of the violent expression of his homosexual desire. The film is not shy to admit that Munsey is a sadist—as Dr.Walters says to Munsey at one point in the film: "The more pain you inflict, the more pleasure you get" —and this, alongside many suggestions of homosexuality, is an intentional means of magnifying Munsey's sexual perversion and vileness.

Re-Interpreting the Narrative?

Prison is a predominantly masculine environment, and thus Brute Force is an extremely masculine film. In order to offset the homosexual undertones that are often present in prison and war movies due to the near exclusion of women, the film seeks to emphasize the perverted manifestation of the male-dominated environment through Munsey's sadistic tendencies. Because the men of the prison are often depicted in intimate situations, including sharing their desires and heartaches with each other late at night, undressing in front of one another, and sleeping six to a cell, Munsey's perverted sexuality reduces this homoerotic tension. While it may appear to be the result of the heavy censorship and ban on homosexuality in the Production Code, modern films have also employed such tactics. For example, in Frank Darabont's 1994 film The Shawshank Redemption, the vilest antagonists of the film are a group of gay gangbangers, who pervert the all-male environment of the prison by raping Andy repeatedly; their violent actions make the deep and loving friendship between Andy and Red seem platonic and non-homosexual. In Brute Force, the homosocial bonds are offset by the sexual expression of Captain Munsey's sadistic treatment of the men, freeing the prisoners from perceived homosexuality.

When placed alongside the rugged, physically strong, and traditionally masculine Burt Lancaster, Cronyn's effeminate, slender, and shorter Munsey does not stack up. In addition to his physical shortcomings, Munsey's implied homosexuality amplifies this lack of masculinity. Though his lack of masculine traits does not alone suggest that he is gay, it does reduce his perception as a man by other men, which is concerning in a male-dominated environment like a prison. The emasculate villain is widely used in film noir, as it amplifies the threat posed to traditional society and hegemonic masculinity. As James Naremore (1998) writes, "…classic noir was almost obsessed with sexual perversity. The villains… tend to be homosexual aesthetes… or homosexual Nazi sadists (Brute Force) who threaten the values of a democratic and somewhat proletarian masculinity" (98–99). Munsey's sadistic ruling over the men is not only a sexual outlet, but a way of reasserting his dominance over the traditionally masculine men who threaten his effem-

inate masculinity. Within this interpretation, Munsey's death signifies the killing of the perverted and profane. As Burt Lancaster throws him down to his death while the other prisoners cheer from below, Munsey's murder is the ultimate example of 'proper' homosocial relations, in which the prisoners band together to eliminate the 'evil' homosexual.

James Naremore's (1998) description of Munsey as a "homosexual Nazi sadist" (98–99) supports the strong correlation between the queercoding of villains and the Nazi-coding of villains in film noir and more broadly, American cinema. Despite a lack of academic work on the subject, it can be argued that many American films—from Ralph Fiennes' scrawny, nasal-toned Amon Goethe in Schindler's List to Christoph Waltz's childish, orally-fixated Hans Landa in Inglourious Bastards, and most recently Taika Waititi's sexually ambiguous Hitler in Jojo Rabbit— depict Nazis as effeminate and implicitly homosexual. While Munsey is not a Nazi, his character is Nazi-coded: his authoritarian rule over the prison echoes the fascist Nazi regime; his precise uniform and attention to detail rival the ruthless perfectionism of Adolf Hitler; and his sadism and brutality parallel the cruelty of a Schutzstaffel (SS) officer. Representations of Nazi and Nazi-esque villains as queercoded are inherently problematic, especially for members of the queer community, though the consequences of such depictions have yet to be determined.

Conclusion

While Munsey may not be intentionally homosexual, it is hard to ignore the many gay signifiers throughout the film. In Production Code films, those who are not 'morally pure' are killed at some point in the narrative to punish them for their sins; Munsey's death continues this pattern, and his death is necessary to punish the homosexual for his 'sins.' It is not difficult to imagine that Dassin imbued Munsey with gay qualities to further pervert his character and make him a more effective villain. Representations of queer characters as villainous and sexually and morally perverse are incredibly harmful to the queer community and highlight the undercurrent of homophobia still prevalent in Hollywood films. While it may be argued that bad representation is better than no representation, why is it that when filmmakers want to make a villain even more deviant, they often employ gay stereotypes? This is just one of many questions that require further exploration within the study of queercoding in cinema. While there are few sources that cite Munsey as an implicitly gay character, it is important to remember the censorship of the era required filmmakers to be extremely subtle. As Richard Dyer writes in his paper "Homosexuality and Film Noir," "[s]ome of the first widely available images of homosexuality in our time were those provided by the American film noir" (Dyer 1977, 18). The implications of Dyer's statement—that the first commercially available images of homosexuality were also depictions of perversion and immorality—have immense potential for study by other film scholars. With the aid of a modern lens and a close analysis of Captain Munsey, it is my greatest hope that this paper will reignite the conversation surrounding the representation of homosexuality in film noir under the Production Code and the effect such representations have had on the queer community.

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Year: 3nd Year

Reproducing Colonial Ideologies in Decolonization:

Reading Masculinity in James Cameron's Avatar

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ABSTRACT: Though James Cameron's 2009 box office sensation Avatar overtly criticizes colonial capitalism, its conventional masculinist narrative reproduces ideologies that support colonialism. This essay analyzes the film using several post-colonial theorists to display its inability to engage in anti-colonial critique. In doing so, I outline the importance of considering the complexity of gender in the literature that addresses colonial violence. Building upon the work of other scholars who have examined representations of gender in Avatar, this paper specifically addresses the masculinity of the protagonist, Jake Sully. Initially, I employ the work of Edward Said and Ann Laura Stoler to consider how the film reinscribes a stereotypical gender binary in its depiction of colonial contact between humans and the Na'vi, thereby negating the intricate relationship between gender and colonialism. The paper then shifts to focus on the anti-colonial efforts of the Na'vi led by Jake in his Avatar body. Frantz Fanon and others assist in defining Avatar's problematic appropriation of decolonization into Jake's masculinity complex. This analysis determines that for creative works to consider colonial violence without contributing to it, they must avoid replicating dominating masculinity tropes formed within the contexts of colonialism.

KEYWORDS: Avatar, colonialism, masculinity, Post-Colonial Theory

James Cameron's 2009 film Avatar problematically reproduces, without critical engagement, romanticized heteronormative gender roles. Scholars who have written about the significance of gender roles in Avatar often discuss the implications of gender roles in colonial discourse, but usually in ways that support feminist analyses of the text rather than centrally engaging the relationship between sexual politics, masculinity, and colonialism. In "Hegemonic Masculinity and Tropes of Domination: An Ecofeminist Analysis of James Cameron's 2009 Film Avatar," Lydia Rose and Teresa M. Bartoli outline the ways the film reproduces masculine stereotypes. The authors consider the relationship between racial and gender identity formation by outlining the representations of the feminized "other" and masculinized colonialists. Jennifer P. Nesbitt similarly guides her analysis of Dr. Grace Augustine (Sigourney Weaver) in "Deactivating Feminism: Sigourney Weaver, James Cameron, and Avatar" through a feminist lens. This essay provides significant engagement with post-colonial scholars, focusing on how Avatar replicates feminist texts that contribute to colonial violence by relying on "white heteronormative standards" (Nesbitt 22). In this paper, I will expand upon the critiques of stereotypical gender roles in Avatar that these authors provide by analyzing how the film's depiction of masculine dominance re-inscribes colonial ideologies. By studying the text in this way, I will outline the relationship between heteronormative gender roles and colonialist discourse and identify the need for creative texts to engage in this relationship when critiquing colonialism. The film attempts to develop an anti-colonial narrative by highlighting the devastation of extractive capitalism but fails to acknowledge the significance of sexual politics in colonialism. Utilizing Edward Said's theories about the ideological conditions that support and develop alongside colonialism and Ann Laura Stoler's descriptions of sexual politics in colonial relationships, I will examine the representation of the protagonist Jake Sully's (Same Worthington) masculinity in the film. Due to the depiction of stereotypical gender roles which re-produce colonial distinctions of difference, Jake Sully is rendered useless to the colonial cause in his human body because he is unable to assert militarized masculine dominance as he uses a wheelchair. He becomes useful to the colonizers when he gains knowledge by exerting virility in a Na'vi body, but because he is only able to assert masculinity in the Avatar, he abandons the colonial cause and leads the revolution. Drawing on Frantz Fanon and others, I will conclude my analysis by detailing the film's perpetuation of colonial relationships in its depiction of decolonization. Because hegemonic gender roles that are implicated in colonial ideologies are central to the plot, the film is unable to sufficiently address colonial violence. Instead, the film appropriates decolonization as an opportunity for a white man to re-assert his masculine dominance.

Jake's impotence in the society of the colonizers exemplifies the film's superficial adaptation of colonial ideologies that distinguish an inherent difference between colonizer and colonized into a stereotypical gender binary. In his seminal text Orientalism, Edward Said claims that "to have such knowledge of such a thing is to dominate it, to have authority over it" (32). The colonial knowledge of the subjugated group that Said is referencing consists of a notion of distinction between us and them, the colonizer and the colonized. It also entails a fabricated justification for the colonizer to dominate the colonized because the former is able to survey the latter and determine what is supposedly best for them. The scientists on Pandora led by Dr. Grace Augustine primarily produce knowledge about the Na'vi. However, they are not explicitly associated with domination over the territory as Said would suggest they should be due to their efforts to systemize information about the planet (which is notably funded by the Resource Development Agency for the purpose of more efficient capital extraction). Domination is instead aligned with the military presence on Pandora, led by Colonel Miles Quaritch (Stephen Lang) and overseen by the head of the Resource Development Agency, Parker Selfridge (Giovanni Ribisi). The divide between the two groups becomes evident when Jake, who is not a scientist or able to serve in the military, causes an argument between Grace and Parker (00:12:28-00:14:00). Parker's gesture to "this little rock" of unobtanium attempts to center the film's critique on destructive capitalism, posing the biological scientists as allies with the Na'vi people because of their similar respect for and desire to protect the natural environment. However, the division between the feminized scientists (who are represented by the female Dr. Augustine and aligned with the Na'vi and their goddess Eywa), and the masculine military based on gender stereotypes highlights the text's superficial engagement with colonial discourse. In Carnal Knowledge and Imperial Power, Ann Laura Stoler determines that sexuality and gender are centrally embedded in the "overlapping set of discourses that [have] provided the psychological and economic underpinnings for colonial distinctions of difference" (46). Avatar does not engage gender in a critical way that considers its role in colonial discourse as Stoler suggests is necessary. Instead, it appropriates Said's conceptions of colonial notions of difference into a heteronormative gender binary. More than just replicating stereotypical gender roles, by representing Jake as a protagonist, the film champions asserting masculin-

ity as a form of dominance and reinscribes the colonial ideology of one group dominating a subjugated other. Jake is defined by his identity as a veteran who is no longer able to assert his masculinity in his human body. In the colonial space, he is considered to be useless because he cannot assert dominance within the confines of the pre-inscribed gender roles. His only potential use in the colonial cause lies in his ability to inhabit a colonized body and re-assert his virility within it.

As Jake regains his utility for the colonial cause in a colonized body, he perpetuates the colonial ideologies of dominance and masculine performance in the colonized space. When Jake inhabits the Avatar his ignorance of Na'vi culture has not changed, but he is no longer a "moron" as Grace describes him (00:13:06-00:13:10) and is instead called a "baby" (00:38:55-00:39:10). In the Na'vi body he begins the new life he is offered at the beginning of the film (00:02:40-00:03:05), becoming a "White Messiah" who learns the ways of the Na'vi through a sexually mediated relationship with Neytiri (Zoe Saldana). Stoler notes that beyond Said's use of heteronormative gender roles as metaphors for colonialism, sexual relationships between European men and colonized women were direct, material strategies and implementations of colonial violence (44). Jake's military background has aligned him with the human army on Pandora, but he has not yet proven useful to their colonial cause. The knowledge of the Na'vi he gains from his relationship with Neytiri is the only way he becomes valuable to the masculinist military. As Jake exerts his virility in a colonized body, he challenges and undermines the masculine authority of the Na'vi male next in line to be head of the tribe, Tsu'tey (Laz Alonso). This disruption of Na'vi marital practice reflects Gayatri Spivak's notion of "[w]hite men saving brown women from brown men" (93). In this new body, Jake is able to use knowledge as a form of power and domination (which Grace was unable to, because her interactions with the Na'vi were not mediated through sexual relationships). However, the only reason Jake gives information to the Colonel is because the use of his legs, his ability to assert virility in his human body (a more ideal solution than remaining Na'vi), is constantly held over him. He only fully commits to existing in just the Na'vi body once the Colonel and Parker discover that Jake poses a potential revolutionary threat, and he realizes he will never be given his human masculinity back. As this body becomes the only way for Jake to assert his masculine dominance, the "white man's burden" to "save" the colonized through colonial domination, governed by the notion that the colonizers know what is best for the colonized and are inherently superior to them, is inverted into the "white saviour complex." Because Jake knows the Na'vi people but has no potential in the colonial cause, it be-

1 The New York Times columnist David Brooks most notably criticized Avatar using this term, comparing the film to Pocahontas and Dances with Wolves that portray the same problematic narrative structure (Hillis).

2 This is exemplified by the use of only male pronouns in his text: "He is dominated but not domesticated. He is made to feel inferior, but by no means convinced of his inferiority" (Fanon 16). This is not a fault of translation, as in the original French Les Damnés de la Terre, the male pronoun il is repeated: "Il est dominé, mais non domestiqué. Il est infériorisé, mais non convaincu de son infériorité" (Fanon 55).

comes his duty to try and save them from the military attack on Hometree, which would allow him to retain his masculine identity in the Avatar. His involvement in the decolonization rebellion is mediated through this masculinity complex, exerting his own frustrations with impotence in the body of the Na'vi.

The rebellion led by Jake appropriates the violent decolonization that Frantz Fanon deems necessary in The Wretched of the Earth (3) and negates its significance by placing the anti-colonial efforts within a masculinist discourse that perpetuates colonial ideologies. Although the Na'vi people attempt to return the violence that has been committed against them to the colonizers when the humans attack Hometree, their arrows bounce off the phallic human ships, and the Colonel sips coffee in comfort while the Na'vi are engulfed in flames desperately trying to escape this massacre (01:38:00-01:45:00). This occurs while Jake is tied up, unable to help the Na'vi. Once Jake becomes the Toruk Makto and leads the anti-colonial revolution, the attempts to attack the colonizers suddenly become successful turning the domination of the Na'vi by the humans into a violent bloody war (02:11:00-02:32:00). The difference between the two rebellions is Jake. He effectively utilizes what Fanon describes as a continuous tension occurring within the colonial body that has constantly been hunted and brutally dominated (16) to successfully overthrow the rule of the colonizers. However, the tension that Jake releases is not from being hunted, but from his inability to exert masculinity in his human body. While Fanon himself perpetuates masculinist discourse in his theories, his conceptions of the manifestations of violence against the colonized body are useful for analyzing masculinity in Avatar. Fanon claims that the colonized man is "forever dreaming of becoming the persecutor" (16), just as Jake's Avatar life initially feels as if it is a dream. However, the idealized masculine role he is able to exert in that body transforms this dream into his reality. To use the grotesque metaphor for the brutalizing of the colonist put forth by George Orwell in his autobiographical essay "Shooting an Elephant," "He wears a mask, and his face grows to fit it" (34). Jake's face grows to fit the mask of an anti-colonial revolutionary because the binary between colonized and colonizer is problematically reproduced as a heteronormative gender binary. The feminized Na'vi and their land are exploited and oppressed by the masculine human military, and they can only be saved by a white man who is utilizing their anti-colonial rebellion to act out his own masculine fantasies. Jake does not face the same violence as a colonized individual and highlighting the rediscovery of his masculinity not only dismisses the violence that has been and continues to be committed against colonized men, but completely negates the subaltern women in colonial societies. The problematic appropriation of the decolonization narrative bars the film from engaging in any comprehensive or well-considered colonial critique. As Kevin Ochieng Okoth underlines in "Decolonization and its Discontents: Rethinking the Cycle of National Liberation," decolonization cannot occur under the circumstances, including binary hegemonic gender relationships and masculine dominance, created by colonialism (22).

Several scholars have noted that the generic romanticized narrative in Avatar, which is hinged upon stereotypical gender binaries, has allowed the film to be easily accessible to a broad audience. As this essay has argued, Avatar's replication of a colonial fantasy presented as an anti-colonial critique does not truly suggest any departure from colonial ideals. The question becomes, how can creative works put this idealized colonial ideology of masculine domination critically into conversation with the continuous material realities of colonial violence that disproportionately affects colonized women? The work of Gayatri Spivak, who considers the complexities of gender politics in colonialism and how the subaltern may find a voice in this discourse, could prove useful in conceptualizing how these narratives can be considered together in literature. However, Avatar simply appropriates this masculine fantasy that enables and is complicit in colonial violence. The film clearly demonstrates that focusing on ecocritical perspectives of extractive capitalism without considering the complexities of relationships established in a colonial context cannot provide an adequate critique of colonialism.

3 See Ken Hillis, Thomas Elsaesser, and Silvia Martínez Falquina.

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The Diseuse's Performativity:

Subjectification, Truth, & Essence in Dictee

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ABSTRACT: Theresa Hak Kyung Cha's postmodern autobiographical text Dictee follows the narrating diseuse – a student of dictation and daughter of a Korean exile. Her unfaithful and often disrupted re-narration – through dictation – emerges as Dictee's master-motif, marshalling the motifs of resistance to subjectification and motherhood. By situating the text in theoretical conversations on subjectification, the metaphysics of presence, and performativity, I argue that in her dictation, the diseuse performatively animates memories of – and reunites her mother with – a multiply transformed and divided Korea.

KEYWORDS: Dictee, essence, ideology, literary criticism, metaphysics, performativity, subjectification

I

The narrating "diseuse" (i.e., reciter) – a student of dictation and daughter of a Korean exile – is the central figure of Korean American author Theresa Hak Kyung Cha's postmodern autobiographical text Dictee. Throughout, she fails to faithfully reproduce in her dictation the multiple and often intersecting colonial and nationalist subjectifications (i.e., transformations into ideological subjects) of Korea and its people: by French Catholic missionaries from the nineteenth century, while under Japanese occupation from 1910 to 1945, into the Korean nationalist body during the Korean War from 1950 to 1953, and by the United States upon emigration from and return to a divided Korea (Lowe 1996, 135). Drawing on American studies scholar Lisa Lowe's contention that "unfaithful" dictation is the text's "emblematic topos" (131-132), consolidating such motifs as resistance to subjectification and motherhood, I engage Dictee with theory on subjectification, the metaphysics of presence, and performativity. The diseuse's self-conscious, unfaithful enactment of dictation, in consolidating Dictee's sub-motifs, performatively animates memories of – and reunites her mother with – a multiply transformed and divided Korea.

I will first define, with reference to Lowe, dictation as a means of subjectification and resistance, identifying the diseuse's deviation from the model of dictation as simultaneously exemplifying and complicating Structuralist Marxist philosopher Louis Althusser's interpellation: the process wherein individuals are hailed into subjectivity (Rivkin & Ryan 2004, 701). I use Althusser to explain how the unfaithfully dictating diseuse is determined not only by conflicting ideological hailings, but also in resistance to them. With reference to deconstructionist philosopher Jacques Derrida's critique of the metaphysics of presence, I shift to explain that – because of the trace left by Korea's multiple subjectifications – the diseuse cannot articulate memories from any 'essential' Korea. This culminates in my explanation of how the diseuse's unfaithful dictation performatively reunites her mother with their motherland.

II

Dictation is a pedagogical technique wherein the student renders "an oral example into a written equivalent" (Lowe 1996, 131). By reproducing what is dictated, the student internalizes the lesson, and "all students are iterated and abstracted as uniform, generically equivalent sites of these reproductions" (131). In Dictee, dictation is a "model for other processes through which cultural ideological systems transform individuals into subjects" (135). The diseuse, however, is unfaithful to the model of dictation that requires faithful reproduction: she "recites poorly, stutters, stops, and leaves verbs unconjugated. She fails to imitate

the example and is unfaithful to the original" (132). Lowe notices that the text's opening dictation exercise – which alludes to early-nineteenth-century French Catholic missionary activity in Korea – features two significant deviations from the model of dictation: first, the diseuse, rather than reproducing the French oral example verbatim, translates it into English, marking herself as "unevenly 'dictated'" by colonial languages (Cha 2001, 1; Lowe 1996, 133). Also, rather than obeying punctuation rules, the diseuse writes out the grammar commands, rendering "explicit the disciplinary artifice of the dictation," thus indicating a "'failed' subjection" (Lowe 1996, 133). Deviating from the model of dictation to repudiate subjectification – of herself, her mother, and of Korea – is, indeed, one of Dictee's central motifs.

Ideology, for Louis Althusser, is constituted materially in its subjects via interpellation – his conceptualization of subjectification – whereby subjects, upon hailing, "are inserted into practices governed by the rituals of [Ideological State Apparatuses or ISAs]" (Althusser 1970, 701). Good subjects misrecognize the ideology into which they have been interpellated as the real state of affairs, "working by themselves" within the regulations of ISAs (701). Conversely, subjects who are not adequately interpellated – "bad subjects" – may be sanctioned by the "repressive State apparatus" (701). In Dictee, the diseuse's articulation of colonial, nationalist, and foreign instances of subjectification can be read simultaneously as Althusserian interpellation and unfaithful dictation (Lowe 1996, 139; 145). For example, in "Calliope/Epic Poetry," the diseuse retrospectively re-narrates to her mother her colonial subjectification following the 1910 occupation of Korea by Japan. At the same time, the dictation throughout the section is littered not only with sentence fragments, run-ons, and gaps within words, but also uses the forbidden Korean

word for "heart" – "Mah-uhm" – five times (Cha 2011, 45-46). In Japanese-occupied Korea, speaking Korean was forbidden, so in the diseuse's unfaithful dictation of Japanese colonialism, she constructs for her mother a "fragmented and indirect" relationship with the "mother tongue" (Lowe 1996, 140). The diseuse's dictation, at once exemplifying and resisting Althusserian interpellation, thus reunites her displaced mother with her language (140).

Though certainly exemplary of interpellation, dictation indicates that resistance to ideological hegemony is more complex than Althusser's notion of nonconforming "bad subjects," and is determined, rather, by conflicting interpellations faced by the subject at a particular time (Lowe 1996, 146-147). Such resistance is demonstrated in the previously discussed dictation exercise, in which the student translates the example into English – another language of domination – rather than the prescribed French. Indeed, throughout Dictee, the diseuse "makes use of her own partial fluencies in English and French to revoice that censoring [of her mother] and to forge a new composite voice" (Lowe 1996, 140). Another instance of an opposing ideology as a site of resistance is found in "Calliope/Epic Poetry," in which the diseuse illustrates her mother's internal recourse to French Catholicism while a Japanese subject: "From the Misere to Gloria to Magnificat and Sanctus. To the Antiphonal song…The sacrifice, the votive, the devotions, the novenas, the matins, the lauds, the vespers, the vigils, the evensong, the nightsong,…" (Cha 2001, 46-47, emphasis original). Here, earlier interpellation by French Catholicism implied by names of hymns ('Misere', 'Gloria', 'Magnificat', 'Sanctus') and Catholic rituals ('novenas', 'matins') is, for the diseuse's mother, a means of resistance to the Japanese occupation. Hence, the diseuse's unfaithful dictation – in its navigation of linguistic and colonial hailings – identifies recourse to a conflicting ideological hailing, rather than simply failed interpellation, as a means of resistance to subjectivity.

III

In her dictation of her mother's colonial subjectification, the diseuse "cannot perform a simple, untroubled recovery of the 'mother tongue' either for herself and for her mother – any more than there exists, for Koreans or Korean Americans, an unproblematic return to a precolonial and unpartitioned Korean 'homeland'" (Lowe 1996, 140). Put otherwise, because Korea has been transformed variably over time, there exists no singular referent Korea from which memory can be animated. Dictation, thus, can be identified with Jacques Derrida's critique of the metaphysics of presence: the notion that "the mind's ability to grasp the presence of an object or of an idea [is] the gold standard of truthfulness" (Derrida 2004, 300). Derrida contends that any attempt to grasp the present as the locus of truth is bound to fail, as the present at a given moment is informed by the trace left by past presences (278; 294-295). Korea bears not only the trace of French missionary colonialism, but also of Japanese rule and American intervention. The latter is elucidated in the following passage from "Melpomene/Tragedy," depicting the nationalist transformation of individuals during the Korean War between 1950 and 1953 (Lowe 1996, 135): "You are your post you are your vow in nomine patris you work your post you are your nation defending your country from subversive infiltration from your own countrymen" (Cha 2011, 86, emphasis mine). As Lowe points out, the identification between South Korean soldiers ('you') being called to service for their fatherland ('in nomine patris') is reflective of Japanese colonial attempts to subjectify individual Korean subjects into one nation ('you are your nation'), and American exploitation of Korean nationalists' internal divisions to defeat Japan in WWII ('subversive infiltration from your own countrymen') (Lowe 1996, 142-143), resulting in the nation's 1948 partition (135). In the same way that, for Derrida, the present bears the trace of past presences, Korea bears the traces of French Catholicism, Japanese occupation, and American intervention. These traces mean that there exists no one present Korea from which memory can be truthfully animated, so the diseuse's unfaithful dictation repudiates the metaphysics of presence.

It is precisely the lack of a truthful referent Korea that underscores the diseuse's articulation of memory as performative. For Judith Butler, "gender is in no way a stable identity or a locus of agency from which various acts proceed; rather, it is an identity tenuously constituted in time – an identity instituted through a stylized repetition of acts" (Butler 1988, 519). In the same way that there is no essential gender from which acts proceed, for the diseuse, there is no essential Korea from which memories can be dictated. Moreover, like the acts that constitute gender denote not the actor's identity, but the illusion of identity (Butler 1988, 520), dictation articulates illusions of Korea. Because there is no essential Korea, the diseuse is able to performatively re-articulate memories of her homeland, like, as Lowe points out, in her re-narration of the 1919 Korean nationalist resistance against Japanese colonialism in her account of seventeen-year-old Yu Guan Soon's martyrdom (Butler 1988, 141): "Child revolutionary child patriot woman soldier deliverer of nation. The eternity of one act. Is the completion of one existence.

One martyrdom. For the history of one nation. Of one people" (Cha 2001, 37, emphasis mine). In figuring a young woman's martyrdom for the memory of the Korean nation ('woman soldier deliverer of nation', 'one martyrdom. For the history of one nation'), the diseuse performatively re-narrates and, as Lowe clarifies, feminizes Korean nationalism (Lowe 1996, 140-141). In so doing, she performs a feminine motherland in opposition to a "masculine, nationalist state formation" (141). To borrow a final analogy from Butler, "a script survives the particular actors who make use of it, but . . . requires individual actors in order to be actualized and reproduced as reality once again" (1988, 526). Perhaps Korea, as defined by significant dates and geography, is the surviving script, and the diseuse, in her unfaithful dictation, is the actor performing her.

Like Korea, the diseuse's mother remains as a script with no stable essence and has been differently performed over time: as a French (Cha 2001, 1-19) and Japanese colonial subject (45-53) as an immigrant to the United States, and as an exile in her own motherland (56-58). The diseuse's unfaithful dictation, however, performatively reconnects her mother with her non-essential motherland. She does so, for instance, in her performance of a "fragmented and indirect" connection of mother with the motherland through their "mother tongue" in resistance to Japanese colonialism (Lowe 1996, 140; Cha 2001, 43-60). As well, the diseuse's mother bears the trace of United States, which becomes both exiles' home and is responsible for Korea's partition in 1948 (Cha 2001, 56-58). She bears this trace still upon return to the motherland: "You return and are not one of them, they treat you with indifference" (56). But, because the traces of French Catholicism, Japanese colonialism, and the United States efface any essential national identity of her mother, the diseuse is able to performatively "actualize and reproduce as reality" (Butler 1988, 526) her lasting connection to her motherland: "Will and will only espouse this land this sky this time this people. You are one same particle. You leave you come back to the shell left empty all this time" (Cha 2001, 57, emphasis mine). Despite no essential motherland remaining, the diseuse here retrospectively, performatively, and poignantly affirms the mother's intimate connection with her motherland: "You are one same particle" (57).

IV

Consolidating the motifs of subjectification and motherhood, the diseuse's dictation is Dictee's master-motif. By bringing it into conversation with Althusser's interpellation, Derrida's repudiation of the metaphysics of presence, and Butler's critique of essentialism, I have identified dictation to be performative. It is this performativity that allows the diseuse, in her self-consciously "unfaithful" (Lowe 1996, 132) recounting of fragmented memories, to not only articulate a voice in resistance to colonial, nationalist, and masculine determinations of herself, her mother, and Korea, but also reunite her mother with their motherland.

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Was Jesus a Socialist?:

An Analysis of the Lucan Message Concerning Charity for the Poor

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ABSTRACT: The fractious culture wars between the political Left and Right occasionally delve into matters of Christian theology and New Testament insights concerning the proper structure of society. In particular, there has been contention surrounding Jesus's message and predisposal towards the economically and socially dispossessed. Some have argued that Jesus's association with the poor and downtrodden is indicative of his alignment with the fundamental ideas of democratic socialism. Meanwhile, some have argued the opposite claim - that Jesus embodied capitalist views and would be opposed to the central tenets of socialism. This paper attempts to transcend such problematic exegetical debates on the Scriptures, particularly the Lucan writings which contain some of the most crucial passages about Jesus's close association with the poor. More specifically, this paper argues that the central idea that undergirds Jesus's message concerning the underprivileged and oppressed is grounded in individual responsibility.

KEYWORDS: Charity for the poor, Christian theology, collectivism, Exegesis, individualism, New Testament interpretation, responsibility

The fractious culture wars between the political Left and Right occasionally delve into matters of Christian theology and New Testament insights concerning the proper structure of society. In particular, there has been contention surrounding Jesus's message and predisposal towards the economically and socially dispossessed. Some have argued that Jesus's association with the poor and downtrodden is indicative of his alignment with the fundamental ideas of democratic socialism. Meanwhile, some have argued the opposite claim - that Jesus embodied capitalist views and would be opposed to the central tenets of socialism. This paper attempts to transcend such problematic exegetical debates on the Scriptures, particularly the Lucan writings which contain some of the most crucial passages about Jesus's close association with the poor. More specifically, this paper argues that the central idea that undergirds Jesus's message concerning the underprivileged and oppressed is grounded in individual responsibility.

Introduction

The Lucan writings which consist of the Gospel of Luke and the Acts of the Apostles, collectively known as Luke-Acts, contain a "heightened concern for the poor and the underprivileged in society" (Lopez 2015). More importantly, they suggest that the obligation to care for the poor is intrinsically a Christian one (Frame and Tharpe 1996; Borg 1998; Dorn 1993). Based on this premise, some have presumed that the Lucan works provide a strong basis for a socialist mode of living and that Jesus pioneered the principles underlying socialism (Scotty 2009; Pitch and Malina 1998). Political science professor Peter Dreier (2017), for example, confidently claims that "Jesus was a socialist" because his "radical ideas have influenced many critics of capitalism." The research question that this paper will address is whether Jesus's message about charity in Luke-Acts points to the idea that Jesus espoused a socialist viewpoint. This paper will argue that because individual responsibility is held paramount in Luke-Acts, the socialist philosophy is not central to Jesus's message concerning charity for the poor.

On Economic Poverty: Collective Responsibility vs. Individual Responsibility

Socialism and collective responsibility

Socialism's prescription to tackle economic poverty is grounded mainly in collective responsibility. According to Dickerson et al. (2014) and Newman (2005), socialism takes various forms and types. For instance, the more extreme types include utopian socialism and state communism, while some more moderate ones often resemble democratic socialism and market communism. Regardless of their variations and internal nuances, they all share an emphasis on a group-based prescription for helping the economically underprivileged (Niemietz 2019; Pilch and Milina 1998). Socialism's collectivist philosophy is manifested in its call for wealth redistribution, a welfare state, and a progressive taxation system, all of which would theoretically benefit the collective good. As Heywood (2017) explains, socialism leans heavily on the idea of solidarity and the common good where people develop "bonds of sympathy, caring, and affection" (100) that is aimed at tackling economic dispossession primarily through collective action.

At face value, the fundamental values of socialism—the charity for and uplifting of the economically downtrodden—appear to resemble early Christians' actions and teachings depicted in the Lucan writings. Take the New Testament's depiction of Jesus as a social prophet who demonstrated an unyielding affinity to the poor. Ernest Van Eck (2016), a New Testament scholar, confirms that Jesus's sympathies "lay with the poor" (272) considering his close association with the "expendables of society" (270) and the "socially impure" (271). For instance, Van Eck cites Jesus's indiscriminate treatment of the socially and economically dispossessed when he dined with them and healed their sickness as indicative of his preference for the poor. In line with this view, Cort (2020) even suggests that Jesus is "consistently partial, even biased, toward the poor" (43) considering Jesus's proclamation that his primary mission is to "proclaim the good news to the poor…[and] to set the oppressed free" (Lk. 4:18).

Further, Cort also seizes on Jesus's beatitude that says, "blessed are the poor in spirit, for yours is the kingdom of heaven" (Lk 6:20). Sharing Cort's view that socialist values are seen in the Lucan writings, Jim Wallis, a prominent theologian known for his social justice advocacy, observes that one of every sixteen verses in the New Testament is about "the poor or the subject of money" (212). Wallis (2013) also contends that Jesus's message concerning the poor's liberation from poverty is at the "center of his mission" (Wallis 2013, 44)—he even referred to Jesus's proclamations in Luke 4 as the "Nazareth manifesto" (45). Clearly, the New Testament, particularly the Lucan works, recognizes the existence of economic poverty and suggests a Christian obligation to liberate the poor from it. In this sense, socialism's aim at charity and compassion seems to be in line with the Christian message concerning charity embedded in Luke's writings.

Some theologians and biblical scholars take it a step further to argue that the Judeo-Christian tradition itself is intrinsically socialist because of its emphasis on the universal fellowship under God's overarching fatherhood. For instance, Christian socialists believe that socialism is the "natural and rightful outworking of biblical Christianity" (Williams 2016, 32) because socialism is the "system whereby the people of the world, or a particular society, can live as brothers and sisters (32). As Samuel Keeble (1907) and Henry Holland (1911), two prominent figures of Christian socialism, claim, the New Testament repudiates the rugged individualism that characterizes the capitalist system while placing a premium on loving one's neighbour and the universal comradeship seen in socialist societies. The salient point behind those who contend that primitive Christianity and socialist principles intersect all converge at the idea that helping the poor and addressing economic poverty is a collective responsibility.

Individual Responsibility

Although collective responsibility appears to be at the centre of the Lucan writings concerning charity, a closer analysis of the texts reveals the primacy of individual responsibility and free will over collective responsibility. In Luke 3:11, John the Baptist notably proclaims that those who have two tunics and excess food should give those who have none. In the same vein, Jesus exhorts his listeners to "give to everyone who asks of you. And just as you want men to do to you, you also do to them likewise" (Lk 6:29-30). Here, individualist philosophy fundamentally underlies these passages—making them inconsistent with the group-centric idealism that socialism advances.

There is no question that caring for the economically dispossessed is at the core of the Lucan message, but to say that this is predominantly grounded in collective responsibility is problematic. A case in point that demonstrates this contention is the Parable of the Good Samaritan. The parable is particularly noteworthy as Jesus told it immediately after his Sermon on the Mount, where he equated the love of God with the love of one's neighbour. Jesus tells a story that implies the priest's and a Levite's indifference (Reed 2020, 25) to the hapless man left half-dead after getting robbed. More importantly, the parable highlights the Samaritan's heroism, who went out of his way to show kindness and charity to the man in need. Clearly, the Samaritan did not abdicate his personal responsibility to a "third party coercion" (Reed 2020, 27) like the collective or the state in assisting the hapless man. Instead, out of his free will, he took the personal initiative in responding to an immediate need of a fellow human being. The primacy of individual responsibility in the parable is further highlighted in the Samaritan's insistence on upholding his individual obligation to financially care for the man: "take care of him and whatever more you spend, when I come again, I will repay you" (Lk. 10:35), says the Samaritan to the innkeeper. He could have abdicated his individual responsibility after his initial display of compassion and charity, and yet the Samaritan insists that the obligation of continued care for the man principally remains on him.

As New Testament expert Dominic Crossan (1992) argues, "the story certainly leaves no doubt that what really matters is to act as the Samaritan did—in the same simplicity and governed completely by the need of the man who confronts us" (56). In line with Crossan's analysis, Andrew Fiala (2005) takes the view that although the parable signifies the idea of loving one's neighbour, it does not support the Christian socialist contention that Jesus's goal is to tinker with sociopolitical structures and policies to "alleviate poverty in the long run" (121). Rather, the Samaritan's initiative in taking action is a clear display of individual responsibility to "alleviate suffering here and now" (121) and to personally act with charity "within the immediate neighbourhood" (121). Lending support to Fiala's contention, Schatkin (2018) also takes the view that the parable exemplifies the necessity of showing love and compassion to a fellow human being "wherever that person may be found and whatever occasion or situation we are cast in with him" (76). Crossan's, Fiala's, and Schatkin's analysis gestures toward the idea that the Christian call for kindness and generosity is principally individual and voluntary—not collective and enforced—which is fundamental to the philosophy of socialism.

Some Potential Counterarguments?

Common ownership and wealth redistribution

Those who contend that collective responsibility is central to Jesus's message about charity in Luke-Acts may retort that there are irrefutable passages which show the alignment between the Christian message and socialist principles. Stewart Headlam, an Anglican priest known for pioneering Christian socialism, makes the case that Acts 2 and 4 contain passages which depict a Christian socialist way of life. In those passages, Luke suggests that the early Christians practiced common ownership and wealth redistribution: "now all who believed were together, and had all things in common, and sold their possessions and goods, and divided them among all, as anyone had need." For Headlam (1905), this is a clear illustration of how the first-century Christians were "in

1 All Bible citations come from the New King James Version

the simplest sense of the word 'communists' [because] they put all their goods into a common fund and distribution was made to every man according to his need" (29). Headlam's analysis is parallel to William Temple's (1944) and James Hardie's (1910), who are also self-proclaimed Christian socialists, who take the view that Acts 2 and 4 depict socialist Christians and that their practice of common ownership is significantly akin to "voluntary communism" (Temple 1944, 47).

More specifically, these Christian socialists often refer to the example of Barnabas, a Christian disciple in Jerusalem, who was portrayed in Acts 4 as a man of good deeds for selling his private property so that wealth could be redistributed to Christians who needed it most (Milligan 2012, 112). Although at face value, Headlam, Temple, and Hardie's exegesis of Acts 2 and 4 holds weight, it is flawed because such early Christian practice was voluntary. Nowhere in the New Testament, much less in Luke-Acts, did either Jesus or his apostles command their followers to pool financial resources for the purpose of establishing a regime of common ownership and wealth redistribution.

This observation is corroborated by Dr. Anthony Williams (2016), a New Testament expert, who holds that neither Jesus nor his apostles compelled "a socialist order of society" (40) considering how their practice of "generous giving and sharing of resources took place solely within the church rather than throughout society" (40). Echoing this stance, Reed (2020) contends that the early-Christians' apparent illustration of socialist living is merely "descriptive but not prescriptive" (4), meaning there was no indication that it was meant to be a universal command for future Christians to follow. Aside from the absence of a clear proof that the first-century church hierarchy mandated the depictions of the Christian way of life in those chapters, Arthur Lindsley (2012), a professor of biblical studies, takes a step further on why it is erroneous to hinge the Christian socialist argument on Acts 2 and 4:

> In [these] passages from Acts, there is no mention of the state at all. These early believers contributed their goods freely, without coercion, voluntarily. Elsewhere in Scripture we see that Christians are even instructed to give in just this manner, freely, for "God loves a cheerful giver" (Paul's remarks in II Corinthians 9:8). There is plenty of indication that private property rights were still in effect (remember Barnabas, Ananias, and Sapphira).

The telling point in Lindsley's analysis is the absence of any third-party coercion in those passages. To illustrate, the supposition that first-century Christians freely and voluntarily practiced common ownership and wealth redistribution is far from the government-mandated compulsion that is present in a socialist welfare state. Under a welfare state, the government plays a crucial role in upholding and promoting its citizens' economic and social well-being through "compulsory contributions" (Encyclopedia Britannica 2015) to the national treasury (Paul 2019; Moscovitch 2006; Katch 2015; Whitehorn and Young 2006). Such mandatory contributions take the form of obligatory high-income deductions and taxes, where noncompliance results in penalties at best and jail time at worst. One example of this is the Scandinavian countries, which many socialists point to as an example of a prosperous democratic socialist society (Paul 2019; McLennan 2009), where income taxes could be as high as 60% (Fouche 2008).

In Sweden, for instance, the penalty for reckless tax evasion can be particularly harsh, as one can be imprisoned for up to six years (Ceccato and Benson 2016). Hence, the argument that the practice of socialism is rooted in the apostolic times is faulty because the early Christians' tradition of common ownership and wealth redistribution was entirely voluntary. More importantly, the fact that free will and voluntarism were key in the early Christian practice of wealth sharing further reinforces the contention that the Lucan message concerning charity is centred on individual responsibility: it was individual Christians—not some collective society nor the government—who primarily bore the obligation of helping the needy. It just so happened that the personal decision they took to realize that obligation was to pool their resources so it could be "distributed to each as anyone had need" (Acts 4:35).

Jesus's condemnation of wealth and the rich

In addition to the passages in Acts that supposedly point to a Christian proclivity for principles that eventually formed socialist thinking, some also cite a few Lucan parables to support the Christian socialist claim. The most prominent among these has been the Parable of the Rich Man and Lazarus. In Luke 16:19-31, Jesus portrays a rich man clothed in "purple and fine linen" while at his gate lays a beggar "full of sores" named Lazarus only wishing to be fed with "what fell from the rich man's table but only dogs came and licked his sores." According to Van Eck (2016) this contrasting portrayal of the rich man and Lazarus from the parable's outset is a clear embodiment of Jesus's disdain towards the economic disparity caused by the class who control "all the wealth, power, and privilege" (270).

For Christian socialists, such economic cleavage, represented by the gate that separates the rich man from Lazarus, is a clear indication of Jesus's denunciation of wealth accumulation and thereby shows Jesus's inclination to socialist principles. However, the main thrust of the Christian socialists' argument stems from verses 23-31's portrayal of a situational reversal between the two characters in the afterlife: the rich man begs Abraham for mercy as he suffers hellish torment while Lazarus is rewarded in heaven. For John Wheatley (1973), the founder of the Catholic Socialist Society, this depiction of the characters' situational reversal is akin to a trial of capitalists and anyone who prizes wealth accumulation. More specifically, Wheatley (1973) does not believe that the parable is about the dangers associated with the "mismanagement of wealth" (17) or its improper usage. Instead, he believes the possession of wealth per se is the one to blame.

Such an interpretation is problematic as it fails to consider instances in Luke where Jesus could have outrightly condemned money but did not because he saw its capacity for good when used properly. For instance, in Luke 8:1-3, the Gospel recalls Jesus's ministry where he travelled across "every city and village, preaching and bringing the glad tidings of the kingdom of God." The crucial piece of his ministry includes disciples and followers, like Joanna and Sussa who funded Jesus's ministerial expenditures "from their own substance" (Lk. 8:3) or financial resources. Additionally, Luke 19:1-10 tells that Jesus even invited himself to the house of Zaccheaus, a wealthy tax collector, and proclaims that "today, salvation has come to this house" (v.9). Clearly, Jesus and his ministry benefited from money's proper usage which casts doubt on the idea that he denounces wealth accumulation per se as some Christian socialists think to be the message of the Parable of the Rich Man and Lazarus.

For Jewish studies professor Amy-Jill Levine (2014), the Christian socialists' "communistic" (249) reading of the parable is untenable because it suggests that the poor are somehow incapable of sinning just as much as the rich man. Also, Levine adds that to say the possession of wealth is intrinsically evil is almost akin to "romanticizing poverty" (248) which is surely not the Christian message. In line with her view, biblical scholar William Herzog (1994) contends that the rich man was punished not for his wealth but for his "callous lovelessness and self-indulgence" (127) and Lazarus commended "not for his poverty but for his humility" (128). To say that the rich man was punished simply for possessing wealth is "a pernicious misreading of the parable" (127) as it is a "sociological interpretation that the Bible

does not sanction" (127). Significantly then, the parable's key message is the moral imperative for individuals to respond and take initiative whenever they encounter a fellow human being's suffering. Indeed, the parable is a warning against the "wanton neglect of one whom you regularly see and could help very easily" (Blomberg 2012, 258). This contention reinforces the notion that the individual is at the centre of the Lucan philosophy of compassion, charity, and generosity.

Perhaps more important for those inclined to say that socialism overlaps with the Lucan teachings about charity is Jesus's beatitudes. For Gary Dorrien (2015), the capitalist ideal of wealth accumulation was "plainly hostile to the Christian teaching" (171) and that Luke-Acts provide clear support for such a perspective. Specifically, Christian socialists often capitalize on the Sermon on the Mount because of its "message of hope for the poor and the forgotten" (Foote 1997, 44). But more importantly, they see the Sermon on the Mount as a "consistent and powerful argument against property" (Hardie 1910, 13). To an extent, this contention seems fair considering Jesus's repeated admonition against the love of money and the rich's indifference toward the needy, such as when he said, "woe to you who are rich" (Lk. 6:24) and that "it is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of God" (Lk. 18:25).

Nonetheless, the Christian socialist use of the Sermon on the Mount is also defective because the key takeaway from Jesus's proclamation is the danger of letting material wealth corrupt one's character (Longenecker 2000; Buckley and Dobson 2010; Rhee 2012; Wright 2014). Like capitalism, socialism is also focused on material wealth, albeit the latter is more concerned with its equitable sharing and redistribution while the former is concerned with its accumulation and promotion. Nonetheless, socialism is just as fixated on material wealth as capitalism. It follows that if wealth and property are the problems, socialists are no better than capitalists when adhering to Jesus's exhortation not to lay up treasures on earth but in heaven (Mt. 6:19-20). As Williams (2016) aptly puts it, "it is not evident that the creation of a socialist society would remove the Mammon worship against which the Christian socialists argued" (40). Jesus's admonishment to the economically wealthy in his Sermon on the Mount is an exhortation to put higher veneration on spiritual well-being over material possessions, considering how God will ultimately provide sufficient material needs to those who prioritize the search for His kingdom (Lk. 12:30-31).

Conclusion

To be sure, in arguing that Jesus's message regarding charity for the poor does not comport with the philosophy of socialism, this paper does not advance the view that capitalism or some other sociopolitical ideology would be a better fit. It is often problematic when contemporary social, economic, or political ideologies—like socialism and capitalism—are "superimposed onto Jesus" (Reed 2020, 8) partly because these conceptions only emerged centuries long after Jesus walked the Earth. More importantly, projecting such ideologies onto Jesus is unwarranted because Jesus was either elusive or outright dismissive when it comes to his view on how to set up a government or economic system (Eagleton 2007; Hengel 1977; Bowyer 2020; Baker 2020; Richardson 1973) as reflected on his insistence that his "kingdom is not of this world" (Jn. 18:36). Hence, it is misleading and perhaps even deceptive to enlist Jesus as a supporter of a modern ideological stance.

Another important nuance to note is that this is and should not be a binary issue. I fully acknowledge that the notion of collective responsibility, just like individual responsibility, has an important role in alleviating economic poverty. A collective body may be harnessed to make people "do good, to be rich in good works, to be generous, and ready to share" (1 Tim. 6:18). We see this in various charitable organizations and social welfare institutions devoted to helping financially underprivileged people in our society. In this sense, perhaps we could move beyond the fraught theological conversation that has rocked the relationship between the religious-types of the political Left and Right. As this paper has shown, the dignity and primacy of the individual, being the "partakers of the divine nature" (2 Pet. 1:40), is the cornerstone of Jesus's philosophy of caring for the poor.

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SOCIAL SCIENCE

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Andrianna Loraas

Social Sciences

Section Editor

This year, Arts students were faced with great uncertainty in the form of a seemingly endless pandemic. However, one thing is for certain: Arts students never wavered both in their ability to create phenomenal scholarly work and in their enthusiasm to have that work recognized.

Crossings received an incredible amount of submissions this year and I am so proud of the twelve articles comprising our Social Sciences Section. As you read through these pages, you will encounter essays written on both Canadian and international matters; important issues like the preservation of Indigenous legal traditions, gender equity, and human sexuality, and unique concepts such ashow pronunciations of the word "milk" differ by gender over time.

I would like to thank our magnificent social sciences peer-reviewers. Your hard work providing exceptional feedback on the submissions is so appreciated. Thank you to the *Crossings* editorial board: we are living proof that teamwork makes the dream work. And a special thank you to our Editor-in-Chief, Kael Kropp, whose mentorship has been invaluable.

I strongly urge all Arts students to submit their essays to *Crossings*' future volumes. For those students worried that they do not belong in an academic journal, please know that I never pictured myself working on such a journal when I entered university. Your work is worthy and capable of publication. It has been an honour to serve as *Crossings*' Social Sciences Section Editor working with so many extraordinary people and gaining so many extraordinary experiences.

A Critical Analysis of the Term Barbaric Cultural Practices

Through An Examination of the S-7 Zero Tolerance for Barbaric Cultural Practices Act and the Harper Conservatives' Discourses

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Discipline: Political Science

ABSTRACT: In 2014, Canada's Conservative government introduced the Zero Tolerance for Barbaric Cultural Practices Act (Bill S-7), intending to protect Canadian women and girls, especially Brown and Muslim women, against gendered-based violence that uses culture as an excuse. However, in the context of the war on terror and anti-Muslim discourses during the Harper years, the title of Bill S-7 appears contradictory to its intended goal. The Conservative government engaged in activities that appear to ignore the interests of women, especially minority women in Canada (Olwan 2013). Through a critical discourse analysis of Conservative Ministers' Parliamentary Hansards during the debates for Bill S-7, this paper finds that the conservatives' mobilization of the term barbaric cultural practices has three functions: Bill S-7 sends a strong message that Canada will not tolerate barbaric cultural practices; the Government has a responsibility to pursue a humanitarian immigration system; Bill S-7 would protect all women and girls from gender-based violence that uses culture as an excuse. Using Sara Farris' femonationalism framework, this paper argues that Bill S-7's three functions advance Conservatives' nationalist and neoliberal interests through the enforcement of a type of "patriotic neoliberal citizenship," which promotes Canadian values as militarism, close ties with the British Crown, and economic independence over multiculturalism, among others (Abu-Laban 2018).

KEYWORDS: Africa, China, economic investment, foreign policy, international relations, non-interference

Introduction

During the Harper years from 2006 to 2015, Conservatives utilized Orientalist tropes to mobilize the term barbaric cultural practices to describe gender-based violence perceived to occur in Brown and Muslim communities (Olwan 2013, 544-545). In this period, the Conservatives used the term in conjunction with narratives of championing women's equality for Muslim communities through managing and expelling these barbaric practices in Canada through securitizing Canada's immigration practices (Dobrowolsky 2017, 206). The most significant of these management approaches being the Act to Amend the Immigration and Refugee Protection Act, the Civil Marriage Act and the Criminal Code, otherwise known using its short title the Zero Tolerance for Barbaric Cultural Practices Act (Bill S-7) introduced in 2014. The Conservatives promoted Bill S-7 with the aim to protect Canadian women and girls, especially Brown and Muslim women, against gendered-based violence that uses culture as an excuse. Meanwhile, Bill S-7's shorthand title indicates that Canada will not tolerate any form of barbaric practices within its borders (Government of Canada 2014).

Bill S-7 became an essential topic of debate during the 2015 Federal election. In addition to Bill S-7, the Conservatives concurrently proposed policies targeting Brown and Muslim communities, like the barbaric practices tip line. These policies' political rhetoric was debated and discussed in Parliament, generating media attention to political parties before the 2015 election (Fiřtová 2019, 18). However, the Conservatives' gender-oriented social policies appeared to not align with the aims of Bill S-7. The Conservatives defunded multiple organizations meant to serve Canadian women who were victims of gender-based violence (Olwan 2013, 548-549). I will argue that the primary aim of the Zero Tolerance for Barbaric Cultural Practices Act (Bill S-7) was not necessarily to protect Canadian women and girls from gender-based violence. Instead, the discourses constructed in promoting Bill S-7, especially the discourses of Brown and Muslim women needing saving, advances Conservatives' nationalist and neoliberal interests through the enforcement of a type of 'patriotic neoliberal citizenship.'

In this paper, the narrative of the supremacy of Canadian human rights constructed through discourses of managing, regulating, and protecting Brown and Muslim bodies characterizes the Conservatives' nationalist' interests (Stonebanks 2019). Meanwhile, the strategy to "stimulate economic growth" through a selective immigration system, where "undesirable" migrants are refused entry to Canada characterizes neoliberal interests (Gaucher 2020, 83).

This paper is divided into three sections. The first section is a literature review on Orientalist tropes in Post 9/11 discourse in Canada during the Harper years (2006 – 2015). This section establishes the influence of the "war on terror" discourse in animating racist stereotypes targeting communities perceived as Muslim, such as Arab and South Asian communities, in the Harper Conservatives' immigration discourse. The next section is a critical discourse analysis of Conservative Ministers' Parliamentary Hansards during the debates for Bill S-7. A critical examination of Conservative speeches exposes how the primary goal of Bill S-7 is not necessarily to protect Brown and Muslim women. Instead, Bill S-7 functions to advance the Conservatives' political interests. The final section focuses on how the term barbaric cultural practices in the context of Bill S-7's aim to protect Brown and Muslim women advanced the Conservatives' nationalist and neoliberal interests using Sara Farris' femonationalism framework. Femonationalism (Farris 2017a) refers to the co-optation of feminists' goals with racism by a coalition of nationalists, neoliberals, and some feminists' organizations to stigmatise Muslim men. I will argue that the Conservatives utilized a narrative of Brown and Muslim women needing saving to promote their political interests and enforce a type of "patriotic neoliberal citizenship" (Abu-Laban 2018). This type of citizenship promotes Canadian values of militarism, having close ties with the British Crown, and economic independence over multiculturalism, among others (Abu-Laban 2018, 250).

Orientalist Tropes in Post 9/11 Canada and the West

This section provides background to the global context of the pervasiveness of Muslim stereotypes across Western states post 9/11. The "war on terror" discourse influenced Western perceptions, including Canadian perceptions, of Muslim populations post 9/11. Similar to other Western states, Canadian human rights superiority is juxtaposed with the backwards Orient to create a narrative of a clash of civilizations, which purports uncivilized Eastern values to be incompatible with civilized Western values (Mason 2015, 111). These Orientalist tropes portray those perceived to belong from the East as "pernicious and inherently uncivilized" (Gill and Brah 2014, 75 – 76). These fears resulted in Islamophobia being prevalent in Canada. Yasmin Jiwani (2014, 145 – 146), citing Jasmine Zine, states Islamophobia means perceiving Muslim populations as "anti-liberal, anti-democratic, and unamenable to the requirements of modernity." Jiwani notes this perception constructs Muslims to be unfit to join Western 'civilized' states. These narratives of 'Us' versus 'Them'

resulted in the construction of those from Eastern societies as the 'Other.' Although being from the East does not necessarily make individuals identify as Brown nor Muslim, this stereotype resulted in many racialized groups from North Africa, the Middle East, West Asia, and South Asia being racially profiled through the homogenous identity of Brown and Muslim in Canada (Stonebanks 2019, 310).

The Canadian media does not necessarily differentiate between these four regions' cultural differences when they report on these communities. Instead, these communities are portrayed homogenously through the Orientalist tropes of the "Other" (Stonebanks 2019, 310-311). As my paper aims to analyze the Conservatives' invoking of racist and sexist narratives to elevate the supremacy of Canadian values, I will be using the term Brown and Muslim to describe the community they target in their discourses. By using this term, it will emphasize how Orientalist tropes do not distinguish between countries it assigns to be backwards or uncivilized. It applies to everyone perceived to belong to the East.

Regarding gender relations, the "war on terror" discourse revitalized the problematic narrative of Muslim women needing saving from oppressive Muslim men and their misogynistic cultures across Western societies (Montoya and Agustin 2013, 534). Lila Abu-Lughod (2013a) unpacks the problematic narrative of Muslim women needing to be saved in her analysis of Western intervention in Afghanistan in the 21st century. Muslim women's emancipation from their misogynistic culture became one of the primary reasons for the Western intervention in Afghanistan. The image of a "woman from Afghanistan whose nose had been cut off" on the cover of Times magazine and the speeches of feminists in Western media about Muslim women's oppression reified this narrative (Abu-Lughod 2013a). This portrayal renders Muslim women helpless and lacking the agency to defend themselves. Meanwhile, Western states portray themselves as saviours. The West constructs itself to protect Muslim women through military intervention and liberate Muslim women through the teachings of liberal feminism from their misogynistic cultures.

The narrative of Muslim women needing saving from oppressive Muslim men animates in Canada during the Harper years through discourses of protecting women from barbaric cultural practices. Conservatives' discourses mention barbaric cultural practices as culturally driven violence against women and girls, based on backwards notions of honour and gender inequality (Olwan 2013, 535). These honour crimes can be broadly defined as "a vast array of violent and abusive acts perpetrated (primarily) against women in the name of protecting family, conjugal and/or community 'honour.'" (Walker 2020, 2) Despite using the neutral language of honour and refraining from blaming specific cultures, Conservatives characterize barbaric cultural practices as forced marriages, female genital mutilation, and honour killings (Government of Canada 2014). Many of the publicized occurrences of these barbaric practices in Canadian media occur in racialized (Brown) communities. Not only does sensationalizing honour crimes reify the stereotypes produced by the "war on terror" discourses and Islamophobia, but it also employs the racially charged term barbaric which

has links to old Orientalist stereotypes of Muslim men as barbaric (Jiwani 2014, 137). The average Canadian citizen then inscribes these crimes and the term barbaric with racial meanings, tying both to Brown and Muslim communities (Jiwani 2014, 125).

Immigration Practices and Discourses during the Harper Years

Magdalena Fiřtová (2019) argues the Conservatives utilized a nationalistic frame, which calls for preserving national borders and culture, in promoting their immigration policies. She notes this strategy deviates from the norm of promoting openness and multiculturalism in Canadian immigration discourse. The Conservatives' nationalist discourse focused on identity, creating a line between those who can be considered members of the in-group and the out-group. This Conservative identity reflects a "patriotic neoliberal citizenship" (Abu-Laban 2018, 250). This type of citizenship promotes Canadian values as militarism, close ties with the British Crown, and economic independence over multiculturalism, among others. This identity extended in the Conservatives' strategy of selecting immigrants. Alexandra Dobrowolsky notes this strategy resulted in selective immigrant policies biased based on race, ethnicity, gender, and class (2017, 197). The Conservatives justified their selective immigration policies as an attempt to securitize the immigration process. This securitization would vet threats to Canadian values by restricting their access to Canadian immigration (Amery 2013).

Paul Bramadat (2014) notes the term securitization has been politicized post 9/11. Securitization broadly means the primacy of national security in policymaking, such as increased border patrol. In Canada, policymakers create an "illusion of neutrality" regarding the term and refer to securitization to mean protecting core values and public spaces' safety (Stonebanks 2019, 304). However, the "war on terror" discourses and the perception of Brown and Muslim people as threats resulted in creating immigration policies that target ethnic and religious groups under the guise of national security. Dobrowolsky then coins the term "Bad Canada" to characterize the conservatives' exclusionary approaches during the Harper years (2017, 198-201). She notes the racialized discourses surrounding immigration constructed notions of 'Us' versus 'Them,' wherein those who do not ascribe to Conservative notions of Canadian identity belong to the 'Other.'

Neoliberal economic interests also characterize the Conservatives' immigration practices. The Conservatives framed their immigration interests in the language of establishing a "procedural/ managerial" immigration system that would allow "hard-working, law-abiding" migrants into the country while keeping out the threats to public safety (Firtova 2019). This strategy resulted in a contradictory immigration system that pursued neoliberal policies, like the expansion of Temporary Foreign Workers (TFW) programs, and exclusionary policies, like the Zero Tolerance for Barbaric Cultural Practices Act that prevents those who practice polygamy and other barbaric practices from entering Canada (Dobrowolsky 2017). The Conservatives pursued these policies through a combination of "security and economic" frames. By doing so, they justified the securitization of the immigration system to protect Canadians from "criminals" and "bogus claimants" (Firtova 2019, 13).

Regarding women migrants, the Conservatives' nationalist and neoliberal immigration practices both "invisibilize and instrumentalize women im/migrants" (Dobrowolsky 2017, 198). The Conservatives utilized women as vehicles to advance their political interests when introducing the Zero Tolerance for Barbaric Cultural Practices Act (Bill S-7) in November 2014. Bill S-7 received Royal Assent on June 15, 2015. The Act aims to protect women and girls in Canada against early and forced marriage, polygamy, violence in the name of so-called "honour," and other barbaric cultural practices (Government of Canada 2014). Some protective strategies implemented by Bill S-7 includes criminalizing anyone involved in organizing a marriage for individuals under the age of 16 and provides Border officers discretionary powers to deny individuals who practice polygamy entry into Canada, as well as provides Border officers discretionary powers to expel anyone who practices polygamy within Canada (Government of Canada 2014). The discourses surrounding Bill S-7 emphasized the imperative to heighten Canada's immigration practice of vetting threats entering Canada. However, as I will argue in the following two sections, Bill S-7 functions to advance the Conservatives' political interests by constructing narratives that elevate Canada's responsibility to human rights.

Critical Examinations of Conservative Debates and Rhetoric

This section provides a critical discourse analysis of Parliamentary Hansards during the debates for Bill S-7, focusing on the speech notes of Former Minister of Citizenship and Immigration Chris Alexander, Former Minister of Status of Women Canada K. Kellie Leitch, and Former Minister of National Defence Jason Kenney from February 7, 2015, to June 6, 2016. There were three main themes found across their speeches:

Bill S-7 sends a strong message that Canada will not tolerate barbaric cultural practices; the Government has a responsibility to pursue a humanitarian immigration system; Bill S-7 would protect all women and girls from gendered-based violence that uses culture as an excuse.

The Conservatives' speeches utilized a nationalist frame, which "promotes the enhancement of [Canadian] national values (Firtova 2019, 6)." Their speeches emphasized the protection of "patriotic" Canadian values. These values were imagined through the narratives of the supremacy of Canadian human rights and Canada's supposedly humanitarian engagements in its immigration history. Alexander (2015a) noted that "we are morally bound to take a stand" after the testimony of Aruna Papp, who is a South Asian advocate against honour crimes, by reinforcing that "Canada was designated the best country to be a woman." Alexander's statement implies Brown and Muslim women rely on the Canadian state to protect them from their misogynistic cultures and, to an extreme, implies Canada is the only state where women can be free from violence. Additionally, Conservative Ministers argue that the term barbaric cultural practices needed to be included in Bill S-7 to demonstrate Canada's zero tolerance. By supposedly calling these practices as it is, Canada signals it will not tolerate forms of violence against women and girls that use culture as an excuse (Alexander 2015b, Leitch 2015a, and Kenney 2015). Alexander (2015a) notes the term barbaric does not target any specific group. Instead, any acts of violence against women can be considered a barbaric practice. However, Alexander contradicts himself by expressing that the purpose of Bill S-7 is to prevent individuals who commit these barbaric practices from entering and remove those who commit them from Canada. This contradiction constructs a narrative of gender-based violence as foreign and imported into Canada. If this is the case, immigrant communities are the only group this term applies to because they can be denied entry and be expelled from Canada.

Kenney also made an explicit relationship between the term barbaric cultural practices and immigrant communities. Kenney stated he initially hesitated to use the term barbaric. However, after talking to "new Canadians who asked [him] why we tolerate these things in Canada, which they fled such countries to escape," Kenney realized the significance of naming these practices as barbaric (Kenney 2015). Despite his claim of hesitating, Kenney previously used the term barbaric cultural practices. The term was included in the 2009 Discover Canada citizenship guide, created under Kenney's ministerial leadership (Firtova 2019, 19). Kenney's statement implies that ethnic communities themselves asked the Government to use the term to indicate Canada's commitment against gender-based violence. However, comments from the South Asian Legal Office of Ontario (2014) and the Canadian Council of Muslim Women (Mastracci 2015) denounced the term to be racist and discriminatory against Muslims and South Asian and Arab communities. Kenney's statement then does not represent the perspectives of the communities these barbaric cultural practices supposedly happen.

Alexander's speech about the story of the Canadian origins of immigration reifies the Conservatives' patriotic and nationalistic rhetoric. According to Alexander, the Europeans' arrival to Canada was characterized by "values of responsible government, self-government, respect for human dignity, respect for the rule of law" (2015c). He also notes that this history compels the Conservative Government to pursue humanitarian immigration practices (Alexander 2015c). For Bill S-7, the argument for protecting women and girls centres this humanitarian cause (Government of Canada 2014). However, Indigenous narratives of settler-colonialism dispute the Conservatives' claim. European's arrival on Turtle Island, the Indigenous name for North America, was characterized by loss of land, loss of sovereignty, and violence against Indigenous Peoples (Green 2017, 179). Therefore, the Conservatives' narrative of humanitarian engagement obscures the violent realities experienced by Indigenous Peoples from that period onwards. This false claim undermines the Conservative Government's narrative of being responsible for emulating the past's humanitarian immigration system in 2015.

Lastly, Conservative Ministers argue that Bill S-7 would protect all women and girls from gendered-based violence that uses culture as an excuse. Alexander, Leitch, and Kenney all emphasized how Bill S-7 will prevent gender-based violence that uses culture as an excuse to occur in Canada and protect all women and girls from these barbaric practices, especially those in vulnerable immigrant communities (Alexander 2015a, Leitch 2015a, and Kenney 2015). Leitch mentions these practices need to be prevented because they are a "breach of basic human rights" (2015a). No one disputes that these crimes of gender-based violence are harmful to women and girls. The opposition parties did not criticize the contents of the bill during the debates. The oppositions target their critiques towards using the term barbaric cultural practices. Therefore, the aims of Bill S-7 seem genuine in theory. However, Leitch's statement about the Conservative legislation reasons

in introducing Bill S-7 does not reflect Conservatives' gender-based violence social policies (2015b):

> "This bill reflects our government's priority for supporting women and girls to live violence-free lives, because a building block for women and children in reaching their full potential is being able to live life free of violence and free of the threat of violence."

Leitch's statement obfuscates the gender-based violence that occurs in Canada. During this time, there has been an increase in domestic violence incidences in Canada. The Conservative government reduced the overall budget of the Status of Women Canada by $5 million, resulting in reduced funding for services that serve victims of domestic violence (Strumm 2015, 107). Meanwhile, the Conservatives prioritized funding for organizations that either raise awareness or serve communities where these so-called barbaric practices occur (Olwan 2013, 549). This reality contradicts Leitch's statement. The Conservatives' arguments for women's rights are undermined by their social policies that disadvantage women. This limitation exposes how the Conservatives' self-righteous attempt to advocate for Brown and Muslim women through securitizing immigration systems advances the Conservatives' interests.

The Political Work of Conservative Rhetoric

The Conservatives' mobilization of the term barbaric cultural practices in the context of Bill S-7's aim to protect Brown and Muslim women advances the Conservatives' nationalist and neoliberal interests; its goal is not necessarily about securing women's safety. Instead, these narratives are mobilized to obfuscate the harms caused by Canada's settler-colonial institutions against Indigenous Peoples and to fulfill the Conservatives' neoliberal demands by refraining from stigmatising Brown women, who often fill the role of caretakers in the Canadian economy, from participating in Canadian society.

To defend my argument, I will utilize Sara Farris' femonationalism framework. Farris examined how

right-wing nationalists, neoliberals, and some feminists' organizations co-opted feminism with xenophobia and Islamophobia in Europe (2017a, 3-4). She argues this paradoxical intersection extends beyond populism, where the discourse of "Us" versus "Them" mobilizes a group of people against the "Other" (2017a, 7-8). She notes femonationalist narratives operate differently than populism because women's rights, particularly of Brown and Muslim women, are invoked to stigmatise Muslim men. In Europe, this phenomenon animates through xenophobic and Islamophobic discourses of Muslims' inability to integrate into Western society successfully (Farris 2017b, 73-74). Brown and Muslim women can potentially be integrated when saved from their culture, whereas Muslim men cannot. Farris argues that refraining from stigmatising Brown and Muslim women serves a political-economic dimension that advances Western neoliberal interests (2017a, 5).

Megan Gaucher argues that the state's primary motivation for Bill S-7 is not necessarily to avoid harm. Instead, the "state is enforcing a particular type of citizenship reliant on sexist and racist undertones" in her analysis of Bill S-7's regulation of polygamy (2016, 520). I argue that the Conservatives' narratives around barbaric cultural practices preserve their imagined patriotic neoliberal type of citizenship. This preservation operates in multiple narratives.

First, Conservative Ministers' nationalist frames in their Parliamentary speeches examined in the previous section preserve patriotic citizenship by linking Canada's contemporary immigration to Europeans' arrival to Turtle Island (Alexander 2015c). This narrative links Canada's immigration history to the British. Therefore, the Conservatives construct a historical memory devoid of the violence of settler-colonialism by framing their contemporary immigration system to one of humanitarian engagement. They valorize a history characterized by violence, dispossession, and genocide.

Second, the Conservatives' patriotic type of citizenship is enforced through the "political work of honour crimes," meaning honour crimes reinforce the fantasy that associates modernity solely with the West (Abu-Lughod 2013b, 120-121). This political work provides opportunities for Western states to revitalize the Orientalist trope of protecting Muslim women from becoming victims of gendered violence in their misogynous cultures (Abu-Lughod 2013a, 32). This fantasy animates in the Conservative narratives of being "morally bound" to prevent barbaric practices from harming women and girls. They portray Brown and Muslim women as helpless against these crimes unless the Canadian state creates laws to regulate them. It empowers Western states to embark on a "self-righteous attempt" to change those backward cultures (Abu-Lughod 2013b, 127). Bill S-7 promotes this philosophy through its racist undertones of implying violence can be prevented from being imported to Canada. It implies women will be safe when the state gets involved to prevent gender-based violence. By doing so, the Canadian state elevates itself regarding human rights and obfuscates its legacy of colonial gendered-based violence.

The Canadian state's downplaying of the gender-based violence within its borders, especially towards Indigenous women, further enforces patriotic citizenship. Prime Minister Stephen Harper and the Conservatives downplayed the violence against Indigenous women and girls and defunded organizations researching the case of Missing and Murdered Indigenous Women and Girls (MMIWG) (Strumm 2015, 107). The construction of this narrative obscures the legacy of patriarchal violence caused by settler-colonialism against Indigenous women and girls. Dana Olwan states the Conservatives employ this logic because "while the dead Muslim women's body can help write a story of national innocence, the missing or murdered Indigenous women's body cannot" (2014, 232). A tension exists between these two bodies: the body of an Indigenous woman would expose the state's structural forces of racism and settler colonialism. In contrast, a Muslim woman's body elevates the state's status as a protector of human rights. The combination of emphasizing links with British immigration systems, the fantasy of saving Brown and Muslim women, and the downplaying of the MMIWG cases all factor into the enforcement of the Conservatives' patriotic type of citizenship.

Meanwhile, the Conservatives' neoliberal interests and neoliberal type of citizenship are preserved by refraining to stigmatise Brown and Muslim women. Farris (2017c, 147-148) argues women are spared from stigma because western states rely on women migrants, especially racialized women, for the state's social reproduction. This political-economic dimension makes racialized women essential in preserving the state's economic interests. Farris (2017c, 149) describes this dimension as the "sexualization of racism." Since Brown and Muslim women can be redeemed from their backwards culture, they would take up work and integrate into society in designated spaces. Farris (2017c, 157) states these spaces are often jobs, like caregiving, that feminists would not do. Racialized women from the Global South primarily perform caregiving work to provide childcare and eldercare support in Canada

(Dobrowolsky 2017). When the image of Brown women elicits fear in Canadian imaginaries, the demand for caregivers from the Global South will decline. This apprehension would disrupt Canada's workforce by creating a gap in those who perform care work.

Additionally, it does not help that many in the Canadian public are concerned about their Muslim neighbours (Gaucher 2020, 87). To temper this fear, the Conservatives frame some migrants to be more undesirable than others (Gaucher 2020, 83). Brown and Muslim men are constructed to be less desirable than Brown and Muslim women. Men cannot be redeemed from their misogynistic cultures, whereas women's victim status makes them redeemable. However, "citizenship is consistently precarious." Since Canada frames immigration as an "act of benevolence," immigrants become "eternally grateful" to the state (Gaucher 2020, 84). The experiences of Brown and Muslim women heighten this belief. Their lives within Canada are intertwined with the narrative that their safety relies on the state's responsibility to protect them against gender-based violence. This reliance on the state then inhibits them from making claims against the state for better job opportunities. In this way, the state's social reproduction needs get fulfilled without worries of disruptions.

Lastly, the security narrative of Bill S-7 is then a dog whistle for enforcing the Conservatives' patriotic neoliberal citizenship accomplished through multiple narratives constructed to advance nationalist and neoliberal interests. These narratives do not act independently. Instead, they interact with each other, where each narrative advances the Conservatives' political interests by rendering Brown and Muslim women victims of their misogynistic culture needing saving.

Conclusion

In conclusion, the Conservatives utilize Brown and Muslim women as drivers of their immigration policies, especially S-7 The Zero Tolerance for Barbaric Cultural Practices Act, to enforce a type of patriotic neoliberal citizenship. This enforcement was done through the construction of narratives portraying Brown and Muslim women as victims needing saving. By doing so, the Conservatives elevated Canada to a position of superior human rights against other backward and uncivilized cultures, specifically those belonging to Eastern societies. This strategy advances Conservative nationalist interests by valorizing the European arrival to Canada as the template for a humanitarian immigration system, and neoliberal interests by constructing Brown and Muslim women as redeemable from their cultures. Thus, the supposed aim to protect women and girls through securitizing the immigration system was not necessarily the aim of Bill S-7.
In addition to advancing nationalist and neoliberal interests, these narratives also constructed a "discourse of distrust," where immigrants and refugees were constructed to be threats (Dobrowolsky 2017, 202). This divisive discourse extended beyond the Harper years, even continuing to exist under the current Liberal government. Under the leadership of Erin O'Toole, the Conservatives are caught between apologizing for the Conservatives' stoking racist and Islamophobic sentiments during the Harper years and pandering to their nationalist base in the Conservative party (Raza 2020). Nonetheless, O'Toole did not criticize Quebec's Bill-21 which forbids employees of certain public sector jobs from wearing religious symbols (Raj 2020). O'Toole's silence shows how the Conservatives are not abandoning their anti-Muslim beliefs, albeit they are less vocal about it. This strategy's continual effect stems from the Canadian political parties engaging in a permanent campaign, where they engage in divisive immigration discourse both during and between elections to foster support (Abu-Laban 2020, 374-375). In this case, narratives about Brown and Muslim communities will continue to be prevalent in Canada.

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Photogrpher: Naomi Caufield
Year: 3rd Year

A Glass of... Melk?:

Analysis of Gender and Lexical /ɪ/ Lowering in Milk in Canadian Born English Speakers Living in Alberta

Author: Victoria Blair
Discipline: Linguistics

ABSTRACT: This study aims to determine any distinction between gender and lexical /ɪ/ lowering in the word milk in the speech of Canadian-born English speakers living in Alberta. This study consisted of interviews with 18 participants (nine males and nine females) living in Alberta. The use of the variants milk, melk, and in-between milk/melk were analyzed in regards to gender and age. The study concluded that this was not a change in progress, but rather a stable linguistic situation and that men tend to use the standard milk more than women in all speech styles studied.

KEYWORDS: Gender, language variation, sociolinguistics, vowel lowering

Introduction

The objective of this study was to determine the distribution of the variable pronunciation of the word milk in relation to gender. Age will also be discussed concerning gender, in order to determine if this is a stable situation or a change in progress. Overall, it was found that men tend to use the standard pronunciation milk more than women in all levels of speech studied. Although women tended to use the variant milk most frequently; they had higher usage of the variant melk and the in-between variant than men did. It was also determined that this is likely a stable linguistic situation.

Relevant Studies

Two related journal articles were consulted in preparation for this study, one by Chambers and Hall (2018), and one by Labov (1990). Chambers and Hall conducted a study on 60 people aged 18-28 in Toronto. This study included information from a reading passage and a word list and analysed the pronunciat ion of the vowel in milk. They suggested that although many speakers lower the vowel in milk, it is not present in any particular age, sex or ethnic group. They also concluded that "it is not phonologically conditioned" as neither of the contexts in which it was studied were adequate in order to determine this distinction (Chambers and Hall 6). Rather, they suggested that the lowered vowel pronunciation of milk is a non-standard variant that is sporadic in the Canadian population. (Chambers and Hall 6)

In Labov's paper, he highlighted his findings that "In stable sociolinguistic stratification, men use a higher frequency of nonstandard forms than women" whereas "[in] the majority of linguistic changes, women use a higher frequency of the incoming forms than men" (Labov 205-206). This notion was important to this study because, as women used the non-standard variant more frequently than men, it was likely to be assumed that this is a change in progress, according to Labov's finding.

Linguistic Variables

This paper will discuss the variable pronunciation of the word milk, specifically focusing on the lowering of the vowel /ɪ/ to /ɛ/. The variants that will be discussed are milk, melk and in between milk/melk. The standard variant was identified as milk. My hypothesis was that the milk variant will be more commonly found and will be more prevalent in the female consultants if it is not a case of linguistic change.

Methodology

The data for this study were collected primarily via online video calls (n=15) and in-person audio-recorded structured interviews (n=3) from 18 consultants of varying ages, genders, occupations, and ethnic and linguistic backgrounds. As this study was conducted during the COVID-19 pandemic, and the University of Alberta encouraged online data collection in order to abide by social distancing protocols, casual speech was not captured; in-person interviews were conducted only for those in my personal social bubble.

Consultants were not informed of the specific nature of the study prior to the interview, but were advised that they would remain anonymous, that their data were confidential, and that they could withdraw their consent at any point in time. After the interview was completed, consultants were informed of the specifics of the study (i.e. a study on the pronunciation of the word milk). They were then informed that if they were not comfortable with their data being used for this study, it would be discarded. All consultants, whose data were used in this study, read and signed a consent form outlining these conditions. The study satisfied all of these ethical considerations.

Data were collected from the consultants saying the word milk as well as the word pillow, in order to compare the two variable pronunciations in different linguistic environments. During the interviews, consultants were asked questions regarding their everyday diets, recommended foods for children, nightly routines, and strategies for making a bed. Consultants were then asked to read the children's story If You Give a Mouse a Cookie by Laura Numeroff and then read words from a word list. Data were collected from consultants saying the words milk and pillow in three varying style formalities: careful, reading, and word lists. Careful speech was determined to be the speech style of the main portion of the interview, as participants were aware they were being interviewed and were likely to be speaking more carefully than in casual conversation.

A convenience sampling approach was used. Consultants were all known to me (the researcher and interviewer) prior to their interviews. I contacted people I knew from varying demographics that were Canadian-born English speakers living in Alberta and asked them if they would be willing to participate in my research. This personal connection allowed for a more comfortable speech environment and allowed conversation to flow more smoothly and naturally.
The social factors analysed are gender and age.

Gender was analysed in order to determine the distribution of the variable pronunciation between men and women. Age was analysed in order to determine if this is a stable situation or a change in progress. Social class was not analysed as the majority of the consultants were unemployed students, without an income or occupation and therefore, it is difficult to accurately assign consultants into socioeconomic groups.

Presentation of Results

The raw data collected of the amount of times each consultant used each variant is presented in table 1 below.

Consultants were then divided into different categories based on gender and age. The groups are presented in table 2.

ID	Careful *milk*	Careful (in-between)	Careful *melk*	Reading *milk*	Reading (in-between)	Reading *melk*	Word List *milk*	Word List (in-between)	Word List *melk*
A	2	1		5			1		
B	4			5			1		
C	2			3	2		1		
D			1			5			1
E		1		4	1		1		
F	3			3	2		1		
G	1			5			1		
H	2			5			1		
I	2			3	2		1		
J	2			4	1		1		
K	2			4	1		1		
L			1			5			1
M	1			5			1		
N	2	1		5			1		
O		2	1	1	4		1		
P	1	1		1	4		1		
Q		1	1		2	3		1	
R		1	1	2	3			1	

Table 1: Consultants Usage of Each Variant

Gender	Consultants
Female	A, D, G, I, L, N, O, P, R
Male	B, C, E, F, H, J, K, M, Q
Age	**Consultants**
18-24	A, B, C, D, E, F, I, K, N, O, P
25-30	L, Q
31-44	R
45-55	G, H, J, M

Table 2: Gender and Age Categories

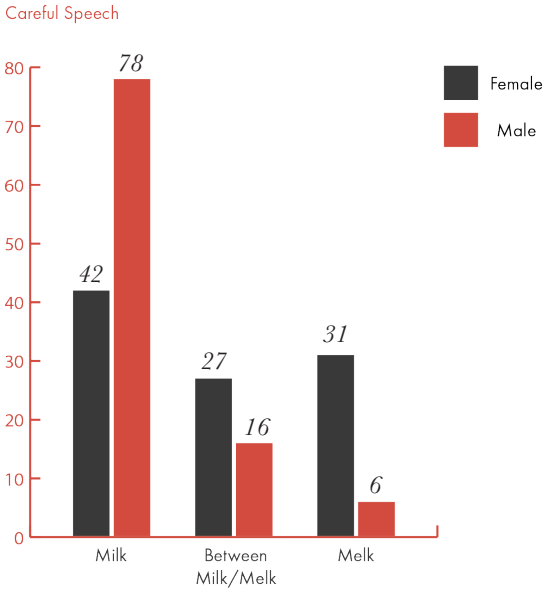

Fig. 1: Variable milk pronunciation in careful speech concerning gender

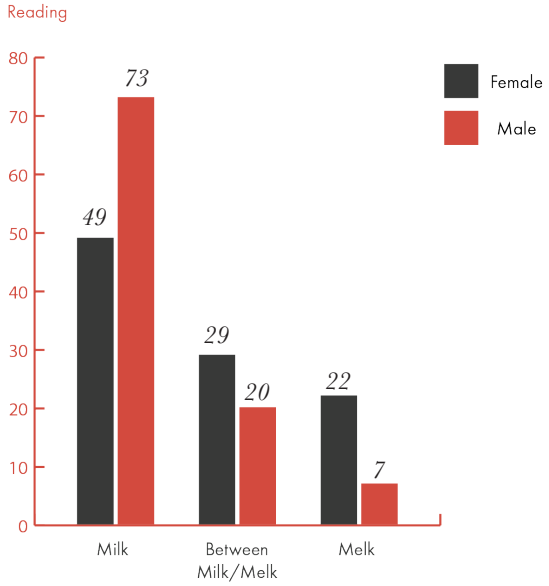

Fig. 2: Variable milk pronunciation in reading concerning gender

When reading, this distribution was relatively similar to the above, with a strong tendency for men to use milk and women to use all three variants more equally, as displayed in figure 2.

The following data is presented in terms of a pronunciation index. The amount of times that consultants used each variant was divided by the number of times they used the word in total to form a ratio out of 100 for each variant. The mean of these percentages were then used for each group of speakers. In careful speech, women had a relatively equal distribution of the usage of each of the three variables, whereas men strongly favoured the usage of the standard variant, milk.

When consultants were asked to read from a word list, both men and women favoured the milk variant. Still, men used the standard variant more often than women. Women favoured the use of melk more than the in-between variant when reading from a word list; this finding is displayed in figure 3 below. The distribution of each variant, in each speech style for both genders is listed in table 3.

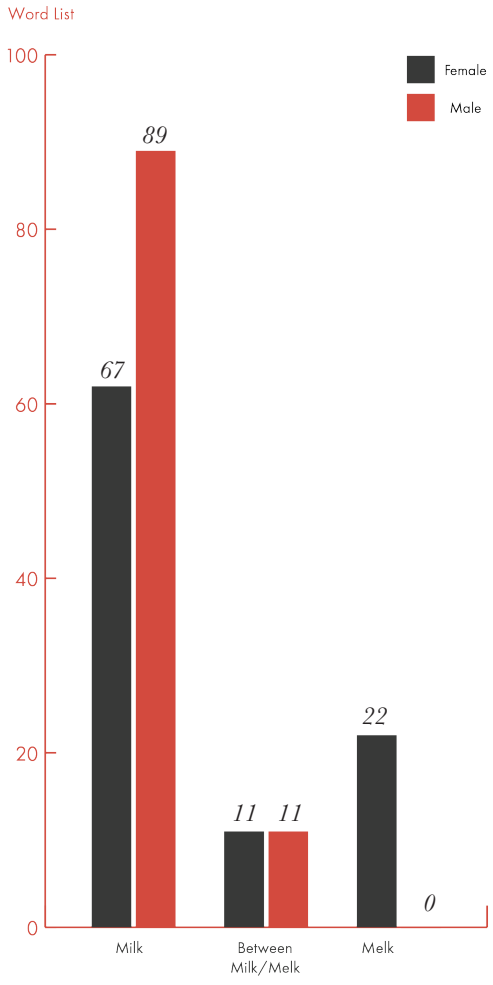

Fig. 3: Variable milk pronunciation in word lists concerning gender

Gender	Milk	Milk/Melk	Melk
Female Careful Speech	42	27	31
Female Reading	49	29	22
Female Word List	67	11	22
Male Careful Speech	78	16	6
Male Reading	73	20	7
Male Word List	89	11	0

Table 3: Variable milk pronunciation concerning gender

In contrast to this distribution, for the variable pronunciation of pillow in careful speech, women used more of the standard pillow pronunciation than men; both groups, however, favoured the in-between variant.

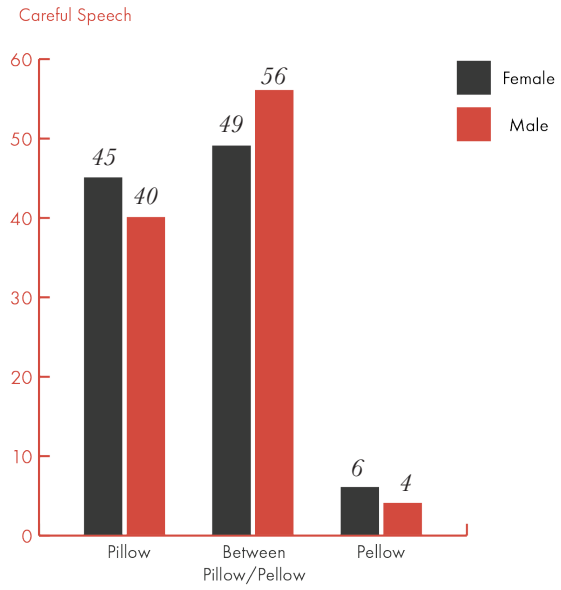

Fig 4: Variable pillow pronunciation in careful speech concerning gender

If we compare the two words in careful speech, the use of the variants of pillow is far less polarized for men than the use of the variants of milk. The non-standard variant pellow was rarely used by either gender. The two are directly compared in the table below.

	/ɪ/ pronounced	In-between pronunciation	/ɛ/ pronounced
Female milk	42	27	31
Female pillow	45	49	6
Male milk	78	16	6
Male pillow	40	56	4

Table 4: Comparison of variable milk and pillow pronunciation in careful speech concerning gender

The age distribution of the use of the different variants of milk in careful speech is highlighted in figure 5 below. In careful speech, the variant milk was most common in speakers aged 18-24 and 45-55. Speakers between ages 25-30 leaned strongly towards the use of the variant melk, while ages 31-44 were evenly divided between using melk and in between milk/melk. The distribution of the use of each variant is listed in table 5 below.

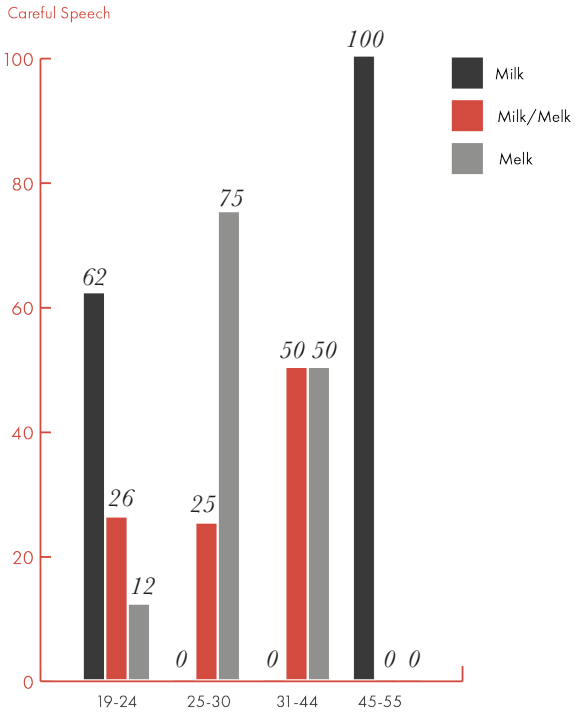

Fig. 5: Variable milk pronunciation in careful speech concerning age

Age	Milk	Milk/Melk	Melk
18-24	62	26	26
25-30	0	25	25
31-44	0	50	50
45-55	100	0	0

Table 5: Variable milk pronunciation in careful speech concerning age

The main contrast in the reading speech style in comparison to careful speech was in the 31-44 age group. Whereas in careful speech, those aged 31-44 were split between usage of the in-between variant and the melk variant, in reading style, they favoured the in-between variant, with a pronunciation index of 40 for the milk variant.

Interpretation of Results

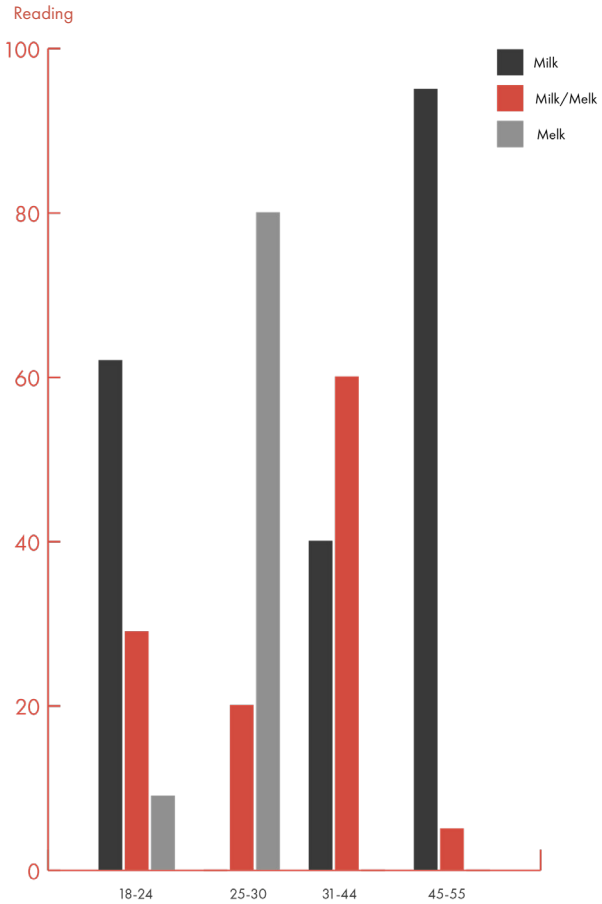

Fig 6: Variable milk pronunciation in reading concerning age

Analysing the data by age, it was expected that if this were to be a change towards greater usage of the non-standard, younger speakers would use the newer variation the most. However, the group that presented the highest usage of the melk variant in careful style were those aged 25-31. Although the youngest group, aged 18-24, did use the non-standard variant more than the oldest group, aged 45-55, there was no significant pattern in usage throughout all ages. Therefore, it cannot be established that this is a change in progress, as it does not follow the typical pattern, and no indications of change based on socioeconomic status can be concluded. Therefore, we can likely assume that this is a stable linguistic situation, and that no change is occurring.

Not only did these data present the majority usage of the standard variant milk by men, but it also highlighted the way that women are far more evenly distributed in their usage of each of the three variants. In all three speech styles, men greatly favoured the use of the standard variant, and have a pronunciation index of under ten in all three speech styles. Women, in all speech styles, also favoured the milk variant. However, women's usage of each variant was relatively evenly distributed between the three variants in comparison to usage by men. Typically, as Labov suggests, women will use more of a standard variant than men, in stable linguistic situations (Labov 1990, 205). Therefore, since this was determined to be a stable situation, this study contradicted this typical pattern. Due to this contradiction, it is possible that the use of the variable forms is due to a different social factor, and that gender cannot be analysed in isolation.

It can also be concluded that this variation is most common in the word milk and is much less common in pillow, as the use of pellow is extremely low for all groups studied. My speculation is that this could be due to the linguistic environment of the vowel, particularly the presence of another vowel (a high-mid diphthong) later in the word pillow. However, further investigation into this difference would be needed to draw a conclusion regarding the cause of this difference.

The results of this study were in juxtaposition to Labov's findings, which concluded that women use more of the standard variant in stable situations and more of new innovative forms in situations of linguistic change (Labov 1990, 205-206). In comparing these results with those found in the Chambers and Hall study, which concluded that the usage of melk was not linked to any particular social group (Chambers and Hall 2018, 6), it could be concluded that these results

confirm their discovery. Although this study concluded that men use more of the standard variant milk, it did not sufficiently conclude where the distribution of the usage of the variant melk is most concentrated. The variant melk was used by both males and females, and was presented in all age groups under the age of 45. The only group in which melk was never present was in speakers aged 45-55.

Conclusions and Limitations

Overall, it can be determined that male participants used the standard milk more often than women, and that the female participants of this study used the non-standard melk and the in-between variant more often than men. However, women still slightly leaned towards the usage of the standard milk over the other variants studied. It can also be determined that this is likely not a change in progress, as those aged 18-24, the youngest studied group, favoured the standard variant of milk, while those 25-30 presented a higher index of the melk and in-between variants.

Some limitations of this study may include the small sample size of 18 (9 women and 9 men), as it may not accurately represent the total population of Canadian-born English speakers living in Alberta. Another limitation with this small sample size was that for certain age groups, there were only one or two consultants studied. It would have also been preferable for casual speech to have been studied, as it best reflects the actual speech of these individuals; however, due to the ongoing global pandemic, this was not a safe option. Additionally, I would have preferred to include an analysis of social class in this study, but since most of the consultants were university students, and therefore may not have a stable income or occupation, it is difficult to accurately determine the socioeconomic status of these individuals.

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Artist: Chloe Friesen
Year: 2nd Year

A Synthesized Approach to Explaining the Expansion of Surveillance:

Risk Perceptions and Surveillance as a Positive Feedback Loop

Author: Jacob Mogg
Discipline: Sociology

ABSTRACT: This paper is a review of partially available surveillance literature in an attempt to synthesize information about the field of surveillance within sociology to provide a clearer understanding of the process as a whole. This paper argues that modern surveillance paradigms evolve much like a positive feedback loop in the biological sense, where increasing surveillance feeds back into the need for more surveillance, causing an exponential (if left unchecked) rise in the level of surveillance within and of society. This position is supported through evidence from a thought-provoking question, surveillance assemblages, risk as a psychological and sociological process and its effect on surveillance, and surveillance capitalism. Finally, this paper concludes with a possible way forward for the study of surveillance, how to end this feedback loop, and where future research within sociology and surveillance as a focus could be taken.

KEYWORDS: Surveillance, risk perceptions, feedback loop

Introduction

Trends among surveillance studies have undergone an abundance of shifts throughout its relatively short existence. Myriad facets of surveillance have been inspected from different angles in attempts to find the most evidence-supported sociological theory of surveillance. Although numerous scholars have attempted to develop extensive theories within surveillance studies, there has been a lack of a complete synthesis of and explanations for all aspects of surveillance, and although fusion still requires more research, a common theme among much surveillance research can be scrutinized: risk management. Risk management has emerged as a potential focus for contemporary surveillance, as vast and diverse methods have been proposed to reduce the number of risk individuals and groups are exposed to daily. Paradoxically, the presence of surveillance has the ability to manage and mitigate risk, and at the same time, surveillance increases the likelihood of developing concern for the potential dangers within society. Surveillance is so much more than just cameras monitoring a store, and the paradigm of the expansion of surveillance itself should be focused on. Although the concept of a positive feedback loop has been studied extensively within the field of biology, it is yet to be applied to surveillance studies within the field of sociology, where increasing the level of surveillance present feeds back into the perception of the need for increasing the level of surveillance. The public perception of risk being present when surveillance is used is the primary focus, rather than its intended purpose of reducing the risk of danger. This paper will analyze and provide evidence for the presence of a positive feedback loop within several modern surveillance paradigms, as well as a possible way forward to stop this cycle before the expansion of surveillance becomes uncontrollable.

A Philosophical Anecdote and the Positive Feedback Loop Overview

To begin, an operational definition of surveillance must be stated in order to establish working parameters for analysis. Lyon (2001) in "Surveillance Society", defines surveillance as "[...] it is any collection and processing of personal data, whether identifiable or not, for the purposes of influencing or managing those whose data have been garnered" (2). Furthermore, the concept of a positive feedback loop must be operationally defined as well. When examined within the field of biology, the feedback loop is described as "a system where one variable increases the quantity of another variable, which in turn increases the quantity/occurrence of the first variable" (Nelson 2018); this same principle can be used when analyzing surveillance. A great deal of scholarly research has analyzed surveillance from a variety of perspectives, but a philosophical anecdote may illustrate this phenomenon of the positive feedback loop more successfully. Imagine you walk into a store with no visually present surveillance measures, you might believe that there is less risk present within the store as the need for surveillance is lessened. Then, you go into the store next to it, and there are more cameras, security guards, and other surveillance technologies than you can count. You may wonder why there is such a need for high levels of surveillance, and what risks those technologies are being used to protect you from. In the first example, you are at a higher level of risk as protective devices are not as present, but feel safer, and in the second example, you are more protected but feel less safe as you dwell heavily on the risks that the surveillance is used to protect you from. Risk management and surveillance have a positive correlational relationship, wherein surveillance is proposed as a risk management strategy, but the presence and perception of surveillance can cause a vicious cycle of increasing levels of surveillance. For example, Beck (1992) states that surveillance is a necessary part of a risk society that can be used to reduce exposures to danger, although, in the process, we allow more and more of ourselves to be surveilled. Further, Bennett et al (2014) in "Transparent Lives," state that "ironically, so much focus on security can breed insecurity" (42), perfectly encapsulating this example. These authors further highlight the paradoxical nature of surveillance when they state that "[...] even though we are probably, on average, safer than ever, people tend to spend more energy dwelling on the risks that remain" (43). This leads to increasing levels of surveillance in response to the perception of the presence of risk, regardless of the sociological understanding that more surveillance only increases the number of risk people believe themselves to be in, continuing to feed into the positive feedback loop of surveillance.

Surveillance Assemblages and their Role in the Positive Feedback Loop

Modern surveillance usage has largely come to culminate into perceived assemblages, meaning that levels of surveillance are spreading to every corner of society and cross-sectioned with technology, integrating together. This, therefore, increases the levels of invasiveness of surveillance, and the data gained as a result is vaster than ever before (Haggerty and Ericson, 2000). In their work "Surveillant Assemblages," Haggerty and Ericson (2000) argue that these increasing levels of surveillance are causing a loss of the ability to be anonymous, with surveillance users employing strategies in order to identify individuals for the user's protection. This integration of surveillance is meant to further reduce risk on all sides, and it may do so, however, the perception of the presence of risk remains, and as a result, the level of surveillance further increases. The number of surveillance technologies and methods is increasing and becoming further interconnected and, as such, the populations of the world witness and experience greater surveillance, feeding fears of danger and risk even more. When every aspect of one's life is exposed

to extensive surveillance, fear sets in as to why. These assemblages are thus not reducing perceived feelings of risk, but rather, increasing them. As more surveillance measures are brought together into the assemblages, the more the population is going to believe they are at risk. The growth of these assemblages is likened to "rhizomatic expansion" where surveillance assemblages "grow like weeds" (Haggerty and Ericson 2000, 614), and this growth further feeds into the positive feedback loop of surveillance.

Capitalism and How the Assurance of Profit Feeds into the Positive Feedback Loop

Profits from surveillance also benefit, feed into, and protect the positive feedback loop. As a result, surveillance can be proposed as a risk management strategy not only for individuals but for corporations as well. In his work "Surveillance, Crime and the Police," Haggerty (2012) states that the private operation of surveillance cameras began within the private sector in order to protect themselves from theft, fraud, and numerous other dangers that may cost the corporations money. The risk of monetary loss has not only led corporations to place their own surveillance devices within their physical property but has also caused them to seek out other data about the public in order to gain profits. An example of this can be seen with corporate marketing utilizing advertiser profiling an individual's online browsing and spending in order to advertise to them more effectively, and in turn, gain more profit. Zuboff (2015) discusses this in great detail in "Surveillance Capitalism," which exemplifies this new paradigm when they state: "new monetization opportunities are thus associated with a new global architecture of data capture and analysis that produces rewards and punishments aimed at modifying and commoditizing behaviour for profit" (85). The relationship between corporations and surveillance is not only reactive and defensive, but proactive and offensive as well, in order to protect themselves from the risk of losing potential profit. Corporations would thus perceive themselves to be at risk of profit loss if not for surveillance technologies, and in turn, surveillance levels increase not only physically, but digitally as well. This illustrates the pervasive nature of the positive feedback loop, as the risk of profit loss leads to investing in increased levels of surveillance for new avenues towards profit, which as a result, increases the capabilities of profit, as well as the risk for money loss if this expenditure was not successful.

The Rapid Expansion of Surveillance and National Security

The post 9/11western world saw the rise of the already expanding vast regime of surveillance skyrocket due to moral panics and western isolationist policies. National security became a forefront of policy decision-making

and led to years and years of wars "On Terror" being waged by the western world on many middle eastern countries, such as Iraq or Syria. While the long-term purpose of said wars has been up for debate for a long time, whether it be for materialistic gain (Bayo 2012), or imperialism (Fouskas and Gökay 2005), it was initially a retaliatory measure for the September 11th attacks. These wars caused thousands of unnecessary, unrelated deaths after the attacks on both sides, such as citizens who had nothing to do with it. Further, the fallout of what happened after resulted in many numerous side effects, such as xenophobia and islamophobia (Kumar 2021) that has had lasting ramifications on international relations and on the lives of many citizens inside western nations. Domestically, national security measures started to expand incredibly fast, resulting in higher levels of surveillance than ever before. Rhizomatic expansion, as stated earlier by Haggerty and Ericson (2000), of surveillance assemblages also manifested post-9/11. Lyon (2003) exemplifies this with "The surveillance aftermath of 9/11 also highlights two key trends: the convergence and integration of different surveillance systems, and their globalization." (8). These surveillance measures were meant to protect the country from threats from other nations and their people, but modern western governments have gone the other way, furthering their own surveillance capabilities and frequency of its own citizens within the borders of

their nations, as well as outside threats. The countries used national security as a justification for it, but this has only fed into the loop more. For example, the Patriot Act in the USA, Bill C-36 and C-51 in Canada, and other similar legislation has had the opposite effect of furthering citizen fears of an omnipresent, surveilling government that could be violating our rights and freedoms (Alford 2016), rather than the intended purpose of quelling their fears of national security risks from other foreign nationals. CSIS in Canada and the NSA in the US were created, adding to the governments' abilities to surveil, as legislation to protect domestic interests lagged behind (Alford 2016). Policymakers felt as if the risk was incredibly high and used that fear to expand surveillance not only of their own people but of foreign nationals who they felt might be a threat (Foley 2018). This fear allowed and justified the governments of each country the ability to spy on their, and other countries' citizens, as the legality of such spying was not a focus at the time directly following the attacks. A "do and ask for forgiveness later" approach was essentially employed by the governments of western nations, but by the time forgiveness is sought, the damage could already be done. A quote from Lyon (2003) encapsulates this idea perfectly: "The current anxious and tense situation which has followed September 11, 2001, is helping to create a potentially parlous augmentation of surveillance of the latter [socially negative] kind in several countries." (17). Due to this rapid expansion, surveillance technology and capabilities soared, meaning surveillance was increasingly becoming a part of everyday life. When people see these rising levels of surveillance, their fear of the risks also increases, and as a result, surveillance increases as well. 9/11 caused an exponential rise in surveillance, not only in the technology, but also the quantity. It has served as a metaphorical trampoline for the continuing expansion of surveillance that has persisted ever since.

Where To Now?

The next question many have is where we go from here? How do we stop this rapid expansion of surveillance? Education on the topic is the first step towards ending the positive feedback loop of surveillance that not only serves to grow itself but takes away the privacy and identity of individuals in the process. Risk, however, cannot be completely avoided, which, as seen, leads to more surveillance. As demonstrated, being aware of surveillance without a proper understanding of its purpose can lead to inaccurate perceptions of the intentions of surveillance. This can be remedied through resistance, however, which is a side effect of the increasing levels of surveillance. This resulting resistance to surveillance is a reactionary measure to growing levels of surveillance and is necessary to stop the cycle of the positive feedback loop. Gilliom and Monahan's (2012) work, "Everyday Resistance," states that "although surveillance systems are becoming more encompassing and totalizing, amassing data and manipulating people as objects, resistance remains one of the levers by which power relationships can be adjusted, in trivial or significant ways, within the machine of modern life" (411). This then illustrates the effect resistance can have on surveillance as it can lead to problem-solving measures such as public education about surveillance and privacy legislation to ensure individuals are protected. Privacy must be at the forefront of surveillance policymaking, not lagging behind as it typically does, since surveillance is expanding faster than the already established laws can handle (Bennett et al. 2014). The phenomenon of the positive feedback loop can lead to further invasive surveillance levels of individuals who often do not need to be surveilled and deserve privacy and protection instead. Lyon (2003) states that "I wish to bypass the hype and to argue soberly that unless the current intensification of surveillance is slowed or stopped, in the USA and elsewhere, the emerging climate of suspicion will envelop us all in conditions that are not merely disagreeable but unjust and unfree" (6). Education, understanding, and legislation as a result of resistance can therefore all work together to stop the exponential expansion of surveillance. It must be exercised before surveillance expansion becomes unmanageable and loses the ability to be controlled by humans, and society is damaged as a result.

Conclusion

Perceptions of surveillance and risk have large levels of interplay with one another. The actions of increasing surveillance to mitigate feelings of risk tend to have the opposite intended effect. Increased surveillance creates feelings of increased risk, which in turn leads to more surveillance to "solve" the problem, leading to a never-ending positive feedback loop of surveillance expansion. Many surveillance users and individuals who are monitored rationalize this effect for a variety of reasons, such as risk management and even for profit. Evidence for this effect can be seen in other contemporary surveillance theories as well. These theories attempt to explain different aspects of surveillance, and the positive feedback loop is present in these theories, as they all share evidence for the existence of this effect. Being aware of and understanding this loop is paramount for necessitating change that will halt the inclining slope that is the amount of surveillance in contemporary society. It is not known the true limits of surveillance and its consequences, which could potentially be damaging to society without controls in place. The onus is largely on the population who is being monitored to speak out and resist the expansion of surveillance, and thus it is on us to have a say in how much we are willing to be surveilled without pushback and potential change. Ending this cycle of positive feedback is very important for society's well-being, but does require further sociological research to fully analyze the depth and effect of this phenomenon and keep surveillance levels from becoming disastrous.

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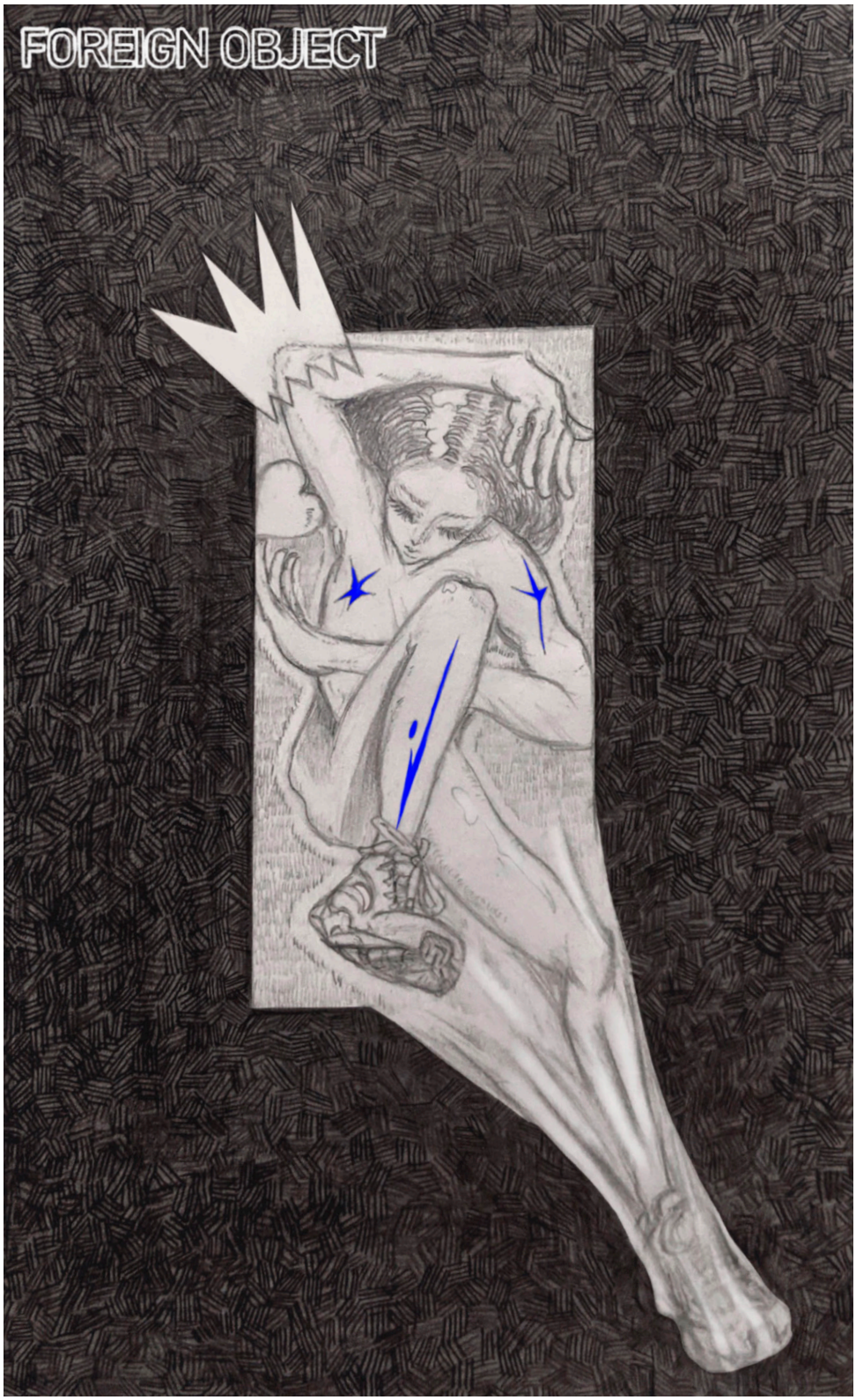

Artist: Adrielle Aquino
Year: 3rd Year

Decriminalizing Sex Work:

How The Protection of Communities and Exploited Persons Act Harms Consensual Sex Workers and Creates Further Stigmatization in Society

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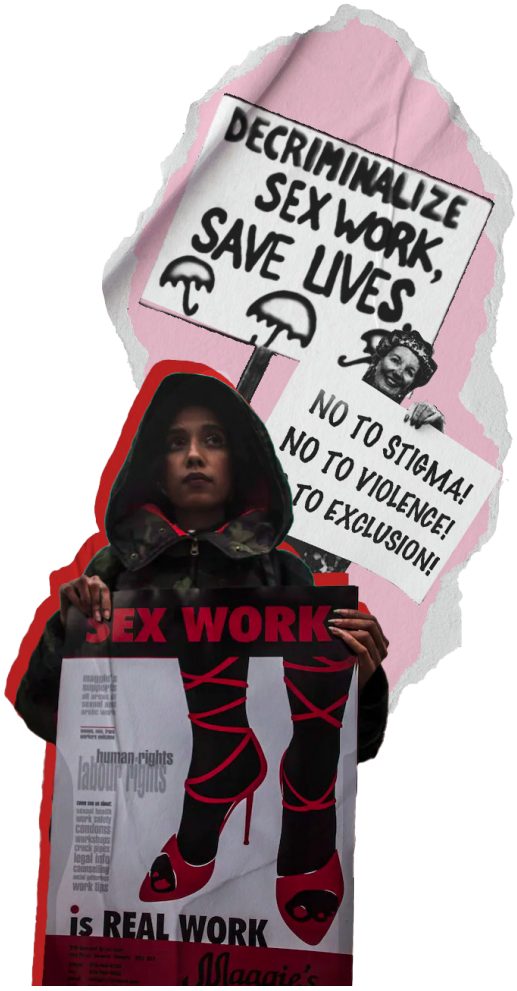
Discipline: Criminology

ABSTRACT: This paper will explore the current legislation in place in Canada regarding sex work, the Protection of Communities and Exploited Persons Act (PCEPA), and how it harms and stigmatizes those engaging in consensual sex work. The PCEPA was established as a response to the decision made in Bedford v. Canada which determined that the previous provisions governing sex work were unconstitutional. The intention of this Act is to criminalize the payment of sexual services, the procurement of sexual services, and third-party advertising of sexual services. Its main goal was to reduce the human trafficking that often occurs within the sex work environment. While human trafficking is undeniably an issue in contemporary society, the PCEPA fails to acknowledge other perspectives of individuals that it impacts, including those choosing to engage in sex work. This paper will argue that the decriminalization of sex work will be beneficial for those engaging in sex work by reducing the harm and stigmatization that many sex workers face. Current sex work legislation must work to find a balance between combating human trafficking while also protecting consensual sex workers.

KEYWORDS: Bedford v. Canada, human trafficking, sex work, PCEPA, policy studies

The legislation surrounding the sex industry has been a heavily debated topic among scholars and citizens in Canada. While the exchange of money for sexual services has never been made illegal, the laws pertaining to sex work have made it nearly impossible (Benoit et al. 2017a). Various decisions such as The Solicitation Subcommittee in 2003, the Bedford Charter Challenge in 2007 and 2013, and the deliberations surrounding Bill C-36 which enacted the Protection of Communities and Exploited Persons Act (PCEPA) in 2014 (Shaver 2019) have changed the provisions governing sex work within Canada. Each decision is believed to be more progressive than the last, with the final Act being thought to ultimately promote safety and protection for those in the sex industry. These three decisions, particularly the latter, fail to recognize the distinction that exists between those who chose to be in the sex industry and those who are coerced or forced into this line of work. In failing to do so, the implications of these legislative decisions promote dangerous and negative outcomes for those choosing to participate in sex work, ignoring their voices and perspectives throughout the process. They fall short in protecting sex workers and add further stigma to this already highly stigmatized industry. Additionally, the way sex work is framed in policy as a result of the Conservative government's ideals directly reflects the way sex work is viewed by the general population. This paper will argue that decriminalizing sex work in Canada will bring about positive change in the lives of sex workers, as the current policy established by the Conservative government creates additional harm and stigma for those choosing to be in the sex industry. I would also like to briefly note that I will only be referring to sex work as sex work throughout this paper, as the term 'prostitution' is often linked to notions of criminality and immorality (Open Society Foundations 2019) which opposes the very ideas I am discussing.



History of Sex Work Legislation

The Subcommittee on Solicitation Laws (Subcommittee, hereafter) was created by the federal government in February of 2003 (Shaver 2019). The Subcommittee's mandate was to review the solicitation laws that were in place at the time in hopes of improving the safety of sex workers and the general population. In addition, it provided recommendations that could reduce the violence and exploitation sex workers face within broader society (Shaver 2019). While this review was initially promising, the execution was disappointing and ineffective; when the final report was released, it did not contain a single suggestion for substantial reform despite this being one of the main reasons the Subcommittee was formed (Shaver 2019). These decisions set the stage for further legislation regarding sex work.

The Bedford v. Canada case was the next influential decision in regard to sex work legislation. The case began in 2007 when Teri Bedford, Amy Lebovitch, and Valerie Scott (two former sex workers and one current sex worker) challenged the three sections of the Criminal Code that regulated sex work to the Ontario Superior Court (Shaver 2019). Research has shown that many sex workers have advocated for the removal of these provisions in the Criminal Code and to focus instead on protecting sex workers from further exploitation and harm (van der Meulen 2010). Snow and colleagues (2020) outline how the unsafe working conditions and prevalent victimization of sex workers were the primary motives behind the challenge made in the Bedford case. This challenge by Bedford and colleagues was based on four claims: (1) the laws violated Section 7 of the Charter of Rights and Freedoms which outlines the rights to liberty and security of the persons, (2) these violations did not align themselves with principles of fundamental justice, (3) the prohibition of commu-

nication regarding sexual services violated the workers' rights to freedom of expression, and (4) these violations could not be justified in a "free and democratic society" (Bedford v. Canada 2010). The focus of their argument was that the laws in place within the Criminal Code prevented sex workers from creating and enforcing safety plans through the prohibition of communication between workers and their clients (Snow et al. 2020). In 2010, the Ontario Superior Court found the Criminal Code to be unconstitutional in its provisions regulating sex work at the time (Bedford v. Canada 2010). The decision was then appealed in 2011 when a split decision occurred within the court (Shaver 2019). This resulted in an appeal to the Supreme Court of Canada which, through a unanimous vote, struck down all three provisions regulating sex work in the Criminal Code and gave the federal government one year to enact new legislation that would address this decision (Shaver 2019; Snow et al. 2020).

Finally, we can look at the proposition of Bill C-36 that was brought forward by the Conservative government in 2014 in response to the Supreme Court's decision on the Bedford case (Benoit et al., 2017a; Government of Canada, Department of Justice 2014; Shaver 2019). The intention of this bill was to criminalize the payment of sexual services, the procurement of sexual services, and third-party advertising of sexual services (Protection of Communities and Exploited Persons Act [PCEPA] 2014). Shaver (2019) outlines how the bill essentially reintroduced the old laws while altering them to prohibit the purchasing and advertising of sexual services. It officially became implemented as the Protection of Communities and Exploited Persons Act (PCEPA) in November 2014 (Government of Canada, Department of Justice 2014). Various issues and concerns have been raised in regard to the implementation of this Act which will be discussed further in this paper.

Harms of the Protection of Communities and Exploited Persons Act (PCEPA)

Various issues have emerged as a result of the implementation of the PCEPA, specifically, the additional danger it has imposed on sex workers despite its intention to provide safety and protection. A multitude of research has been conducted on the various ways sex workers feel they are negatively impacted by this Act, and I will be focusing on four specific elements in this next section: issues with specific sections of the Act, the blurring of consensual sex work with coerced sex work, the discourses and narratives surrounding this piece of legislation, and the lack of evidence and input from sex workers. Each will be further explored and dissected to gain a better understanding of how this Act specifically undermines sex workers who choose to be in the industry.

The Broad Categories of the PCEPA

The PCEPA, while claiming to have progressed in the right direction from preceding pieces of legislation on sex work, has created further difficulties and dangers for sex workers through its various provisions. Many of the challenges to this Act highlight the link between punitive legal frameworks and compromising the safety, legitimacy, and protection of sex workers (Benoit et al. 2017a). For example, the prohibition on communication regarding sexual services that the PCEPA enforces restricts sex workers from having the ability to negotiate with clients beforehand and reduces their ability to screen clients to ensure that they are entering into a safe exchange (Snow et al. 2020). This has resulted in sex workers resorting to areas like alleys, side streets, and isolated areas to conduct their services, increasing the risk of victimization (Snow et al. 2020). Similarly, the PCEPA criminalized profiting from the sale of sexual services in hopes of reducing the violence and coercion that individuals such as pimps will often use to benefit from the exploitation of the workers (Snow et al., 2020). However, this forces sex workers to work alone, as those who provide security or protection face criminalization if caught (Snow et al. 2020). This further exacerbates the dangerous conditions of sex work and displays a clear example of how this legislation focuses solely on those being coerced into sex work while ignoring the safety of other sex workers.

Consensual Versus Coerced Sex Work

As Benoit and colleagues (2017a) outline, sex workers discussing the PCEPA emphasized the need to carefully distinguish between consensual sex work and sex work in which the people involved are being coerced or trafficked. The dominant narrative that surrounds sex work is that of human trafficking, subsequently creating the connection between sex work and victimization (Rose 2016). Rose (2016) describes how anti-human trafficking narratives hold powerful influence over policies created for the sex industry, which in turn have negative effects on those who voluntarily choose to partake in sex work. The creation and employment of the PCEPA reflect these anti-human trafficking narratives, shifting the ways sex workers are treated as it depicts all sex workers as victims (Snow et al. 2020). The legislation itself creates conditions that produce additional dangers for all sex workers, overpowering the voices and perspectives of those who voluntarily engage in sex work. While discussing consensual versus coerced

sex work, it is important to note that there is a grey area surrounding these distinctions. There are various factors that may influence an individual's decision to be in the sex industry. Some may be coerced, others forced by factors such as racism, poverty, or domestic violence, and some may simply choose to engage with this work (Abrol 2014). However, acknowledging that there are individuals who are not merely "trafficked" into the industry is crucial to consider while developing and implementing sex work legislation.

Discourses Created by the PCEPA on Sex Work

Along with the physical danger that the PCEPA imposes on sex workers, the various discourses that have emerged contribute to the negative effects this Act has had on those choosing to be in the sex industry. The dominant discourse that has appeared throughout discussions surrounding sex work and the PCEPA is the dichotomy of how sex workers are viewed. This dichotomy often portrays sex workers as either victims of exploitation or as empowered individuals taking control over their bodies and their decisions (McLean 2017). However, the former is often favoured in discussions on sex work as seen through the PCEPA. As Shier (2021) suggests, improving the working conditions of those in the sex industry was not a priority for policymakers as they often presume that individuals should not be engaging in sex work at all. Focusing on the victimized sex worker overpowers the knowledge and contributions of consenting sex workers and their insights on these matters (Rose 2016). As a result, these discourses and the legislation promoting them can increase the stigmatization that many sex workers face daily.

Lack of Evidence & Input From Sex Workers

The PCEPA overlooks and ignores the perspectives of sex workers while focusing largely on the issue of human trafficking. While human trafficking is important to address and should be at the forefront of policy discussions, it is equally important to bring the voices of sex workers who choose to be in the industry into the focus of legislation decisions. In their work, Benoit and colleagues (2017a) describe the availability of reliable evidence and input from various sex workers that exists. However, policymakers fail to take into account the diverse perspectives of those within the sex industry when implementing legislation despite the sex workers being the population directly affected by it. Similarly, the experiences of sex workers tend to be framed in ways that fail to account for their wide range of experiences and life circumstances (Rose 2016). An exception to this was the Bedford challenge that allowed three sex workers to bring their voices into the focus of legislation discussions (Benoit, Unsworth, et al. 2021). However, as we can see from the legislative outcome, their voices did not make the lasting impact they had hoped for and thus demonstrates how the legal system has failed to make significant changes in this area. The lack of representation of actual sex workers in these discussions has resulted in their needs and safety being overlooked in the implementation of the legislation, furthering the dangers that sex workers may face within their work environment.

Stigmatization & Public Perceptions Around Sex Work

Continuing the discussion of the narratives surrounding sex work, stigmatization undeniably exists within the sex industry and perpetuates extensive harms experienced daily by sex workers. The way in which sex work legislation frames sex workers can directly influence public perceptions of sex work and exacerbate the stigmatization sex workers may encounter in their lives. Exploring the views that the Conservative government holds towards sex work is essential to understanding how sex workers are framed in sex work legislation as they have had considerable influence over the laws that are standing today. Additionally, analyzing the stigma that occurs illustrates another harmful result of the PCEPA and supports the demand for the decriminalization of sex work.

Conservative Government and Neoliberalism

Exploring the ideals that the Conservative government holds towards sex work is critical to the discussion of sex work legislation as they have been the main influence on the current regulations placed on the sex industry. In response to the Bedford challenge, the Conservative-led government at the time opposed the decisions of the court stating that "the prostitution trade is bad for society" (Shaver 2019, 1958), which clearly outlines this government's view of sex work. Additionally, the Conservative government argued that prostitution should be prohibited entirely as any effort to decriminalize it would negatively impact Canadians and suggest that the exploitation of an individual's body is acceptable within society (Sampson, 2014). They have also proposed ideas on how to regulate sex work which include giving assistance to first-time offenders or those being coerced into sex work in order to get them out of the industry without criminal records while arguing for the punishment of those who "freely [seek] to benefit from prostitution" (Sampson 2014, 151). The Conservative government's stance on sex work reflects neoliberal methods of governance that emphasize individual freedom, traditional values, and

personal self-restraint (Sampson 2014). These views are reflected in the legislation around sex work and the way it depicts sex workers. Not only has this resulted in poor outcomes for those choosing to be in the sex industry, but it has led to an increase in the stigmatization surrounding sex work.

Stigmatization of Sex Work

An analysis of the PCEPA suggests that while matters of exploitation and protection are embedded immensely throughout, there is a lack of discussion of aspects such as discrimination and stigmatization within the Act (Shier 2021). Stigmatization surrounding sex work is deeply entrenched within our society and has only been worsened by the implementation of the PCEPA. The way in which the PCEPA frames sex workers has been reproduced in various ways in larger society; for example, radical feminists view sex work as a practice of sexual exploitation and argue that it should be completely abolished (Sampson 2014; Shaver 2014). Sex workers are also constructed as deviant "others" and are given derogatory labels such as prostitute, whore, and hooker (Benoit et al. 2017b). The label of "prostitution" itself holds a vast amount of stigmatization and despite this, is still used in most government policy documents including the PCEPA (Benoit et al. 2017b). As Benoit et al. (2017b) outline, macro-level influences such as policies and laws directly contribute to the stigmatization of sex work, and the PCEPA is no exception. The PCEPA emphasizes that sex workers are often "victims" of the industry, creating stigma towards those who choose to be in that position and causing unnecessary discrimination. As the PCEPA continues to criminalize aspects of sex work, it continues to exacerbate the stigma around it, despite the Act not directly prosecuting sex workers (Desmore 2021). This, along with the various other factors discussed, outlines why the legislation in place needs to be reformed in order to avoid increasing the danger that sex workers face.

Decriminalization of Sex Work

Throughout this paper, we have looked at the ways sex work has historically been regulated and have discussed the harms of various legislative decisions. In order to move forward and create legislation that reduces the violence that sex workers experience, decriminalization measures must be incorporated into our society (Benoit et al. 2017a). Various case studies have found that sex workers continuously advocate for the decriminalization of sex work in order to bring about positive changes within the sex industry (Abrol 2014; Benoit et al. 2017a; Benoit, Unsworth, et al. 2021; van der Meulen 2010). Additionally, global social rights agencies have advocated for decriminalization as a harm reduction approach, stating that it is a human right for individuals who voluntarily choose to do sex work to have access to employment and civil rights similar to that of other service workers while being free from stigma and discrimination (Benoit, Unsworth, et al. 2021). Many individuals have voiced their opinion about the PCEPA and how it makes those choosing to work within the sex industry feel unsafe and unprotected (Benoit, Unsworth, et al. 2021). Change is needed to reduce the harm sex workers experience and to increase their overall well-being (Benoit, Unsworth, et al. 2021). Various sex workers have also argued that they should be allowed to dictate what they can and cannot do in their profession and with their bodies without being punished for it (Benoit et al. 2017a). Abrol (2014) outlines that while decriminalization may have its drawbacks, such as further stigma and extensive labour regulations, the potential positive outcomes outweigh the risk.

So, what exactly would the decriminalization of sex work look like? Decriminalization involves the removal of selling or buying sexual services from the Criminal Code (Benoit et al. 2017a). It would reduce the amount of interference from the government or third parties in the lives of sex workers (Abrol 2014), allowing them to have more control of their work as well as the clients and situations they choose to engage with. Decriminalization also creates the potential to lessen the victimization sex workers experience from clients and police officers who target them, as well as allowing sex workers to hire protection without having to resort to individuals, such as pimps, that exploit them while doing so (Abrol 2014). Many sex workers suggest that if sex work were decriminalized, they could engage in their work as a real business and look into benefitting measures such as advertising, minimum labour standards, and occupational health and safety guidelines (Benoit et al. 2017a); put simply, sex work would be seen as legitimized work. Additionally, sex workers could have a place to sell their sexual services to ensure their safety and protection without fear of being shut down by the laws in place (Benoit et al. 2017a). Sex workers would also be able to seek justice against a would-be kidnapper or assailant without the fear of being criminally prosecuted themselves (van der Meluen 2010). They could also access health services, mental health aids, and housing resources (Benoit, Unsworth, et al. 2021) while improving their overall well-being without the threat of criminal prosecution. They could be free to engage in the lifestyle they want without fear of shame and stigma, allowing them to become empowered and restore their dignity that is too often silenced by shame. Additionally, the decriminalization of sex work would

allow sex workers and the organizations supporting them to make important decisions regarding their work, without having their lives and bodies dictated for them (Benoit, Unsworth, et al. 2021).

The list of positive impacts that the decriminalization of sex work could have on sex workers seems to be endless. However, it is important to discuss the tragic reality that exists for many in the sex industry: human trafficking is still prevalent in society today. While it is uncertain whether the PCEPA has effectively combated human trafficking, we do know that the Act has had harmful impacts on those choosing to be in that line of work. Therefore, in an effort to decriminalize sex work, it is essential to find a balance between combating the issue of human trafficking and ensuring the protection and safety of those choosing to engage in sexual services. While it is not addressed in this paper, establishing how a balance may be struck between the two is essential to ensuring efforts to decriminalize are effective in both areas.

Conclusion

The legislation surrounding sex work in Canada has developed immensely over the years and continues to be researched and discussed by various scholars today. The PCEPA, while attempting to promote safety and protection, has resulted in further harm and stigmatization for sex workers choosing to be in the industry. The PCEPA fails to recognize the difference between those who are victims of the sex industry and those who choose to be in this line of work, thus creating dangerous conditions for all sex workers. This discussion that has been developed on the PCEPA throughout this paper builds a foundation for why decriminalization is the best option for sex work in Canada. Additionally, analyzing the framework the Conservative government has created around sex work is crucial to understanding the stigmatization that has resulted from the PCEPA. This paper considers these topics and outlines how decriminalization can bring about positive changes in the lives of sex workers while acknowledging that human trafficking is a tragic issue that needs to continue to be addressed.

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Artist: Adrielle Aquino
Year: 3rd Year

Educating the Electorate:

The Political Implications of Social Studies Curricula and Models of Citizenship

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ABSTRACT: Social Studies education is politicized, powerful, and highly contentious. Scholars have long debated about the content of Social Studies curricula, interest groups have historically tried to influence its material, and in recent years headlines have highlighted controversial subjects like Critical Race Theory and Indigenous reconciliation. This paper argues that it is impossible to teach a neutral Social Studies curriculum, and so educators must be mindful of the impact their content will have on young minds and future citizens of their society.

KEYWORDS: Citizenship, curriculum, democracy, education, social studies

Introduction

Social Studies education shapes society's future citizens, who in turn shape society itself. How Social Studies curricula teach those students to feel about democracy, participation, and power structures has a massive impact on the worldview, and therefore the actions, of those students. In this paper, I will explore the variety of approaches taken to this question and how each of them influences the outcomes for students. First, I will explore the reasons why Social Studies education is so highly politicized, and why it's impossible to have a fully "neutral" Social Studies curriculum. With that in mind, I will show how the approach to citizenship taken by a Social Studies curriculum will shape the way it teaches its content, which in turn shapes the understanding that students take away from that content and apply it to their lives.

I will detail approaches that various theorists have taken to these subjects, culminating in an application of Joel Westheimer and Joseph Kahne's three models of citizenship. Examining these three models, I will illustrate how each model would impact the teaching of Hitler's rise in Germany and the fighting of World War II, and the impact each of these models would have on students' long-term worldviews, including, in particular, their views of democracy. While I do not aim to advocate for any specific model of citizenship in this paper, I do wish to demonstrate how significant the choice of which model to emphasize is, and therefore how seriously educators should consider the model they are applying and the impact it will have on their students. While I'll be primarily speaking about Social Studies curricula in Canada, I will also draw upon some research from the American context and use some examples from the US. As Geoffrey Milburn's research demonstrates, Canadian curriculum changes have often paralleled curriculum changes in the States, and American research has influenced Canadian curriculum development (Milburn 1976, 215). We can also see many thematic similarities between the two systems. Both countries explicitly state that the primary goal of their Social Studies education programs is to prepare students to become good citizens. Both countries have also seen similar debates in recent years over how that goal should manifest in terms of content. There are massive disagreements between people about what makes a good citizen, and these are reflected in both countries in debates over curriculum. The answer to the question of what makes a good citizen, as I will demonstrate later, shapes how content will be delivered and how students will be taught to apply that content in their own lives.

On a final note of introduction, I want to clarify the terminology I will be using in this paper. While some countries teach a variety of subjects under a similar banner, including Geography, History, and Civics, in the Canadian context and in a majority of American states, "Social Studies" refers to the subject that encompasses education about society, government, and history. For this reason, I will use the term "Social Studies" throughout this paper.

The Myth of a Neutral Curriculum

A country's educational system is foundational to its society and the future of its citizens, not only because it prepares them to exist productively in that society, but also because it shapes the way they feel about society itself and their place within it. Social Studies, in particular, moves beyond content about how the world is toward content about how the world should be and how individuals should act to shape that world. While other subjects also teach about values and beliefs alongside facts and knowledge, Social Studies most explicitly guides students to develop particular feelings about government, and those who hold leadership in society. This is why Social Studies education and access to information about history and government is so heavily manipulated in authoritarian countries, as seen in Stalinist Russia, Nazi Germany, and Communist Vietnam, among others.

The influence that Social Studies education has on the future of a country is also the reason why this subject has been, and continues to be, such a site of controversy in Western liberal democracies. Social Studies curriculum decisions are often massively politically charged, and various interested parties vie for influence over the outcome. Many of these competing interests have picked high-profile fights with one another in recent years. National headlines lamented a British Columbia school district's banning of the beloved Dr. Suess book Yertle the Turtle -- whose moral takeaway is encapsulated in the line "I know up on top you are seeing great sights, but down here on the bottom, we too should have rights" -- on the grounds that it was "too political" (Ross and Vinson 2014, 98). The discovery of unmarked graves at Residential School sites across Canada has drawn a renewed attention to the Truth and Reconciliation Commission's Calls to Action, which include demands to better educate Canadians about the history of Indigenous relations in this country, but there is widespread disagreement on how best to do so (Miles 2020, 47). In the US, battles rage over the introduction of Critical Race Theory (CRT) in classrooms.

While these may be particularly politically charged examples, Social Studies has always been political. As E. Wayne Ross and Kevin Vinson write, "Anyone who has paid attention to the debates on curriculum and school reform knows that schooling is a decidedly political enterprise. The question in teaching (as well as teacher education and school reform) is not whether to allow political discourse in schools or whether to advocate or not, but the nature and extent of political discourse and advocacy" (Ross and Vinson 2014, 101). Ross and Vinson also point out that although educational orthodoxy has often held that teaching neutrality means teaching the status quo and that teaching critique and change is inherently political, this idea is now being challenged, as maintaining the status quo is an equally political objective to changing it (Ross and Vinson 2014, 100).

Any Social Studies curriculum will have to make choices about what to prioritize. Any student coming out of a Social Studies education will have particular ideas about their society and how they should behave as a citizen of it, which will always have political implications for the future of that society. It is therefore insufficient to argue that a Social Studies curriculum should be "non-political" or "neutral". Choices will always have to be made, and those choices will always have political implications, which is why the pedagogical conceptions that underlie those choices are so important.

What is Social Studies?

In order to examine the approaches that are most commonly used to make these choices within Canadian curriculums, it is important to understand what the focus of Social Studies is in terms of content. I argue that the dominant source of content in Canadian Social Studies is history, while the main professed goal of Canadian Social Studies is to develop citizenship. In exploring the relationship between the two, I aim to demonstrate how history education will always be shaped by the approach a Social Studies curriculum takes -- those choices about what to prioritize and which aspects to emphasize -- and how those approaches are shaped by the curriculum's conception of citizenship. In this way, the teaching of historical concepts and the conveying of moral values about citizenship may both be held as goals of a Social Studies curriculum, but the approach to the second goal (citizenship) will massively impact the presentation and outcomes of the first (history content).

While Social Studies can technically include a wide variety of subjects from anthropology to economics, the majority of content will be linked to a particular historical time period (like an anthropological examination of a particular society, or an exploration of how economics impacted certain historical events). Generally, each year of a Social Studies curriculum will focus on a few major historical events and explore other concepts surrounding that time period. For example, the 8th grade Social Studies curriculum in British Columbia centres around feudal Japan, the Renaissance in Europe, and civilizations in Mesoamerica such as the Aztecs (BC's Curriculum 2018). A major theme of the 5th grade Social Studies curriculum in Ontario is "early societies to 1500 CE" (The Ontario Curriculum 2018, 22). Elementary Social Studies in Quebec focuses on the Iroquois, the development of New France, and other themes in Canadian history (Social Studies - Elementary 2021, 198-202). History plays a major role in Social Studies education across the country and is often used as a vehicle for exploring broader themes such as colonization, migration, and the evolution of ideas and value systems.

The role that history education should play within the larger discipline of Social Studies is a matter that theorists have disagreed about over time, as C. Gregg Jorgenson outlines in his chapter "Social Studies Curriculum Migration: Challenges in the 21st Century". As Jorgenson introduces, history being taught as a subcategory of Social Studies more broadly is not universally supported. Diane Ravitch, an American writer, argues that "history has gotten submerged and smothered by social studies," to the detriment of students' overall knowledge (Ravitch 2005). Precisely because authoritarian societies rely so heavily on manipulation of the past and erasure of historical events, Ravitch argues that reducing the amount of time spent learning history is a major problem (Jorgenson 2014, 7). Her worry, then, is that the more educational systems in Western liberal democracies reduce the amount of time spent on history alone in their classrooms, the more students are at risk of not understanding the past and therefore being able to serve as stalwarts against authoritarianism in the future.

"Social studies teachers treat history as only one of a dozen different 'studies' that they cover," writes Ravitch, "and by no means the most important." (Ravitch 2005). She argues that rather than lumping a variety of disciplines together under the banner of Social Studies, history should instead stand on its own and historical facts should be prioritized for their own sake. Ravitch, then, would disagree that a conception of citizenship should guide the teaching of history. She would instead posit that the priority should always be historical information without the lenses of the additional "studies" Social Studies necessarily includes.

I would argue that it is simply impossible to teach history without those additional studies, for similar reasons that it is impossible to teach an entirely "neutral" curriculum. Stephane Levesque gives a few examples to illustrate how problematic it can be to deliver historical information without context and perspective: "To be able to understand, for example, why World War I is important to Canadian identity or what makes Louis Riel a 'traitor' for some English Canadians and a 'hero' for the Métis demands more intellectual rigour than remembering a story of the past," he writes, "which typically appear to students as socially uncontested and historically self-evident." (Levesque 2005, 2). Levesque's argument is very important here: students will generally accept what they have been presented by their teachers as fact, but historical information is not as simple as separating fact from fiction. The approach to presenting that historical information will impact the understanding students have about those concepts -- whether Riel was a traitor or a hero, to use Levesque's example -- and to present any single approach to that information as the only possible approach would simply be inaccurate. There will always be other facts to consider, or other perspectives to evaluate when analyzing a historical figure or event, and the choices that are made about which to include in a student's education will have massive implications for what that student actually learns. A student who learns that Riel was a traitor who hindered the confederation of Canada will likely end up feeling very differently about their country than a student who learns that Riel was a hero who resisted the colonial project. Neither of these is necessarily the "correct" teaching of Riel, but neither of them is neutral either, and any presentation of facts about Riel's life and struggles against the Canadian government is likely to lead students to one conclusion or the other.

The key problem with Ravitch's argument is that even if we were to remove all the other "studies" from Social Studies, there would never be enough time to cover every possible important historical event, every stakeholder in that event, and every perspective on that event's implications for the world. You could spend years studying Riel alone and never be sure to have the full truth of his life and his legacy. History requires evaluation and history education requires prioritization, and the method of that evaluation and prioritization is generally shaped by bigger questions about society and how it should function - the very question those other "studies" help to answer.

Jorgenson explains that Edwin Fenton made an argument along these lines in 1971, premised on the idea that historical teaching will always be limited by the flaws in historical sources and historical writing (Jorgenson 2014, 8). Fenton argued that any analysis of history will be impeded by the necessity of emphasizing certain people, events, or areas of the world over others (Jorgenson 2014, 8). For this reason, Fenton believed it was more important to focus on answering these three questions: "What is a good man? What is a good life? And what is a good society?" (Jorgenson 2014, 9).

I agree with Fenton that the answers to these questions fundamentally impact how we interact with history -- who we celebrate and who we condemn, for example. In the modern world, composed of nation-states, the answers to questions of goodness often come down to one's conception of citizenship. This is because citizenship is the lens through which most people exist in a collective society -- they have a passport, a status, and an ability to exert power over their government and the other people living among them (to different extents, depending on the systems of power in their country) all through their role as a citizen. An international

system that views nation-states as the primary actor on the global stage tends to think of individual people primarily in terms of citizenship. Because of this, how we teach history is often shaped by the lessons about citizenship that we are aiming to convey. In the following section, I will explore the focus on citizenship in Canadian curricula, and how the various conceptions of citizenship impact the way Social Studies content, including history, is taught.

Social Studies as Citizenship Education

"The primary goal of social studies instruction is to nurture the development of students' civic sensibilities and provide a place to refine their ideas and understanding of the social world, in all its complexity," writes Christopher Leahey (Leahey 2014, 66). This is an attitude commonly held in Western liberal democracies, where citizenship is seen as both a right and a responsibility. Democracies tend to convey citizenship as both an identity and a mechanism of power, and so teach students both to conceptualize themselves as citizens and to consider what kinds of exercises of citizenship they can partake in. Social Studies curricula generally include an explicit focus on citizenship and civic education. In Canada, as Susan Gibson identifies, citizenship has been the primary goal of Social Studies programs for a long time (Gibson 2011, 43).

A focus on citizenship comes with some inherent political implications; it assumes a world in which individuals belong as official members of nation-states, for example. Most conceptions of citizenship implicitly support liberal values, though I will explore the nuances of this in a later section. Leahey notes that "there has been an ongoing struggle between social reconstructionists who view social studies as preparation for challenging the status quo and working for progressive change and conservative educators who view social studies as focused on transmitting historical knowledge and imparting reverence for American institutions and traditional values" (Leahey 2014, 55-56). Ross and Vinson draw similar conclusions that traditionally a "good citizen" was seen "as a knower of traditional facts", but there are movements to reform the good citizen into "an agent of progressive (or even radical) social change or from some other competing view" (Ross and Vinson 2014, 102). These kinds of debates about citizenship play out in many of the struggles over curricula that we see today. The CRT debate in the US is a clear example of this divide, where proponents of CRT argue for the importance of challenging the traditional narrative of American history while its critics argue that CRT distorts more "traditional facts" about the kind of country the US was founded to be.

Aside from some particularly clear partisan divides on the issue of what makes a good citizen, the variety of conceptions of citizenship do not fit so plainly onto the political spectrum. It is not quite as simple as presenting a good citizen who upholds norms versus a good citizen who challenges them. Joel Westheimer and Joseph Kahne, after surveying hundreds of examples of curricula, identify three models of citizenship, none of which necessarily and by definition hold a specific partisan leaning. The three conceptions of citizenship Westheimer and Kahne identify are: personally responsible, participatory, and justice-oriented (Westheimer and Kahne 2004, 238). They use the example of addressing hunger to illustrate the differences between the three; the personally responsible citizen donates to a food drive, the participatory citizen organizes a food drive, and the justice-oriented citizen interrogates the root causes of hunger (Westheimer and Kahne 2004, 240).

Importantly, the conception of good citizenship that is adopted by a curriculum shapes both the descriptive content of that curriculum and the prescriptive content of that curriculum. This means that both the lens through which information is presented (for example, what parts of history are emphasized) and the takeaways students are encouraged to apply to their own lives (for example, what lessons we should retain from a given historical event), are influenced by this conception.

In order to demonstrate the power of these conceptions, I will further explore each of Westheimer and Kahne's three models. For the sake of illustration, I will show how each of them would impact teaching about a major part of the Canadian high school Social Studies curriculum: the rise of Hitler in Germany and the fighting of the Second World War. While it is not necessarily the case that an individual Social Studies curriculum would only focus on one particular aspect of this time in history, the application of each model of citizenship would guide which particular aspects were emphasized and what students were therefore guided to take away from the material. I will demonstrate the impact of each application on the content that is likely to be emphasized, and how this would in turn impact a student's view of themselves as a citizen and shape their future actions within a democratic society.

The personal responsibility model of citizenship centres on the importance of individual morality and values that make people good citizens and community members (Westheimer and Kahne 2004, 240). Westheimer and Kahne argue that this often manifests in the pro-

motion of values like hard work and the importance of being "honest, responsible, and law-abiding members of the community" (Westheimer and Kahne 2004, 240). That being said, this model of citizenship could promote a variety of personal values. The key to this model of citizenship is that it emphasizes individual responsibility and character as opposed to larger systems or how individuals may be impacted by those systems.

Westheimer and Kahne identify that this model of citizenship is not inherently democratic. The personal responsibility conception is more centred around contribution to the community than democratic participation. Westheimer and Kahne argue that authoritarian governments also want citizens who do not steal or litter, as maintaining social order is important to maintaining political order (Westheimer and Kahne 2004, 244). While this is true, it does not mean that the personal responsibility model cannot be democratic, particularly because personal values can extend past not littering into values like compassion, responsibility, and helping others. It is possible, therefore, for a personal responsibility model to be applied within a strictly pro-democracy curriculum, but, as I will explore later, it is debatable whether this model of citizenship encourages students to do the work required to maintain democratic institutions and processes as explicitly as other models.

Citizenship Lenses in Action

We can see how this might look in a Social Studies unit on the rise of Hitler and the outbreak of World War II. An examination of Nazi Germany through the lens of a personal responsibility model of citizenship might emphasize the moral failings of Germans who did not speak out against the gradual escalation of violence and the atrocities that eventually took place in concentration camps. It might highlight and celebrate Germans who did resist, openly opposing the regime, hiding Jewish people in their homes, or committing other heroic acts. An examination of Canada's involvement in World War II through this lens might emphasize the sacrifices of individual soldiers, perhaps encouraging students to learn their names and their stories. It might highlight the sacrifices made by Canadian families during the war, buying war bonds and living with rationed goods.

While this approach does not fully negate the ability to convey to students that there are larger forces at work beyond any individual person, a personal responsibility model of citizenship will always return to a focus on individual people and values. This focus will generally encourage students to look inward, consider their own beliefs and actions, and consider the kind of character they would like to embody in their citizenship. It may not focus as much on students' ability or motivation to enact broader-scale change, and for that reason, it is more likely to enforce the status quo or community-level change. The critique therefore of this model is that it does not inherently reinforce the importance of maintaining democracies by engaging in collective action or by protecting institutions -- at least not to the same extent as other more active models. While students educated under this model may not necessarily be pro-authoritarian, they may be less likely to pay attention to the warning signs of authoritarianism or maintain a high level of vigilance against it if they are not encouraged to do so during the course of their Social Studies education. Although models that focus on the individual are often associated with libertarianism and personal freedoms, the important thing to note about a personal responsibility model of citizenship is that it will rarely examine larger structures that might constrain individual freedom (like government regulation) and instead focus on individual characteristics and moral values. This is the key limitation of this model.

A participatory model of citizenship promotes the importance of engaging with one's government by being an active and informed citizen (Westheimer and Kahne 2004, 240). Under this conception, a good citizen is one who gets involved both in their immediate community and in their broader society through collective actions and organized advocacy (Westheimer and Kahne 2004, 241-242). This model of citizenship is associated very closely with democracy, focusing on citizen action to shape government, and encouraging specifically democratic actions like voting, writing to elected officials, and attending protests. Under a participatory model, students are taught practical skills like how to organize and run meetings and encouraged to use those skills within their communities to advocate for specific goals (Westheimer and Kahne 2004, 242).

John Dewey, an early 20th-century philosopher and pedagogical theorist, was an early proponent of this model of citizenship, believing that "schooling should both embrace the democratic process and promote democracy itself by exemplifying on a daily basis the principles of democracy." (Jorgenson 2014, 5). Dewey's proposed method of Social Studies education was that students should start with problems they see in society and be encouraged to seek out solutions to those problems that they themselves could get involved in (Jorgenson 2014, 10). A participatory model generally emphasizes institutions, organizations, and actions that allow citizens to go beyond themselves as individuals

and work to address those larger problems.

Approaching the rise of Hitler and the breakout of World War II through a participatory model of citizenship would emphasize these same themes in the context of that time period. It might put a heavier focus on the election of Hitler and how his initially democratic election eventually led to a decline in institutions and the erosion of civic rights for many. It might encourage students to understand the Nazi Party as an organization and how its inner workings shaped its ability to enact the kind of policy that it did. A lens of participatory citizenship might also emphasize the underground organizations that organized resistance both within Germany and in other occupied countries.
The participatory model of citizenship is the one most directly linked to liberal democracy, with its belief in the power of the ballot box and the responsibility that democratic rights imbue in citizens. In this way, it will generally return the focus to liberal values and practices like expressing one's beliefs, exercising the right to vote, and holding elected officials accountable. A limitation of this approach is its implicit belief in the liberal democratic institutions that it inherently vests power on. Those who advocate for more systemic change often argue that institutions like legislative assemblies and traditional media outlets are prone to corporate capture and rule by elites, an idea that is unlikely to be captured within a participatory model of citizenship. This model's emphasis on the importance of having direct citizen involvement at every level of power means that it will always be a strong proponent of democratic values, but not everyone would agree that those democratic ideals are more important and should be valued more highly than other values, such as justice.

The justice-oriented model is less commonly applied in curriculums in Canada presently, but has gained a lot of attention lately and is supported by many who feel that the Social Studies curriculum should better prepare students to think critically about the systems that comprise the society they live in. Some argue, for example, that it is "nearly impossible to teach democracy without placing the pursuit of social justice and the examination [of] existing social, economic, and political structures at the center of the endeavor" (Jorgenson 2014, 13). While this kind of structural examination is often associated with the left-wing of the political spectrum, who often advocate for the teaching of concepts like systemic racism, a justice-oriented model of citizenship is not by definition a product of any particular part of the political spectrum, and does not have to operate as such. As Westheimer and Kahne point out with their own example of the food drive, the justice-oriented citizen's question of "why do people go hungry in the first place?" might prompt a variety of answers that could land anywhere on that spectrum (Westheimer and Kahne 2004, 243). What is important in any justice-oriented model of citizenship is that inquiry must always go beyond individuals or their communities and into an examination of larger structural forces, broad historical trends, and long-term themes.

In the example of the rise of Hitler and the start of World War II, this might look like a deeper discussion of the economic conditions created by the Treaty of Versailles and how the impact of those conditions shaped voting trends and attitudes of German citizens towards the Nazi Party. It might include an emphasis on the roots of anti-Semitism within Germany before the Nazi Party came to power and the influence that "racial science" and other prejudiced views have had in various time periods. When looking at World War II, it might look like exploring the complexities of the global alliances that made the war truly worldwide, and the forces that shaped countries' decisions to get involved in the war or not.

A justice-oriented model of citizenship sees the world as a series of complex systems, shaped by longstanding history and power dynamics. By nature, an examination of structures and systems will often be critical, encouraging students to question the institutions and organizations they might take for granted. Critics of this approach may argue that an overly critical view of democratic societies can lead students to question democratic values themselves and not prioritize democracy as an outcome in and of itself. It is telling that as this kind of systems-oriented critical thinking becomes more prominent, young people are increasingly less likely to report that they feel satisfied with democracy (Foa et al. 2020, 2). While a justice-oriented focus can encourage students to be critical of institutions in a way that translates into holding those institutions accountable and being vigilant in ensuring their robustness, this model can also lead to a critical lens on the existence of democracy itself, to potentially detrimental outcomes.

Conclusion

Any Social Studies curriculum will need to take a stance on what is most important because there is only so much time any student can spend in their Social Studies classroom. Certain events, people, and angles will always have to be emphasized to the detriment of others. These decisions about what to prioritize will always have political implications, as they shape what students understand about their society in the past and

in the present, but also how students would like to see society move forward. Crucially, the lens that a Social Studies education takes will have a major impact on how students feel about democracy itself and their role as advocates, practitioners, and critics of democracy. A personal responsibility model is more likely to make students feel like their personal values and character shape their society. A participatory model is more likely to make students feel like they should engage first and foremost as voters and democratic citizens. A justice-oriented model is more likely to make students feel like they need to examine the scaffolding that makes up their societies in the first place, how those systems came to be, and how they might revolutionize those systems. Each of these approaches has significant implications for the health of a democratic society, which is why Social Studies education is so important, and so very contested. Particular consideration should be taken by those in control of Social Studies education to select approaches with these significant impacts in mind.

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Individualized Community-Led Drinking Water Supply Projects in Rural Nepal:

A More Effective and Sustainable Methodology than Generalized Approaches

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ABSTRACT: Despite access to water being a human right upheld by the United Nations, many residents in Nepal have limited access to safe drinking water due to factors including insufficient government assistance, the country's mountainous topography, and devastating natural disasters. This paper examines the differences in effectiveness and sustainability in clean drinking water supply (DWS) systems in rural areas of the country that are either provided by the government or by local and international Non-Governmental Organizations (NGOs). I argue that drinking water supply projects that are conducted using an individualized community-led methodology by international and local NGOs working in partnership are more effective and sustainable than generalized methodologies often employed by the government, and positively contribute to other areas of development including gender equality. To do this, I look specifically at the approaches taken by the NGOs Nepal Water for Health (NEWAH) and Engineers Without Borders (EWB) in providing drinking water supply systems to rural communities in Nepal. Critically examining the outcomes of the differing methodologies that are employed to provide access to clean drinking water in this context is important in facilitating the achievement of the United Nation's Sustainable Development Goal of safe and affordable drinking water for all.

KEYWORDS: Clean water, community-led, drinking water supply, Engineers Without Borders, Nepal, Nepal Water for Health, Non-Governmental Organizations, rural, United Nations, water sanitation and hygiene

Introduction

Nepal is a developing country in Southern Asia, located between India and China in the Himalayan mountains. Although it is "one of the world's most water-abundant countries" (Biggs et al. 2013, 389), Nepal struggles to provide clean water to its residents, especially those in rural mountainous regions (Biggs et al. 2013, 388). Access to safe drinking water "is regarded as one of the essential factors that influence livelihoods in rural communities" (Komatsu et al. 2020, 7910), and the United Nations (UN) recognizes access to water as a human right (United Nations n.d.-a). Goal 6.1 of the UN's Sustainable Development Goals aims to achieve "universal and equitable access to safe and affordable drinking water for all" (United Nations n.d.-b), but several challenges make the achievement of this goal and human right quite difficult in Nepal. However, International Non-Governmental Organizations (INGOs) such as Engineers Without Borders Australia (EWB) and local Nepali NGOs such as Nepal Water for Health (NEWAH) are working to make safe drinking water a sustainable reality for rural populations in Nepal, by providing infrastructure and education through community-led methodologies that adapt to the needs of each community. Although these individualized development projects may be more effort-intensive than one-size-fits-all, generalized methodologies which apply a single system in many areas with minimal alterations, they provide long-lasting and effective development assistance to often left-behind rural communities.

This paper argues that in the pursuit of safe drinking water for rural populations in Nepal, drinking water supply (DWS) projects that are conducted using a community-led methodology by international and local NGOs working in partnership are more effective and sustainable than generalized methodologies often employed by the government, and positively contribute to other development goals including gender equality and empowerment of women. To make this argument, the paper first provides contextual information on the country of Nepal and its relationship with safe and sustainable water supply for its residents. Following this, it discusses actions taken by the government of Nepal to provide drinking water to the country's rural communities and some of the shortcomings of the government's one-size-fits-all response including its inefficiencies and lack of sustainability. Subsequently, it explores the contrasting efforts of EWB and NEWAH working in partnership to provide DWS projects and education to rural residents using a community-led methodology that encourages project effectiveness and sustainability. Finally, it presents information on the ways that community-led methodologies for DWS projects facilitate the empowerment of women and increased gender equality.

Context of Nepal

Nepal has struggled with instability over recent decades, due in large part to political upheaval and devastating natural disasters (Domínguez, 2015). Both factors contribute to the country's failure to utilize its abundant natural resource of water as a supply of clean drinking water. Nepal's political instability stems most from its 1996-2006 civil war, after which the country's monarchy was abolished and the first president was elected (Central Intelligence Agency n.d.). Since then, there have been frequent changes in government leaders which have had "a continuing detrimental impact on effective governance and policy continuity within the country" (Biggs et al. 2013, 389). Additionally, because of Nepal's geographic location on a tectonic faultline, it is prone to earthquakes that can cause immense damage (Domínguez, 2015). The most devasting in recent memory occurred in April 2015, when the country was upended by a 7.8 magnitude earthquake in which over 8,700 people were killed and 500,000 homes were destroyed (The Guardian 2016). The government was criticized for being slow to deliver financial or material assistance to those in need, despite receiving $4.1 billion in international aid and donor funds (Wolfson 2016, 16).

These factors contribute to many citizens of Nepal not having access to sustainable and safe water supplies. The "severe lack of rural infrastructure, power and technology to redistribute water to high demand areas … is predominantly attributable to previous political interventions" (Biggs et al. 2013, 391), and political instability even led to the withdrawal of financial investment by the World Bank in the massive Melamchi Water Supply Project intended to provide drinking water to the country's capital of Kathmandu (Rest 2018, 1207). Overall, only 17.9% of the country's water supply systems function well and are not in need of repair (Nichols 2015, 36), a situation which was exacerbated by the destruction of nearly 5,200 water supply systems in the 2015 earthquake (Wolfson 2016, 15). These factors, among others, mean that "the majority of the population in rural areas do not have access to safe drinking water" (Wisniewski 2013, 43). The government of Nepal has taken some actions to try to address these issues, but many of their efforts have not been effective.

Actions Taken by the Government of Nepal

The Nepali government has an inherent responsibility

to provide the human right of water to its citizens, so "the fact that 'the state' is unable to provide its citizens with basic amenities like water and electricity has severely diminished its legitimacy" (Rest 2018, 1204). Despite many Nepali people living without access to clean water in rural areas, many government actions to address this have been insufficient or unsustainable.

Inefficient Government-led Systems

Difficulties accessing safe drinking water in rural areas are exacerbated by mountainous topography and a lack of infrastructure. Nepali people living in mountainous rural areas dedicate "substantial physical efforts to transport water along unpaved trails" (Komatsu et al. 2020, 7913) and spend hours each day on water collection activities. When the Nepali government has tried to provide financial assistance to reduce the burden of these citizens, they sometimes promote inefficiencies. The government has provided subsidy programs in Nepal to incentivize the implementation of solar-photovoltaic water pumping systems (SWPSs) which provide rural communities with a water supply (Dhital et al. 2016). However, Dhital et al. have found that the "abundant financial support from the government tends to be associated with the installation of inefficient [SWPS] systems" (2016, 11), because the subsidy unintentionally incentivizes building systems with excessive capacity. The resources that would be saved if these systems were designed efficiently could be used to install 45% more SWPS (Dhital et al. 2016, 2). This one-size-fits-all approach demonstrates that even when the government of Nepal does provide financial support to ensure drinking water access for communities, the failure to tailor support to specific contexts may actually promote inefficiencies and thereby reduce the number of communities gaining access to safe drinking water.

Unsustainable Government-led Systems

Research on multiple DWS projects that were implemented by Governmental Organizations (GOs) indicates that over 40% of the GO-led projects in the sample experienced either unsatisfactory or very weak management (Bhandari et al. 2005, 206), perhaps owing to the GOs basing the sustainability of their projects on materials and technical knowledge which the communities did not have the ability to maintain on their own. Failing to individualize assistance to the needs of each community led to these projects being unsustainable and unsuccessful. As a result, some international NGOs have invested their own efforts into providing Nepal's rural communities with clean drinking water, using a more effective and sustainable methodology (McMillan 2011, 191).

A Community-Led DWS Project Methodology

In the context of rural Nepal, using methodologies for drinking water supply projects that involve community members in collaborative planning, implementation, and maintenance allows for location-appropriate systems that are more sustainable and effective than generalized systems. Engineers Without Borders Australia (EWB), an international NGO, has worked on many DWS projects in rural Nepal with a focus on community-led development, and in order to meet their goal "to strengthen the capacity and effectiveness of local NGOs to improve rural communities' access to appropriate and sustainable WASH solutions" (Engineers Without Borders Australia n.d.), EWB has partnered several times with a local Nepali NGO: Nepal Water for Health (NEWAH). NEWAH is a recognized leader in water, sanitation, and hygiene (WASH) practices in Nepal, and "a core principle of all NEWAH work is that projects must be implemented in a community-led manner" (Sapkota et al. 2012, 3). Similarly, EWB recognizes that "when communities are given control of the planning processes, they are able to direct discussions towards the core issues underpinning WASH access, and ultimately own decisions made on the project" (Engineers Without Borders Australia 2012). The government of Nepal has left a gap in rural areas in its WASH services, and NEWAH and EWB are stepping forward to fill the void (Barrington et al. 2013, 392). The partnership of these organizations allows for the technical capacities of EWB to be combined with the local knowledge and resources of NEWAH, and their joint methodology has demonstrated repeated success.

Sustainability

Bhandari et al. describe that "the major problem facing rural water supply in developing countries like Nepal is not capital cost but sustainability" (2005, 202), defined as the continued ability of a rural community to maintain their clean water system, even after support from external actors has ended. When benefactors such as the government do not engage communities in decision-making and simply implement pre-existing infrastructure without empowering and educating residents to understand their essential role in a projects' maintenance, it is common for the provided systems to be abandoned and/or mismanaged (Bhandari et al. 2005, 202). In contrast, EWB and NEWAH projects recognize that a water safety plan (WSP) "needs to have local ownership if it is to be a successful and sustainable long-term management mechanism" (McMillan 2011, 200) and to do this, they provide education and ensure that community members play a role in each system's planning, implementation, and maintenance. By providing education on WASH topics through workshops and requiring that all community members participate in the construction activities (Nepal Water for Health 2012), the community-led methodology increases sustainability. These practices encourage residents to gain knowledge about how the DWS systems operate and about the importance of continued system operation on their health and wellbeing, leading to an increased commitment by community members to maintain them. In EWB and NEWAH's projects to implement rainwater harvesting systems (RWHS) in rural communities, it was found that "education and capacity building to ensure proper operation and maintenance of RWHS proves to be the most critical factor attributing to the successful adoption of this technology" (Nichols 2015, 37). Many of EWB and NEWAH's projects provide education on topics such as potential hazards to water safety in the area, and locally-relevant ways to reduce these risks and monitor the quality of their water on an ongoing basis, both as a community and as individual households (McMillan 2011). The goal of the projects is to assist in empowering the community to reduce and prevent threats to a safe water supply, which allows residents to be continually engaged in the process and ensure its sustainability.

Effectiveness

In addition to being highly sustainable, there are several factors that make the community-managed methodology developed by EWB and NEWAH effective. First, because EWB and NEWAH emphasize spending time engaging community representatives to identify local hazards and pre-existing control measures for keeping water clean, context-specific barriers that would make a generalized methodology ineffective or unsustainable can be addressed and mitigated by using the community's strengths (McMillan 2011, 193). Second, the utilization of this methodology that is designed for rural areas is also important because of the differences between urban and rural water systems. Whereas urban WSPs are designed by specialists working for a particular company that provides a consistent service, it is clear that "in rural, community-managed projects, WSPs need to be developed by NGOs, local staff and stakeholders and, most importantly, users themselves" (Barrington et al. 2013, 399) in order to be effective. Finally, as a demonstration of the success of the methodology, there has been a large uptake by other organizations. Because of the success of EWB and NEWAH's projects, their new methodology is being shared for implementation by other NGOs in the Nepali WASH sector, and has been adopted by the World Health Organization as a recommended WSP framework for rural areas (Barrington et al. 2013, 392, 397). Using a

project methodology that encourages community input throughout the process is more effective, appropriate, and sustainable than generalized methodologies with minimal alterations.

Addressing Potential Contrary Views

There are two notable objections to consider when examining whether a community-owned methodology is the best approach to providing drinking water in rural areas of Nepal: first, is individualizing each project inefficient? And second, do community-led methodologies actually serve all community members?

Is Individualizing Each Project Inefficient?

The first objection is that investing so much time and resources into one community at a time is too effort-intensive for the limited amount of people that benefit, and that rather than individualizing each project, using a generalized approach to DWS projects is more efficient. A standardized framework that implements predetermined and consistent WSPs also allows for more projects to be completed because only minor adjustments are made for each site. In response, a clarification is needed: although the product (WSPs) of community-led projects is individualized to each context, the process utilized by EWB and NEWAH is consistent. In each case, the NGOs adapt the standardized framework of WSP steps created by the Nepali Department of Water Supply and Sewerage (DWSS) to develop an individualized WSP for the specific context of a given community (Barrington et al. 2013, 397). This makes the WSPs both replicable and customizable, and they have demonstrated repeated indicators of effective success in multiple projects by NEWAH (Barrington et al. 2013, 399). The adoption of NEWAH and EWB's methodology by the WHO for community-managed WSPs illustrates the credibility and acceptance of this approach by a major international development actor. Individualizing WSPs to each community may be less efficient in the short-term than using a generalized methodology for multiple areas, but because community-led projects have been repeatedly shown to be more sustainable, they are more efficient in the long-term than the alternative which may require frequent intervention to maintain or fix the systems.

Do Community-Led Methodologies Actually Serve All Community Members?

Secondly, it could be said that despite this methodology intending to include all community members in designing and benefitting from the systems, it may not be effective for poor or marginalized community members. Research has identified that all residents may be expected to provide similar financial contributions toward DWS infrastructure and maintenance, which may not be feasible for the poor (Bhandari et al. 2005, 207). As this line of reasoning goes, the poor demographic may not reap the benefits that these DWS projects aim to provide to all members of a community.
While improperly managed community-led projects can fail to provide a comprehensive system that benefits all residents, NEWAH and EWB's methodology clearly incorporates steps to ensure the inclusion of socioeconomically marginalized residents through properly managed projects. As a result of their Gender and Social Inclusion Policy, at the beginning of each project they conduct a detailed household survey to "identify disadvantaged community members and thereby target efforts at inclusive decision making during project planning" (Sapkota et al. 2012, 4). This assists in determining the appropriate level of labour and financial contributions for construction and maintenance that is required of each household, to ensure the distribution is equitable (Sapkota et al. 2012, 4). NEWAH and EWB demonstrate a clear commitment to adapting their DWS projects to ensure equity through appropriate infrastructure, social inclusion, and education, resulting in comprehensive service for all community demographics.

Conclusion

Although the government of Nepal engages in projects that attempt to provide drinking water systems for rural areas or provides financial incentives for communities to do so, its generalized methodologies often lead to inefficiencies or unsustainable systems which require repeated technical and financial interventions. Engineers Without Borders and Nepal Water for Health set positive examples for the Nepali government and other organizations in their efforts to implement drinking water supply systems in rural areas, by employing a holistic and community-led methodology that uses a standardized framework to provide individualized systems for communities that best suit their needs. Applying generalized systems to multiple areas may be more efficient in the short term, but projects that include community input and education are more sustainable and therefore more effective in the long term. These projects utilize the communities' pre-existing control measures in addition to providing WASH education which empowers the community to understand the importance of the project and its success, increasing the likelihood that the implemented system will be maintained by the community. Finally, approaches to drinking water supply projects which emphasize community involvement allow the international and local NGOs to recognize and

address socioeconomic and gender barriers that may restrict community members' access to water, helping to ensure comprehensive systems that provide water and empowerment to all members of a community. By employing community-led methodologies in drinking water supply projects, Nepal can increase the access that its rural communities have to a valuable resource and a human right.

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Artist: Mayra Chavez
Year: 3rd Year

International Students for long-term prosperity in Canadian economy:

Expanding pathways to permanence for international students in Canada

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ABSTRACT: On January 1, 2015, Canada launched its Express Entry system in Canada, requiring foreign nationals to submit an Expression of Interest (EOI) and wait for an invitation before being allowed to apply for permanent residence. The intentions behind this system were to speed up the processing of immigration applications to avoid a backlog. However, these modifications created several barriers to the permanency of international students because not many international students qualify under the Express Entry system's comprehensive ranking criteria. Recognizing this, politics and policy fail to develop efficient pathways for graduating international students to acquire permanent residency. This policy brief will provide suggestions regarding work experience, increased allowable hours, and other improvements to the current immigration system, to make it accessible for graduating international students to compete in the Express Entry system, increasing their chances for permanent residency.

KEYWORDS: Citizenship, express entry, higher education, immigration, international students, permanent residency

Executive Summary

In many developed nations, like Canada, international student education is a significant and profitable sector. With public support for higher education decreasing, universities are consistently recruiting international students to earn money. Therefore, foreign student numbers have gradually increased across jurisdictions, improving economic conditions. Aside from the tuition fees and human capital they contribute, foreign students offer a diverse pool of qualified educated immigrants that have advanced their knowledge and have conformed to the host country's language and culture. Unfortunately, international students continue to face several issues, including a lack of work-integrated learning opportunities making it difficult to qualify for permanent residency upon completing their degrees. Consequently, international students must now stay for an additional amount of time to accumulate enough local work experience to garner enough points to apply for permanent residency.

This raises the question of whether international students should be given a more accessible opportunity to permanently reside in Canada after graduation. As a result, should Canada keep or change its Express Entry selection method for international students seeking permanent residence?

Implementation of Express Entry System & the Importance of International Students

The Canadian economy and Universities rely on international students. In recent years, immigration reform has introduced the Canadian Express system (CES) to be used by international students when acquiring permanent residency. This immigration reform brings both criticism and appreciation from interested parties. Numerous scholarly researchers have responded to this system by arguing that CES creates systemic barriers within Canada's immigration pathways for international students on their way to becoming Canadian permanent residents and citizens. The current immigration policies have made International graduate students feel unwelcome, unwanted, and undervalued in Canada and argued that it may be better to seek employment and career opportunities elsewhere (Al-Haque 2019, 8). This is a concern for Canada to address because international students as a group are the most desirable source of skilled immigrants for receiving countries. According to Wang (2018, 1060), international students are desirable because they allow governments to remain competitive in an interconnected world. For example, retaining international students is beneficial because they have already partially integrated into the hosting societies, and consequently they can ensure a highly skilled workforce stock. Governments also benefited significantly from international students' expenditures in past years. Therefore, they are also seen as a natural solution for funding and skills shortfalls.

International students contribute to the welfare of the Canadian economy by paying higher tuition fees than domestic students (Lange 2013). In a more specific Canadian context, international students pay 3.4 times more on average for undergraduate programs and 2.3 times more for graduate programs (Hassanein 2014, 1). She and Wotherspoon (2013) argue that with local enrollment declining, it is critical that Canada makes international students feel welcome and provides a pathway to permanent residency. Currently, more than 25,000 international students are studying in Atlantic Canada, helping keep local universities afloat and creating the immigration needed to counter the region's aging population. In addition, these International students contribute $795 million to the economy of Atlantic Canada and are responsible for 6,731 jobs and $22 million in taxes (She and Wotherspoon 2013). There are significant economic benefits from international students. The universities provide additional revenue which supports academic research and productivity. Association of Universities and Colleges of Canada (AUCC), reveals it is estimated that in 1996, international students contributed $2.7 billion to the

Canadian economy or the equivalent of 21,000 jobs (AUCC 2001, 3). In addition, the economic benefits of international students in all education sectors were approximately $443 million.

Making permanent residency more accessible for international students, will encourage more to apply to Canada. Allowing Canada to not only benefit from international students' annual expenditures, including tuition and living costs, but also from the government revenue generated by filling vacancies in the labour market (Wang 2018, 1062). Furthermore, Canada's economy will not only benefit from international students paying high tuition costs and transferring their abilities, but they are also more likely to enroll in science and technology degrees when compared to Canadian students. Given the numerous benefits of international students, it would be in Canada's best interest to attract and retain them once they graduate. Improving the current Express Entry system for permanent residency will help Canada develop a more prominent profile in the world as an attractive destination.

Contesting the Restrictive Nature of Permanent Residency Under the Express Entry System

International students face systemic barriers when going through Canada's immigration pathways toward permanent residency due to Canadian citizenship and immigration policies which underwent significant changes from 2014 to 2017 (Al-Haque 2019, 5). These changes directly impacted international students in Canada and led some to fear that Canada would become unattractive to international students (Al-Haque 2019, 8). The main change was replacing the Specific Student stream with the Express Entry system by the Canadian federal government at the beginning of 2015 to expedite the processing of visa applications. However, the system has been criticized for the additional steps required to accumulate enough points for international students to become eligible for the Express Entry application. Al-Haque (2019, 8) explains, International graduate students in Canada must apply for permanent residency through the federal government's Express Entry system, which evaluates candidates based on factors such as educational and occupational backgrounds, language abilities, and ability to contribute economically to Canada. Individuals who meet the specific eligibility are asked to apply to become permanent residents of Canada. However, the approach has several systemic impediments regarding work, finances and eligibility barriers, including concerns related to student work experience.

1. Work barriers

When applying for the Express Entry system, participants with Canadian employment experience and/or a job offer from a Canadian employer are given precedence. Al-Haque (2019) argues employment is a limiting factor because International graduate students shared that it was difficult for them to work full-time while completing graduate studies. Students who were teaching or participating as research assistants on campus were ineligible to use that as Canadian work experience within the Express Entry system. Another reason it was difficult to obtain work experience was that many Canadian employers were hesitant to hire foreign employees. Participants Al-Haque (2019, 8) interviewed, shared that to hire a foreigner, Canadian employers had to file a Labour Market Impact Assessment (LMIA). The LMIA is in place to guarantee that Canadian citizens and permanent residents are given preference over foreigners when applying for jobs. However, for international students, Canada's labour rules, in conjunction with Canada's immigration restrictions, made obtaining permanent residency exceedingly difficult. Unfortunately, international students continue to face the barrier of "I can't get a job because I don't have status. I don't have status because I can't get a job" (Al-Haque 2019,7).

2. Financial barriers

As mentioned before, international students pay 3.4 times more on average for undergraduate programs and 2.3 times more for graduate programs (Hassanein 2014, 1). Additionally, international students have limited job opportunities because of LMIA regulations and have limited income because they are only permitted to work 20 hours per week. On top of the almost doubled education prices and reduced job hours. To apply for the Express Entry system and to work as a skilled worker, international students must save $12,000. This money is not easy because students don't make enough money due to restricted hours of work. In addition, international students must pay and take an English test as part of the immigration application. Many students feel that the test is unnecessary because they already have to demonstrate adequate English language proficiency before studying in Canada (Al-Haque 2019, 8).

3. Eligibility barriers

Toughill (2018) argues that Canadian immigration laws have unrealistic expectations and false perceptions. Specifically, the Express Entry system because many students who had been planning their immigration for years lost that opportunity when the Specific Student stream was replaced with the Express Entry system.

It raised the issue that international students did not have enough points to be chosen out of the Express Entry pool of candidates. Therefore, Ottawa amended the point system to make it easier for students to become permanent residents through Express Entry, but students must be careful about qualifying for a post-graduation work permit. Students that take jobs hoping to qualify for Express Entry need to know that their jobs may not qualify. Toughill (2018) gives the example of hundreds of international students being caught by a rule change that stated graduates of private colleges are not eligible for the crucial post-graduation work permit. That change was not clearly stated on the IRCC's website, and even immigration attorneys and consultants occasionally overlooked it when counselling clients (Toughill 2018). Then some students take a job in the hopes of meeting the eligibility requirement of one year of Canadian employment, only to find out too late that working as a bank teller, a restaurant server, or a receptionist will not qualify them for the fast-track immigration program (Toughill 2018). An applicant must have prior experience as a manager, professional, or be in a position that the government considers competent (Toughill 2018). Despite the adjustments made by Ottawa to the Express Entry system, it is far from ideal.

4. Concerns with the express entry points system

According to Al-Haque (2019), international students believed that Canada's Express Entry system sent contradictory messages. On the one hand, the federal government and institutions pursue international students in policy papers to internationalize Canadian higher education. On the other hand, Canada's citizenship and immigration regulations prevent international graduate students from gaining access to the Canadian job market as well as permanent residency. Additionally, the new flexible points-based Comprehensive Ranking System (CRS) criteria imposed new conditions for immigration candidates, and only the top-scoring individuals will be asked to apply for permanent residency. Referring to table 1 (see Appendix A for reference to table 1), the statistics reveal desired immigrants in the first four drawings. Analyzing after May 22, 2015, it was required to acquire more than 700 points to get an ITA for permanent residency. To receive such high points, international students would only be successful if they received a job offer with an LMIA or a provincial nomination to become permanent citizens. Obtaining each of these prerequisites would have resulted in 600 points toward their CRS score. This also implies that foreign students with a genuine job offer or a province nomination were likely able to get permanent residence status faster than those who did not have these items under the Express Entry system. However, as previously stated, international students face work barriers; consequently, it is unlikely for an international student to receive more than 700 points exclusively based on human capital traits. As a result, their chances of getting the additional points necessary are declined. In the most likely event of international students lacking the required points or credentials, these students were judged using the same criteria as temporary employees, to whom the LMIA and provincial nominations were more accessible. Most international students without a job offer or provincial nomination are placed in a disadvantageous position because they cannot have 600 points to get an invitation to apply for permanent residence. As a result, the Express Entry points system creates another barrier for international students.

5. Barriers for international Ph.D. students

Since existing international Ph.D. students no longer qualify for permanent residency after two years of study, the Express Entry system has a detrimental influence on their capacity to qualify for permanent residency. International Ph.D. students can work extra hours while studying in Canada to satisfy the needed number of years of work experience. To be qualified for the Federal Skilled Worker Program, you must have worked full-time for at least one year, or 1,560 hours overall, or 30 hours each week (Wang 2018, 1064). International Ph.D. students may be able to meet this requirement faster by working during school breaks. However, barriers arise when increased permitted work hours may lead to fraud or misuse of the Canadian study permit by international students. International students can get their permanent residency in Canada faster if they have full-time Canadian work experience in highly skilled occupations, but the barrier is created when this is only allowed if they have a valid work permit. Another barrier is that international Ph.D. students have access to many job opportunities on campus working as Teaching Assistants and Research Assistants but student work experience is not eligible under the Express Entry system (Citizenship and Immigration, 2021).

Implications of Canada's Express Entry System

Canada introduced the Express Entry immigration selection system, which is more employer-driven than supply-side-driven, intending to reduce the physical barriers international students face when wishing to obtain permanent residency (Sá and Sabzalieva 2017, 242). Canada wants to recruit foreign students because it is dedicated to a high-skilled economy and

has programs in place to attract the finest international students. As a result, the new policy initiative aims to recruit international students. For example, Canada's citizenship and immigration regulations influence higher education, especially foreign student recruitment and retention (She and Wotherspoon 2013). Therefore, international students are being rewarded back time credit for their time spent studying in Canada and will now be given 30 points under the new Express Entry ranking system (Al-Haque 2019, 8). The Express Entry point system in Canada has also been updated to provide candidates additional points for genuine employment offers. For example, the Comprehensive Ranking System (CRS) was updated, allowing international students who finished their studies in Canada to receive 15-30 points (Wang 2018, 1064). CRS reform also awards points to candidates with a valid job offer, which better acknowledges the value of temporary skilled workers in Canada. This reform allows international students to work for employers without an LMIA. Overall, The Express Entry system is faster than the previous immigration system. The processing time for international students who are invited by Canadian Immigration and Citizenship is less than six months. Also, there is no deadline for international students to complete their Express Entry profile, as they can apply for entry to Canada whenever they want. Moreover, there is no risk of having their applications returned to them because the cap has been reached (Wang 2018, 1069).

A Framework for the Extension of the Express Entry System

Theoretically, the Express Entry immigration model allows international students to meet the point requirements for permanent residency. Despite Ottawa's amendments to the Express Entry system, systemic barriers still exist. It is limited because they can acquire points if they gain local work experience; however, international students are unlikely to meet these requirements. Therefore, international students will need to work under a temporary post-graduate work permit to gain enough points before applying for permanent residency. In summary, the Express Entry system in Canada was designed to speed up the processing of immigration applications, but it had the opposite impact. This is because fewer foreign students could meet the CRS criteria and the Express Entry system disadvantaged international students from obtaining permanent residency.

As outlined previously, international students face financial, work, and point system barriers that prevent them from successfully being eligible for the Express Entry system. International students suffer financial challenges because their tuition prices are nearly double, if not more. In addition, international students have budgetary constraints as a result of limited authorized work hours. These budgetary constraints increase when applying for Express Entry system applications. A proposed solution would be cutting international students' fees by not charging a fee for the English test they take as part of their immigration application. The test is unnecessary because they already had to demonstrate adequate English language proficiency before studying in Canada (Al-Haque 2019, 8). Another barrier includes Canada's citizenship and immigra-

tion regulations that prevent international graduate students from gaining access to the Canadian job market as well as permanent residency. Additionally, the points-based CRS criteria imposed new conditions for immigration candidates. It was required to attain more than 700 points to get an ITA for permanent residency. To receive such high points, international students would only be successful if they received a job offer with an LMIA or a provincial nomination to become permanent citizens. Obtaining each of these prerequisites would have resulted in 600 points toward their CRS score. This also implies that foreign students with a genuine job offer or a provincial nomination were likely able to get permanent resident status faster than those who did not have these items under the Express Entry system.

However, as previously said, international students suffer work barriers; consequently, it is unlikely for an international student to receive more than 700 points exclusively based on human capital traits. As a result, their chances of getting the additional points necessary are reduced. Therefore, a method to make the Express Entry system more accessible for international students would be to account for the informal work experience they have acquired. I suggest this because these students have contributed to and engaged with the Canadian labour force throughout their studies, and those efforts should be counted towards the points system. Another barrier is international students' access to job opportunities because many Canadian employers are hesitant to hire foreign employees. Participants Al-Haque (2019) interviewed, shared that to hire a foreigner, Canadian employers had to file a Labour Market Impact Assessment (LMIA). The LMIA is in place to guarantee that Canadian citizens and permanent residents are given preference over foreigners when applying for jobs. This makes it more difficult for international students to obtain work experience. Therefore, a solution would be to provide more work experience opportunities for international students on campus. This could be working as a Teaching Assistant or a Research Assistant. However, a barrier still stands because student work experience is not eligible under the Express Entry system (Citizenship and Immigration, 2021). Therefore, Canada should consider allowing them to use their student work experience towards the work requirement points needed for immigration under the Express Entry system as the work is still valuable. Implementing these suggestions of work experience, increased allowable hours, and other improvements to the current immigration system would make it accessible for graduating international students to compete in the Express Entry system, increasing their chances for permanent residence. Furthermore, by enhancing the present Express Entry system for permanent residency, Canada will be able to establish a more prominent position in the globe as an appealing place for international students to study, which will benefit the country with human-capital and economic advantages.

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Table 1. The Cut-off Score and Number of Invitations to Apply (ITAs) Issued in Canada's Express Entry Draw (January 2015 - November 19, 2016)

Draw #	Date	Cut-off Score	Number of ITAs Issued	Draw #	Date	Cut-off Score	Number of ITAs Issued
1	01/31/15	886	779	25	01/13/16	453	1518
2	02/07/15	818	779	26	01/27/16	457	1468
3	02/20/15	808	849	27	02/10/16	459	1505
4	02/27/15	735	1187	28	02/24/16	453	1484
5	03/20/15	481	1620	29	03/09/16	473	1013
6	03/27/15	453	1637	30	03/23/16	470	1014
7	04/10/15	469	925	31	04/06/16	470	954
8	04/17/15	453	715	32	04/20/16	468	1018
9	05/22/15	755	1361	33	05/06/16	534	799
10	06/12/15	482	1501	34	05/18/16	484	763
11	06/26/15	469	1575	35	06/01/16	483	762
12	07/10/15	463	1516	36	06/15/16	488	752
13	07/17/15	451	1581	37	06/29/16	482	773
14	08/07/15	471	1402	38	07/13/16	482	747
15	08/21/15	456	1523	39	07/27/16	488	755
16	09/08/15	459	1517	40	08/10/16	490	754
17	09/18/15	450	1545	41	08/24/16	538	750
18	10/02/15	450	1530	42	09/07/16	491	1000
19	10/23/15	489	1502	43	09/21/16	483	1288
20	11/13/15	484	1506	44	10/12/16	484	1518
21	11/27/15	472	1559	45	10/19/16	475	1804
22	12/04/15	461	1451	46	11/02/16	472	2080
23	12/18/15	460	1503	47	11/16/16	470	2427
24	01/06/16	461	1463				

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Artist: Rose Alavi Toussi
Year: 3rd Year

Neoliberal Canada's Failures to Address Mental Health During the COVID-19 Pandemic:

COVID-19's Exposure of Canada's Mental Healthcare Failures

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ABSTRACT: Mental health has been a widely discussed topic throughout the pandemic as a result of lockdowns and other COVID-19 measures. Widening cracks in Canadians' mental health during the pandemic demonstrate that Canada has long had a largely inaccessible mental health care system, showcasing Canada's lacking adequate public coverage, which was especially detrimental to Canadians during the pandemic. This paper discusses the need for comprehensive mental health coverage, among other transformations, as part of Canada's public health system, specifically drawing on mental health research from Canada's experience with the COVID-19 pandemic. Furthermore, this paper highlights the difficulty in instating mental health coverage in Canada, even during COVID, due to a backslide to residualism and a refusal to expand the welfare system under Canada's neoliberal leadership and governmental value system.

KEYWORDS: Canada, COVID-19, health, mental health, neoliberalism

Introduction

In spring 2021, Statistics Canada reported that 1 in 4 Canadian adults "screened positive for symptoms of depression, anxiety or post-traumatic stress disorder" with rates of depression and anxiety rising 4 and 2 percentage points, respectively, and 5 percentage points each in young adults from fall 2020 (2020, 1). Further, 94% of Canadians who screened positive for one of these mental health conditions "reported being negatively impacted by the pandemic" (Statistics Canada 2021, 2). Moreover, the opioid crisis and substance abuse as a whole were exacerbated during the COVID-19 pandemic (Canadian Centre for Addiction and Mental Health 2020). All of these widening cracks demonstrate that Canada has long had a largely inaccessible mental health care system, lacking adequate public coverage, which was especially detrimental to Canadians during the pandemic. While a number of politicians and public figures in Canada lambasted lockdowns over their supposed concerns for the mental health of citizens, mental health access and coverage made insufficient progress from 2019 to 2021 (Smart 2022; Miller 2022). In this paper, I will demonstrate the need for comprehensive mental health coverage, among other transformations, as part of Canada's public health system, specifically drawing on mental health research from Canada's experience with the COVID-19 pandemic. Furthermore, I argue that the difficulty in instating mental health coverage in Canada, even during COVID, is due to a backslide to residualism and a refusal to expand the welfare system under Canada's neoliberal leadership and governmental value system.

Definitions

Mental health is something that we all have and does not equate to mental health issues. Everyone has a level of mental health just as everyone has a level of physical health. It refers to "the state of your psychological and emotional well-being" ("About Mental Health" 2020) and is "more than the absence of mental disorders" (World Health Organization 2018). Mental disorders are "[disturbances] in your thought, perception and emotions that affect your ability to think, make decisions, and function on a day-to-day basis" (Mood Disorders Society of Canada 2019). Examples of mental illnesses include mood disorders such as depression and bipolar disorder, anxiety disorder, personality disorders, schizophrenia, and substance use disorders (SUDs) (National Institute on Drug Abuse 2021b).

Substance use disorders involve psychological dependence (Centre for Addiction and Mental Health n.d.) and are "mental [disorders] that [affect] a person's brain and behaviour, leading to a person's inability to control their use of substances" (National Institute on Drug Abuse 2021b). The opioid crisis or epidemic refers to "the [mass] misuse of and addiction to opioids" which has led to thousands of deaths and hospitalizations (National Institute on Drug Abuse 2021a). The opioid crisis in Canada took the lives of 22,828 people between January 2016 and March 2021 and hospitalized 26,134 in the same time period (Public Health Agency of Canada 2021). While "96% of opioid-related deaths are accidental," (Canadian Centre on Substance Use and Addiction 2021) substance use addictions can both contribute to and result from other mental disorders (National Institute on Drug Abuse 2021b). The harms of substance use disorders are often mitigated with harm reduction policies and practices.

According to Harm Reduction International, "harm reduction refers to policies, programmes and practices that aim to minimize negative health, social and legal impacts associated with drug use, drug policies and drug laws" (n.d.). Harm reduction practices and policies are aimed at "respecting people who use drugs," following evidence-based approaches, and avoiding stigma (Harm Reduction International n.d.). With this definition and aim in mind, harm reduction includes developing safe consumption and overdose prevention sites, bolstering access to counselling and mental health services, the provision of free naloxone kits, and much more.

Neoliberalism is a political and economic ideology in which people are consumers first and citizens second; it holds the idea that market solutions are always superior to public or planned ones (Monbiot 2016). Under neoliberalism, "inequality is recast as virtuous" as "the market ensures that everyone gets what they deserve" (Monbiot 2016). Neoliberalism favours decreased government spending and increased individualism as opposed to government dollars supporting people through public and welfare systems. In the context of healthcare, this has meant difficulty in expanding public healthcare to fund things like mental healthcare, dental care, and pharmaceuticals. Furthermore, under neoliberalism, provinces have seen a push by governments, especially conservative ones, to privatize aspects of the healthcare system in order to reduce public expenditures (Press Progress 2020; Hudes 2020). Moreover, under neoliberalism, ideas and terms of reform are "co-opted by the interests of capital" (Thomas 1998 as cited in Carney

2008, 111). Thus, while the language of "deinstitutionalization, mainstreaming of mental health, and community-based care" (Carney 2008, 111) sounds appealing, under neoliberalism they are utilized to justify the reduction of state funding and the offloading of responsibility to communities and individuals.

This insistence on the ideal of individualism and market solutions, then, can be seen as a return to a residualist welfare system, a pre-welfare state system "which maintains that assistance should be provided only when traditional means of meeting daily needs (e.g. family or the labour market) fail to" (Jacob, Willits, & Jensen 1996, 151). This approach to social welfare emphasizes "work, individualism, localism, and private rather than public solutions" (151). A direct ancestor of neoliberal ideology, residualism holds that "socioeconomic disadvantage is somehow the individual's fault" (Jacob, Willits, and Jensen 1996, 152). Residualist welfare, as defined here, is what is being sought after by neoliberals who see it as an ideal system.

Mental Illness and Substance Use Disorders in Canada

In Canada, the number one cause of disability is mental illness (Center for Addiction and Mental Health as cited in Mood Disorders Society of Canada 2019, 10). According to Statistics Canada, 1 in 3 people living in Canada will experience a mental illness or substance use disorder at some point in their lives (Statistics Canada as Cited in Mood Disorders Society of Canada 2019, 10). Mental illnesses and substance use disorders have led to billions of dollars of economic burden and increased unnecessary pressure on the acute healthcare system—the "branch of healthcare where a person receives active but short-term treatment for a severe injury or episode of illness, an urgent medical condition, or during recovery from surgery," (Alberta Health Services n.d.) and contributed to thousands of lives lost every year.

Mental illnesses, while not always visible or immediately evident, create profound economic burdens on industry, government, and individuals -- especially when not adequately covered by publicly funded mental healthcare. A report by the Mental Health Commission of Canada showed mental illness in Canada costs the Canadian economy upwards of $50 billion annually (2017, 6). The economic burden in Canada due to mental illnesses consists of both direct and indirect costs (Mental Health Commission of Canada 2017, 16). Direct costs are those "incurred in providing services and supports in the illness treatment, care, and recovery process" while indirect costs refer to those "absorbed by the economy" such as costs to employers due to absenteeism of employees, disability insurance, unemployment insurance, lost tax revenue, and "costs incurred by caregivers" (Mental Health Commission of Canada 2017, 16). Likewise, substance use disorders come with extraordinary economic consequences. In 2014 alone, substance use cost Canada $38.4 billion in lost productivity, healthcare costs, criminal justice, and other direct costs (Canadian Substance Use and Harms Scientific Working Group 2018, 1). Moreover, while Canada's public healthcare system is applauded for preventing people from paying massive out-of-pocket fees for medical services, 30% of the $950 million that Canadians spend every year on counselling services is out-of-pocket (Benefits Canada 2018).

Beyond the financial consequences of Canada's weak mental healthcare system, thousands of people visit the hospital or die every year as a result of mental illness and substance use disorders (Public Health Agency of Canada 2019a; Special Advisory Committee on the Epidemic of Opioid Overdoses 2022). According to the Public Health Agency of Canada, 11 people die by suicide per day, amounting to around 4,000 people every year (2019b), the ninth leading cause of death in Canada in 2016 (Public Health Agency of Canada 2016). The destruction wrought by substance use disorders, namely as a result of the opioid crisis in recent years, is similarly appalling. In fact, in 2017 the rate of opioid-related deaths was also around 11 per day (Health Canada 2019), increasing to about 12 per day for a total of 4,395 opioid-related deaths in 2020 (Canadian Centre on Substance Use and Addiction 2021). The vast majority of these deaths were accidental, but many were nonetheless resultant of mental health issues as unmet mental health needs can often contribute to opioid abuse (Cruden & Karmali 2021; National Institute on Drug Abuse 2021b). Further, the overlap of negative outcomes from substance use disorders and mental illnesses is significant as over 320,000 people visited the emergency room between 2017 and 2018 for mental illness or addiction-related issues with 50% of those visits being made for a combination of the two categories (Palster et al. 2020, 11).

Marginalized people and people who exist in intersections of multiple marginalized groups are more likely to develop mental illnesses and substance use disorders, creating a socioeconomic gradient of mental health. In a 2017 report, the Mental Health Commission of Canada noted that

> "Some populations are more likely than the general population to be exposed to the social determinants that increase the likelihood of developing a mental health problem or illness, such as food insecurity, inadequate housing, unemployment, low income, racism, and poor access to healthcare" (Mental Health Commission of Canada 2017, 13).

People who experience these social determinants are also less likely to be able to access mental illness and substance use disorder treatments due to cost, geography (e.g., difficulty getting to appointments due to lack of access to a private vehicle in automobile-dependent cities, lack of access to mental health services in rural and isolated Indigenous communities (Boksa, Joober, and Kirmayer 2015, 364)), language barriers, and more. Further, "mental illness hospitalization is 5.5 times higher among Canadians living in the most materially and socially deprived areas than among Canadians living in the least materially and socially deprived areas" (Public Health Agency of Canada 2019a).

Indigenous people in Canada face many of these social determinants that lead to mental health and substance abuse issues and more. This is "a direct result of colonial policies and practices that included massive forced relocation, loss of lands, creation of the reserve system, banning of Indigenous languages and cultural practices, and creation of the residential school system" as well as "unaddressed intergenerational trauma" (Public Health Agency of Canada 2019a). These colonial processes are not isolated from the past but are both historical and ongoing.

Lack of Mental Illness and Substance Use Disorder Resources in Canada

While Canada often boasts about the aspects of its healthcare system that are public and universal, there are a number of branches in the healthcare system, including mental healthcare, that remain two-tiered and thus inaccessible to many people (Bartram, 2019). As Mary Bartram writes:

> under this two-tier system, two-thirds of Canadians are estimated to have access to employment-based benefits that provide at least some degree of coverage for non-physician mental health services such as psychotherapy. The remaining third either seek services that are available to varying degrees through publicly funded clinics across the country, pay out-of-pocket despite being least likely to be able to afford to do so, or go without (2019, 396).

As Bartram explains, one tier of Canadians must rely upon whatever, often inadequate, employer or publicly-funded options that are available to them, pay expensive private prices to the best of their ability, or suffer without care (2019). The other tier of Canadians -- those who can afford to pay high prices for private mental healthcare -- have their mental health issues addressed and receive care (Bartram, 2019). This dynamic creates what we know as Canada's two-tier mental healthcare system. Former Canadian Senator and first chairman of the Mental Health Commission of Canada, Michael Kirby, has also argued that Canada needs to reform its mental health system, at least for youth, calling Canada's youth mental health system "the ultimate example of two-tier medicine," arguing that "the single most important thing to be done in children and youth mental health is to start paying for services," and acknowledging that "if you could treat [mental health] problems early then the serious problems disappear" (Crawford 2016).

Although mental health issues continue to increase in prevalence across Canada, only 7% of Canada's annual healthcare budget is attributed to it (Bartram and Lurie 2017, 5). The lack of public funding

means that Canada's two-tier mental healthcare system creates inequitable access to psychotherapy, medication, and other treatments for mental illnesses. As a large percentage of Canadians are forced to pay out-of-pocket for mental healthcare, failing to provide comprehensive public coverage creates a system of class-dependent gatekeeping of mental healthcare, disproportionately affecting those who cannot afford to pay these expenses. People in lower socioeconomic, racialized, and other marginalized groups are both more at risk of developing mental illnesses and less likely to be able to access support if they do.

While the minority of primary care physicians feel "well prepared to care for patients with severe mental health problems" or "substance use-related issues," 80% of Canadians seek mental health help from them (Canadian Institute for Health Information 2019, 61). Further, access to specialized care is strained as, in the case of psychiatrists, "demand […] in Canada continues to exceed the supply" (Canadian Psychiatric Association n.d.). Supply may decline even further due to cultural and geographic barriers (Canadian Mental Health Association 2018 as cited in Moroz, Moroz and D'Angelo 2020, 282). As with other healthcare occupations, "fewer mental health workers [operate] in rural areas" (Canadian Institute for Health Information 2019, 25). Language and cultural barriers provide yet another challenge (Moroz, Moroz, and Solvinec 2020, 282).

Given the vast social and economic impacts of mental health and substance use issues and the inequality inherent in two-tier mental healthcare systems, Canada must invest more heavily in mental health services and move toward a universal system. Further, the indirect costs of mental illnesses and substance use disorders can be offset by investing in "evidence-based direct services and upstream interventions" (Mental Health Commission of Canada 2017, 20). Neoliberal solutions, however, do not allow for such planned tax-funded options. Neoliberal ideologues call for market-based, individualistic solutions, even as they tend to be less effective in both outcomes and cost (Mental Health Commission of Canada 2017; Monbiot 2016)

How Has COVID-19 made Mental Illness and Substance Abuse Worse?

While Canadians have long dealt with the consequences of a weak mental healthcare system, the onset of the COVID-19 pandemic illuminated and exacerbated them. While many neoliberal politicians were quick to co-opt the language of mental health to justify fewer government-mandated COVID-19 policies, they stalled in making effective improvements to mental healthcare and substance abuse services (Press Progress 2020; Hudes 2020). In fact, throughout the pandemic, Alberta went so far as to cut substance use disorder options, namely safe injection sites (Perrin 2020). The consequences of the governments' inaction and attacks were predictable and deadly.

Compared to years prior to the pandemic, Canadians of every age group had significantly lower self-perceived mental health in 2020, with younger age groups reporting the lowest levels (Findlay & Arim 2020). Those who needed to quarantine during the pandemic due to contact or infection with COVID-19 were more likely to have worsened mental health (Daly et al. 2021). While mental health declined across the board for Canadians, access to mental healthcare worsened significantly. The Canadian Psychological Association reported that during COVID-19 over half of Canadians who receive psychological services found it more difficult to access them (n.d.).

While many studies on mental health during COVID-19 urged policymakers to "balance the risk of infection with the deterioration […] in mental health" (Cost et al. 2020), neoliberal policymakers such as Alberta Premier Jason Kenney co-opted this language in order to resist COVID-19 measures without pushing for increased accessibility and equity of mental healthcare (Kenney 2020). This co-opting led to much debate in Canada over the benefits of lockdowns at the cost of mental health without much push to better the mental health system, thus playing into neoliberal hopes of reduced public COVID measures and a residual mental healthcare system.

In Canada, opioid-related overdoses and deaths reached their highest point yet in the midst of the COVID-19 pandemic (Government of Canada 2021). Furthermore, while deaths and overdoses rose, Alberta's UCP government repeatedly unleashed unfounded attacks on substance use disorder harm reduction solutions, including a major report falsely linking the presence of safe consumption sites to increased crime (Livingston 2021). The UCP government closed a number of safe injection sites including Calgary's only safe injection site and froze funding to a number of others (Smith 2021). Cutting this funding correlated with a steep rise in opioid-related overdoses in Alberta.

Preparing Canada's Mental Healthcare System for the Future

In order to prepare Canada's mental healthcare system to avoid the failures that were witnessed during the COVID-19 pandemic, policymakers and treatment providers must work to make treatment more accessible and equitable, and work to address the causes of mental illness and substance abuse instead of simply reacting when they worsen.

First and foremost, the province of Alberta must reinvest funding to safe injection sites. While this is not a fix-all solution, these sites are proven to save lives and prevent overdoses and neglecting them kills people with substance use disorders (Rapid Response Service 2014; Ng, Sutherland, and Kolber 2017). Given that Alberta has one of the highest opioid-related overdose rates in the country, it is paramount that these services be reinstated and appropriately funded immediately (Special Advisory Committee on the Epidemic of Opioid Overdoses 2022).

The lack of mental health professionals is not an unheard-of problem in Canada as residents have long struggled to find family doctors for many of the same reasons that they struggle to find mental health support. One solution to this issue is to train primary care practitioners accordingly to feel well prepared in dealing with patients with mental illnesses and substance use disorders (Moroz, Moroz, and Slovinec 2020, 284). Given that most Canadians with these issues will seek help from primary care physicians for these issues and "only 1.5% of the population with a mental health disorder requires access to specialty care," (Moroz, Moroz, and Slovinec 2020, 284) primary physicians should be able to deal with less complex mental illness and substance abuse issues.

One improvement to the mental healthcare system in Canada as a result of COVID-19 was the expansion of virtual counselling. Services delivered in this fashion have the potential to decrease both geographic and cultural barriers by connecting patients with a more diverse selection of mental health professionals. However, most Canadians who see a psychologist noted that they still preferred face-to-face counselling (Canadian Psychological Association n.d.). Thus, while this service can be incredibly beneficial to some populations and should continue to be utilized, it also has the potential to decrease the quality of care for others. Therefore, after COVID-19, mental health professionals should keep providing virtual services to clients while ensuring that they do not rely on virtual over in-person appointments.

As the pandemic has revealed, younger age groups' mental health levels are disproportionately affected by events such as pandemics that reduce socialization (Loades et al. 2020). Thus, ensuring that mental healthcare is available and accessible to younger people in Canada is essential. The first step in this direction must be the education of young people on the importance of mental healthcare while they are in school (Malla et al. 2018, 219). This can work to eliminate stigma as well as to build healthy mental health relationships early in life.

As I have noted, social determinants that can lead to mental illness and substance use disorders disproportionately affect lower socioeconomic classes and marginalized people (Mental Health Commission of Canada 2017, 13). Therefore, it is necessary not only to transform and improve the mental healthcare system in Canada, but to also address causal factors for mental illness and substance use disorders. Ensuring access to housing, healthy food, childcare, financial support, school, and other necessities (Gadermann et al. 2020, 10) alongside mental healthcare is necessary to reduce levels of mental illness and substance use disorders and give people more equitable access to mental healthcare when it is required.

In order to address the disproportionately high rates of mental health and substance abuse issues among Indigenous people living in Canada, the Federal and Provincial governments must move towards reconciliation in accordance with the Truth and Reconciliation Calls to Action. Specifically, governments must work to address health-related Calls to Action, calls 18 through 24. This includes but is not limited to funding research to close gaps between Indigenous and non-Indigenous communities, providing funding for Indigenous healing centres and practices, and increasing the training of Indigenous healthcare professionals (Truth and Reconciliation Commission of Canada 2015, 2-3). However, all 94 Calls to Action must be met as the health and well-being of Indigenous people residing in Canada continues to be negatively affected by the causal factors of violent colonial practices and policies (Public Health Agency of Canada 2019a). Moreover, Indigenous voices and knowledge holders must be centred and upheld moving forward in addressing mental health and substance abuse issues.

What COVID-19 has revealed about Canada's mental healthcare system most of all is that the current

two-tier system is ineffective, inefficient, and inequitable. Even before the onset of the pandemic, Canada faced a mental health crisis that a public-private system that required Canadians to pay 30% out-of-pocket was not suitable to solve (Benefits Canada 2018). In order to abolish the two-tier mental health system and provide accessible and equitable mental health care, a fully public, universal system is necessary. A universal system would help to eliminate the cost barrier of mental healthcare, ensure that all Canadians, regardless of socioeconomic class, receive the same level of mental healthcare, and help to provide mental healthcare to underserviced populations. Above all, providing equitable and accessible mental healthcare to all Canadians will save countless lives once we begin to return to normal and in the event of another pandemic.

Conclusion

In order to begin addressing the mental health and opioid crises in Canada, the country must make extensive changes to its mental healthcare system. We must first reject the neoliberal values of residualism and market solutions for healthcare. Further, Canada must embrace the idea of harm reduction, look to address the root causes of mental illness and substance use disorders, and expand access to mental health practitioners. Canada must abandon its current inequitable two-tier mental healthcare system in favour of a truly universal system. By making these systematic and critical changes, the past failures of Canada's two-tier mental healthcare system can be avoided.

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The Asexual Perspective:

Intimacy Without the Intimate

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ABSTRACT: Human relations and experiences are limited when dominant social orders are enforced through state intervention, heteronormative practices and assumptions, and ideologies that rest on the understanding that there is a right way to have sex. In this paper, I will rework queer theory frameworks and discourse to include asexual perspectives that challenge heteronormativity and state institutions of relations. I challenge the idea that relationships cannot be intimate without sex. Heteronormative ideologies around sex are considered, including what would happen if sex and physical intimacy were less prominent in creating relations. This is achieved by incorporating an asexual perspective as a key concept in queer theory. I will conclude by considering queer literature surrounding dominant ideologies and critiques of singledom, sexual reproductivity, and kin-making. The introduction of an asexual perspective to queer theory frameworks can expand critiques of heteronormativity to consider the purpose of sexual intimacy in relations.

KEYWORDS: Asexuality, heteronormativity, Queer Theory, relations, sex

Introduction

An absence or decline in sex is one of the first signs that a relationship is doomed. We can consider grocery store magazines, internet forums, or couples therapists and realize that the maintenance of a long-term living relationship relies on the upkeep and adaptation of sex over time (Mark and Lasslo 2018, 3). The conclusion is clear: find new ways to fuck or find a new (better) relationship. The acceptance of sex as necessary for healthy, long-term (often straight and preferably monogamous) relationships results from cultural, social, and political discourse on what sex and relations can and ought to be. Sex remains present in the experience of relating with others, oneself, and the world. While queer theory troubles and questions narratives that maintain dominant ideologies of heteronormativity, monogamy, and aspirational life, it fails to question the dominance of sex-centred narratives. Exploring the possibility of implementing an asexual perspective in queer theory frameworks and critiques allows us to confound why sex is so central to queer collectives, movements, and theory. Reworking queer theory frameworks and discourse to include readings of asexuality and asexual perspectives can challenge heteronormativity and state institutions of relations that prioritize sexual intimacy in queer and heterosexual relationships.

I begin the work of establishing an asexual perspective within queer theory by engaging with known queer theorists and their critiques of heteronormativity. Through examining Ela Przybylo and Danielle Cooper's work of asexual archiving of queer theory and queer history, I begin to answer what asexuality as a framework and perspective can contribute to the existing literature in queer theory. Asexuality and queerness function together as a specific failure to maintain dominant norms and discourse. Michael Cobb's work in queer theory establishes "singledom" as a chosen orientation and queer resistance to heteronormativity. His creation of a lonely figure is inherently queer but questionably asexual. The political potential of rejecting the dominant role of sex in relationships moves beyond the examination of a queerly asexual perspective, similarly to Lee Edelman's subversion of an ideal future. Edelman's political potential of disregarding heteronormative assumptions of reproduction and relationship forming lends itself well to exploring the subversion of disregarding sex-dominant norms. Expanding the analysis of compulsory heteronormative practices such as marriage and family, asexual perspectives can offer an image of the future that Kim TallBear sees as radically queer. TallBear's Indigenous-based perspective critiques dominant relationship structures and norms to question and resist settler-colonial relationship norms becoming so invasive and dominant. The work and concepts proposed by these queer scholars remain relevant and important critiques of heteronormativity. Applying an asexual perspective to key concepts in queer theory can only strengthen critiques of heteronormativity.

Asexuality is not confined to an individual's identity or orientation and can function as a perspective that questions the centrality and innate inclusion of sex in relations and culture. Shifting the focus of asexuality as a label or orientation towards a perspective maintains space for individuals' experiences with asexuality while providing opportunities for a more encompassing critique of the sex-dominated discourse.

Asexual Perspective: Defined

Ela Przybylo and Danielle Cooper use the work of queer scholars, such as Michael Cobbs, to question the discourse of intimacy, sexuality, queerness, and relations. They examine asexuality as an identity and resonance that can "enrich and expand queer possibilities" (Przybylo and Cooper 2014, 311). Asexuality, beyond the identity label of not experiencing sexual attraction or desiring sexual intimacy with other people, can be used to question what it is about queerness and relations that are so prominent in sexual ideologies. Przybylo and Cooper ask what can happen when asexuality is more present in our sociocultural understandings of queerness and sexuality? By applying an asexual framework or perspective to issues such as singledom, marriage, and the formation of adult relationships we can resist heteronormative assumptions of centering sex in relationships and kinmaking. What happens when asexuality moves from an identity to a framework that can shape and influence queer theory? They propose that "only through reading asexually can we expand and newly trouble queer understandings of intimacy, polyamory, partnership, kinship, and singleness and also trace asexuality in unexpected, and perhaps even undesirable, locations" (Przybylo and Cooper 2014, 304). Reading established queer literature and discourse with asexual perspectives troubles the dominant discourse that centers sex in political, social, and cultural connections.

Asexual Perspective: Finding Space in Queer Theory

Michael Cobbs grapples with the imperative nature of considering sex and physical intimacy in human relations. Cobbs starts to explore how sex can get in the way of understanding inherently queer existence but fails to create space for the purposeful absence of sex. The "sexlessness is attached to the singleness" (Cobb 2007, 208) and the status of single has much more to do with being lonely than being without sex. His attempts to leave sex behind in his understanding of loneliness and the queer experiences of singledom fall short of erasing sex from singledom. The single lonely figure could be asexual, or they could be misconstrued as lonely. Cobb's focus on the divides between single and coupled connections fails to account for the radical rejection of sex. For him, sexlessness refers only to the unattached single and lonely figure. An asexual perspective would complicate his single lonely figures to include coupled sexless people in intimate and emotional relationships.

Cobbs expresses interest in exploring different figures of singlehood. The Widow, the Anti-Social, the Priest, the Masturbator, and the Celibate. An asexual perspective could create a new figure to explore in understanding queer loneliness but deciding whether to distinguish between the Celibate and the Asexual becomes difficult. For queer theory perspectives of asexuality and loneliness, the Celibate and the Asexual can serve similar roles. They both dismiss sexual and physical intimacy as the foundation for human connection. The physical alone does not have to reflect the emotional alone that Cobb describes in Ardent's envisioning of

the crowd. The Celibate can resist the social, political, and cultural demands to be physically attached or connected to others. However, Cobbs resists the reading of celibacy being linked to the single life. He requests avoiding the concept that a single life must result in masturbation or celibacy. In attempts to avoid situating sex as central to being single or in a couple, sexual acts remain central in the forced absence. To assume the Celibate can function as a political and cultural game-changer would require an asexual perspective. The Celibate can mobilize to resist social expectations of engaging, wanting, or thinking about sex to queerly asexualize their existence. The Celibate, read from an asexual perspective, could challenge heteronormative assumptions without falling into emotional loneliness.

Even as Cobbs attempts to abandon sex, his arguments about loneliness remain rooted in the physical. The "press[ing]...together in order to eliminate the space between " (Cobb 2007, 216) only serves to highlight the emotional distance between the members of the crowd and increases loneliness. Including an asexual perspective in Cobb's queer work on the lonely single could decenter sex and complicate loneliness. Embracing the radical position of wanting to be single and choosing perceived loneliness removes pressures to constantly seek out companionship based on sexual or romantic connections. To be sexless is loneliness viewed as so undesirable by most as they unknowingly uphold sex-dominated heteronormative standards through relationship formations, human connections, and ideologies. Sex is so centred in imaginings of intimate adult relationships that it seems inconceivable and lonely to be without sex. An asexual perspective could explore the queerness of being physically alone or sexless while avoiding emotional or intimate isolation.

Cobb concludes his examination of the single on a comforting note of finally achieving sleep to escape the need for sex and the inescapable alone-in-a-crowd feeling. Cobb uses sleep post-coitus as an example of how being alone in rest or sleep after such intimate coupling can be comforting. There is no feeling of isolation attached to the lonely nature of sleep, it is not similar to being alone in a crowded room or unconnected to dominant society while surrounded by people. Sleep is a loneliness of rest and a possible connection to self. Asexual and queer perspectives can find rest in relations without needing to first complete "enough sex" (Cobb 2007, 218). The human connection of relating to a person and finding ways to love a person without needing to engage in the closing of the distance between bodies is queer. The comfort of distance from pressure to connecting sexually or romantically with one person (or any) challenges heteronormative standards and sex-centred narratives.

An asexual perspective never moves from single to coupledom, the marriage form is never achieved, and the child is never created. The future abruptly stops with those who do not engage in sexual intercourse as a method of connection or reproduction. Removing sex from queer theory to expand the asexual perspective troubles key touchpoints in queer theory and gay and lesbian politics. Sex for reproduction becomes necessary to reproduce the social order and maintain life. Heterosexual married couples must come together to continue life, regardless of political affiliations. The state can encourage couplings that provide a child who will best fit the dominant social order (white, able-bodied, middle class), and the Child can become the ideal political citizen through ideologically focused upbringings. Lee Edelman's examination of the politicization of the Child and the demonization of queer citizens is rooted in politics influenced by compulsory heteronormativity and other systems of power. The Child and the argument for their future frame all political decisions regardless of partisan opinions. The Child shapes the political logic that compels citizens and politicians into rational debates around life and preservation. Maintaining a "responsible" social order of preferring life to death becomes central to any political movement. It is hard to manifest a collective queer "fuck[ing] of the social order and the Child" (Edelman 2004, 29) when sexual relations for reproduction and pleasure are removed from relation-making. The political, cultural, and social battle for the future Child renders any mode of relating beyond heteronormative structures useless and remains present in an asexual queer perspective. However, including an asexual rejection of sex as the basis of happy and fulfilling relationships makes it easier to withdraw queer "allegiance, however compulsory, from a reality based on the Ponzi

scheme of reproductive futurism" (Edelman 2004, 4). Asexuality can serve as a challenge for reproductive futurism and the assumed heteronormative relationship. Reproductive futurism relies on the domain ideological limits on considering a future. The future must be secured through the reproduction of citizens who then ensure the reproduction of the dominant ideologies of social and cultural orders. Rejecting the ideology that relationships are built upon sex can mean rejecting relationships built on the future of the Child and the institutions of heteronormativity that place the future above the present. The disruption of reproductive futurism is not only in the lack of sex but also in the expansion of relationships beyond sex. Relations that can be classified into "husband/wife/spouse" roles can achieve the state's goals of the institution and norm reproduction alongside literal life reproduction. Connecting across family, friends, and kin challenges the future of the Child raised in a white, middle-class nuclear family.

Compulsory heterosexuality and biological reproduction often do not happen simultaneously in queer relationships. The state's political agenda to reproduce the social order through Edelman's Child thus directly opposes queer existence. For the sake of the future, it is against the state's interests to encourage queer and asexual existences and perspectives. The settler-state imposes a national agenda of heteronormativity, marriage, and reproduction values. At the heart of Kim TallBear's examination of the influences of settler-states are the imposed notions of "normal" that apply to sexuality, relations, and kin-making practices. TallBear proposes that intimacy, family, and relations are inherently tied to the state and institutions. The state strives to create the heteronormative assumption that all human beings must thrive in a monogamous heterosexual marriage where the purpose is to uphold oppressive institutions, own property, and create more white, heterosexual babies: this desire of the state is deeply harmful. TallBear enters discussions of discourse and ideology tied to marriage, state institutions, and heteronormativity through the act of "making love" as both physical and emotional connections between people. As Cobb ponders on the single person in a marriage-oriented world, TallBear offers radical Indigenous perspectives on how marriage works outside of settler-colonialism. Marriage remains important to political and cultural life, but what does a marriage become without sex or family? Applying an asexual perspective to TallBear's work challenging settler-colonialism and heteronormativity enriches the opportunities of making kin outside of marriage laws and institution-sanctioned relationships.

When rethinking what relations can look like outside of marriage, the centering of sex, and reproduction (familial values), an asexual perspective is beneficial. Making meaningful connections to humans beyond the crowd, a spouse or causal hookup, or family members can be achieved without physical or sexual intimacy. Queerifying kinmaking can entail (or) include more than same-sex relationships, polyamory, or communal living. I want to think beyond TallBear's kin network as familial (born and chosen) and read kin as an asexual approach to relationship building. Imagining a way of being together, without physically being together, a way of making love, without the sexual act of lovemaking, always uses an asexual perspective of leaving sex behind. The absence of physical intimacy and bodily closeness does not have to negate relation-making and kin connection.

Asexual Perspective: Applied

I want to develop and engage with an asexual perspective. I want to challenge queer theorists by asking why sex and physical intimacy are centralized in all relationships that exist outside the taboo. Why is it that sex has been framed as the dominant connection between adults? How does relating to people look without sex? Removing sex from intimate relationships in dominant discourse means enforcing professional boundaries, respecting age differences, or following religious faith. Purposefully leaving sex behind to most people means that you are choosing loneliness. I want to challenge the idea that without sex, relationships cannot be intimate. I can imagine a future where coupledom, marriage, and the Child are not the required formula for love. I must challenge the celibate loner, the unwedded spinster, and demonized death-queer because I have to find ways to see myself in queer literature. The disinterest of examining queer existence not centred around or framed against sex is a disservice to queer existence. Asexuality is an identity orientation that can continue to highlight disinterest in sex. Asexuality as a perspective does not require the aversion or disinterest in sexual and physical intimacy to be the defining trait. The asexual perspective can function alongside queerness to question what relationships can gain or become when formed on the foundations of other forms of intimacy and human connections. An asexual perspective can be applied to examine situations where long-term couples are feeling pressured to "spice up" their sex life, when adults struggle to make intimate and emotional friendships due to fears of "leading people on," or when life partners make decisions together without ever connecting sexually. Human relations and experiences are limited when dominant social orders are enforced through state intervention, heteronormative practices and assumptions, and ideologies that rest on the understanding that there is a right way to have sex. The solution does not become "just do not have sex" but to think and consider; what would happen if sex and physical intimacy were less prominent in creating relations?

Conclusion

The asexual perspective does not have to be limited to asking where and why sex is found in relationships between people, cultures, and institutions. There is political potential to form groups beyond sexual identity or orientation to reject the inherent nature of sex in popular discourses. Resisting heteronormative and neoliberal assumptions of singleness, futures, and marriage becomes more nuanced when we label the role of sexual intimacy and physical relations as central to upholding these systems of power. Shifting thinking away from what sex can look like and the many different forms sex can take and create relations to step toward a queerly asexual ideology where sex and physical intimacy connections are not the focus, roots into the foundational reasons for queer theory.

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The Gendered Consequences
of Seeking Asylum in U.S.-Mexico Border Encampments

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ABSTRACT: This policy paper explores the gendered vulnerabilities of migrants seeking refuge from unlivable conditions in El Salvador, Honduras, and Guatemala (Northern Triangle Countries), who are forced to the U.S.-Mexico border and stranded in border camps strung along U.S. entry ports. In particular, it examines the impacts of four immigration and border policies initiated by the Trump administration, and details the compounded risks of violence faced by displaced women and gender-diverse communities while travelling to the border and in border encampments. Migrants seeking asylum experience a range of physical and psychosocial trauma, and their safety is contingent on the varying stakeholder positions of the American and Mexican governments, transnational non-governmental organizations, and the United Nations High Commissioner for Refugees (UNHCR). In evaluating the barriers to accessing basic resources and legal support faced by marginalized communities at the border, I argue that conditions in-camp require gender-sensitive humanitarian interventions from the UNHCR as mandated by its ethical and legal obligation to protect the rights of asylum-seekers. Following my analysis of the gendered vulnerabilities in border encampments and their historical roots, I then propose three potential policy choice sets to address the increasing urgency of the crisis.

KEYWORDS: Borders, gender, humanitarianism, immigration, migration, policy

Executive Summery

As a result of increasing violence in El Salvador, Honduras, and Guatemala, also known as the Northern Triangle Countries, there has been an influx of migrants and asylum seekers to the United States and Mexico (Fleury 2016). However, new policies implemented by the Trump administration directly impacting asylum seekers at the U.S.-Mexico border have detrimentally altered the lives of asylum seekers along U.S. entry ports (Narea 2019). The living conditions and exacerbated vulnerabilities of asylum-seekers awaiting entry in extremely dangerous Mexican shelters clearly indicate an urgent and growing humanitarian crisis. Despite this, the issue of makeshift border encampments and gender-based violence (GBV) facing asylum seekers stranded in Mexico remains under-reported and unaddressed, and migrants situated in Mexican border towns are still waiting for humanitarian assistance (Narea 2019).

Women and gender-diverse migrants are subjected to the compounded risks of violence at home, violence in encampments, and violence in immigration detention centers (Parish 2017). Their increased vulnerability is a result of gender-discriminatory norms and roles, and the risk of violence is only increasing as a result of the recent implementation of four dangerous immigration policies by the Trump administration (Fleury 2016). Namely, these are: an immigration "metering" policy, Migrant Protection Protocols, an Asylum Transit Ban, and the Prompt Asylum Claim Review/Humanitarian Asylum review Process policies. Further, in camp, migrants are exposed to extortion, murder, kidnapping, abuse, and sexual assault from various criminal actors, and women often experience sexual violence and forced disappearances near the border (Fleury 2016). There are various urgent policy options at the UNHRC's disposal in addressing this issue. First, UN agencies could administer more on-the-ground humanitarian support for migrants stranded at the border. Second, the UNHCR could apply greater pressure to the US government in challenging the devastating consequences of new immigration policy. Third, the UNHCR could further coordinate with partners and migrant women-led groups in the area to empower local support systems, health infrastructure, and increasing accessibility of hotline services and information campaigns (UN Refugee Agency). Ultimately, the Trump administration's initiation of catastrophic immigration policy is a blatant violation of asylum policy and legal precedent. In response, the international community has a responsibility to ensure a cultural and gender-sensitive approach is taken to rectify the harm committed against migrants by cruel and unlawful American immigration policies.

Statement of the Issue

Applying a gender-sensitive lens to the danger facing women and gender-diverse migrants in encampments at the border is critical to understanding the degree of harm they face. The gendered consequences of seeking asylum at the U.S.- Mexico border have been exacerbated as a result of the COVID-19 pandemic, making it critical for UN agencies to focus attention on the more at-risk migrants, like women and gender-diverse asylees (Fleury 2016). Stranded women, trans, and queer migrants at the border lack access to menstrual hygiene products and healthcare services, face an increased risk of sexual violence, exploitation and bodily harm, and experience a range of physical and psychosocial trauma (Parish 2017). LGBTQIA+ migrants in particular are often "targets of violence" in their origin states, and are hyper-visible and unprotected by border agents and police in the migratory process (Lubhéid 2020, 29). This often results in a lack of access to critical health care services while in detention, facing discriminatory treatment and verbal abuse by security actors, and being forced into homelessness and "survival sex work" at the border (Lubhéid 2020, 29). To this end, trans migrants are frequently subjected to gendered violence while in detention facilities, including the "denial of hormones and appropriate medical care," and for trans women, detention in all-male facilities (Lubhéid 2020, 30).

According to Amnesty International, between 60 and 80 percent of female migrants travelling through Mexico are raped while travelling, and despite the danger, many still pursue the journey as a result of GBV and discrimination in their home countries (Parish 2017). After leaving home, migrants are met with highly gendered encampments on the "basis of demographic and economic structures" (Jensen 2019). Thus, understanding how socio-cultural views on masculinity and heterosexuality impact survivors of sexual violence is necessary to fully grasp the scope of the challenges facing women and gender-diverse migrants (Jensen 2019). Women are often "symbolized as mothers" and caretakers of children and are frequently represented by the amalgamated term "womenandchildren," reducing their agency as individuals and community leaders in-camp (Jensen 2019, Sjoberg and Gentry 2015, 1). Alternatively, "manhood is equated with violence," and sites of violence and unrest (i.e. border camps), often serve as "amplifying circles" for masculine dominance and imbalanced gender power dynamics (Jensen 2019). Since the makeup of border encampments is constantly changing with the arrival of new groups, it can be difficult to foster a "sense of community" and solidarity between women migrants (Jensen 2019). Additionally,

women and gender-diverse migrants at border camps often face a "lack of education, individual documentation, economic self-reliance," and resources needed to mediate GBV (Jensen 2019). This "culture of cruelty" means that marginalized migrants are faced with severe violence, and obstructed access to accountability measures and critical healing resources (Lubhéid 2020, 31). These barriers, coupled with the conditions in-camp make UNHCR humanitarian intervention a necessary measure in alleviating and preventing gender-based harm.

Background

U.S. immigration controls have served to reproduce ideals of the 'transnational' and the 'national' as "sites of inequality" (Luibheid 2020, 20). By framing immigration as a matter of "individual decision-making" as opposed to an issue of "transitional dynamics and inequalities," American immigration controls render migrants outside of a "white, patriarchal, heterosexual, middle-class" framework to a status of disposable and criminalized 'Other' (Luibhéid 2020, 20). Recognizing GBV and discrimination against women as a result of intersecting oppressions, and both a cause and risk of migration is crucial to understanding the current state of affairs (Ruyssen & Salomone 2018, 150). According to the OECD Development Centre's Social Institutions and Gender Index (SIGI), there are five dimensions of oppressive social institutions that disproportionately affect migrant women's lives; these include a "discriminatory family code, restricted physical integrity, son bias, restricted resources and assets, and restricted civil liberties" (Ruyssen & Salomone 2018, 158). Gendered migration patterns also reflect economic opportunity and network ties, as well as political instability and national security conditions in nations of origin (Donato 2010, 82). Migrants and asylum seekers face harsh realities at the border as a result of decisions made by critical stakeholders in the crisis, including the United States and Mexican governments, and various United Nations entities and non-governmental organizations (NGOs).

A brief overview of political stakeholder positions:

- **United States:** The U.S. sent around $139M in aid to Mexico in 2019 to support migrants, but has done little else to alleviate the challenges facing migrants in border camps (Narea 2019).
- **Mexico:** Migrant shelters are at capacity in Mexico, and the government has deployed its National Guard and military to increase security measures in border towns and opened a limited number of shelters (Narea 2019). The state has not done much else to protect migrants in the encampments and is under pressure from the U.S. government to address the influx of stranded migrants as an 'enforcement' issue (Casares and Carillo 2020).
- **NGOs:** Essential healthcare services are administered from US-based nonprofits, which are shouldering the majority of the burden for providing on-the-ground services with limited capacity (Narea, 2019). Some shelters and informal schooling systems have also been initiated by nonprofits and volunteers working in the area (Narea 2019).

A brief timeline of U.S. immigration policy at the border shows:

- **April 2018**: US immigration officials formalize a "metering" policy, which is the "practice of allowing a limited number of asylum seekers into ports of entry" per day where migrants are left awaiting the opportunity to request asylum at the border (HRW 2020). More recently, the Trump administration has begun metering Mexican asylum seekers despite claims of "fear of return" to their home conditions (HRW 2020). There are many days where no migrants are removed from the CBP "list" through which people can be admitted and processed to request asylum (AIC 2020).
- **December 2018:** The administration announces a new program called "Migrant Protection Protocols" (AIC 2020). As of January 2020, the MPP policy is active in seven U.S. border towns, and migrants can be transported by CPB to Mexico at a location "far from where they arrived" at the border (AIC 2020). The MPP process is also discretionary and arbitrary, and made by individual CBP officers and Border Patrol agents (AIC 2020). Migrants often face institutional barriers to exercising their right to seek asylum and can resort to dangerous methods to seek entry to the U.S. illegally when looking to escape the dangerous conditions in Mexico (Schacher 2019).
- **July 2019:** The Trump administration declares an Asylum Transit Ban for "any individuals who enter the United States at the 'southern land border' after transitioning through another country and leaving their home" (AIC 2020). The ban applies to all migrants crossing the border after July 16th, irrespective of immigration status or method of entry (AIC 2020). It does not make exceptions for unaccompanied children, and its application depends on an individual's status under the asylum process (AIC 2020).
- **October 2019:** The CBP begins two pilot programs, the Prompt Asylum Claim Review (PACR) for Mexican nationals, and the Humanitarian

Asylum Review Process (HARP) for non-Mexican nationals (AIC 2020). Initiated in El Paso, these programs are designed to keep migrants in short-term detention facilities during the expedited removal process (AIC 2020). Prior to these interventions, individuals who were not subject to MPP and placed in the "expedited removal' process were sent to ICE detention centers if they demonstrated a "credible fear of persecution" (AIC 2020). Against protocol, migrants are often held by CBP for weeks in freezing conditions with "limited access to hygiene, and inadequate food and water" (AIC 2020).

While many of these programs are being challenged in court, the state of asylum at the border has drastically changed in 2019 and 2020, and migrants are still stranded in dangerous conditions with limited government assistance and access to basic necessities (HRW, 2020). Mandating that CBP send thousands of migrants back to countries that do not have the necessary temporary housing required to safely wait through the immigration process has resulted in the creation of border towns, rendering women and gender-diverse migrants vulnerable to the same violence and discrimination they were looking to escape. The gravity of this crisis cannot be overstated - as of May 2020, there have been at least 1,114 reported cases of murder, rape, torture, kidnapping, and other violent assault against vulnerable asylum seekers victim to the MPP policy residing at the border (HRF 2020). These figures are likely an underrepresentation of the gendered harm facing migrants, as the vast majority of those subject to MPP have not been interviewed or had access to legal support (HRF 2020). Despite being increasingly vulnerable, women and gender-diverse migrants lack critical protection and healing resources while in-camp, and only 0.1% of migrants receive asylum at the border (Kelley 2019). Clearly, the dangerous conditions in encampments should be a primary international humanitarian concern.

Recommendations

Policy Choice Sets and Consequences

1. **Deploy humanitarian workers on the ground and increase general presence in the area.**

   Merits: Migrants in particularly vulnerable encampments are in need of greater humanitarian aid in order to access basic supplies like food and bedding (Narea 2019). One of the merits of deploying humanitarian workers on the ground to manage the tent camps and ensure the provision of basic necessities is reliable camp oversight (Narea 2019). Safe supervision and community leadership for women and gender-diverse migrants is currently lacking since many camps are run by the migrants themselves with little oversight from the Mexican government (Narea 2019). This means that women and gender-diverse migrants who are vulnerable to violent assault and exploitation within the camps from criminal actors do not have the necessary protection or resources needed to survive (Narea 2019). Another merit of deploying humanitarian workers includes increasing the provision of "basic hygiene kits [and], support to local authorities in identifying health issues," and information to asylees about their legal options, which has proved helpful in ensuring protection

during the pandemic (Guerrero 2020).

Drawbacks: This policy would result in a significant shift of responsibility for ensuring the safety of migrants from the Mexican and U.S. governments to the UNHCR. This would mean less accountability on behalf of the states causing the crisis and a potentially limited ability for the UNHCR to help since it does not dictate policy changes or legislation to ensure a long-term fix for the crisis (Narea 2019). Despite providing financial support, legal aid, and safe housing for asylum seekers, the "long-term stability of refugees remains a concern" (UNHCR 2020). This lack of support would disproportionately impact marginalized asylum seekers, particularly women and gender-diverse communities, who are in urgent need of long-term safe living quarters.

Another potential drawback is the lack of accountability on behalf of political actors. The UN Guiding Principles on Internal Displacement note that it is a government's responsibility to "address, prevent, and remedy internal forced displacement," placing humanitarian actors in an unclear position when it comes to directly intervening in U.S.-Mexico political affairs (Deslandes, 2020). In order to ensure the sustainability of efforts made by international humanitarian organizations, there must also be the corresponding political infrastructure to stop the crisis from further spiraling. Without policy changes, international aid is simply a means for crisis mediation, not crisis prevention.

2. Challenge "Remain in Mexico" policy.

Merits: The immigration policies imposed by the Trump administration has resulted in disaster for thousands of people and indicate a "full dismantling of the US asylum system" (Amnesty 2018). Thus, an alternative approach to tackling the gendered crisis at the border would be to outwardly challenge the policies themselves. Not only is MPP a violation of international law by "increasing arbitrary and indefinite detention of asylum seekers" and enforcing degrading treatment, it also "undermines the international framework for refugee protection" (Amnesty 2018). Furthermore, regardless of whether the United States has signed the 1951 Convention on the Status of Refugees, all countries are bound to the international law principle of "non-refoulement" (Schacher 2019). In other words, a government should not return a person to a country where they are "at risk of being subjected to persecution, torture, or other cruel or inhuman treatment" (HRW 2020). Given that women and gender-diverse migrants are also at risk of GBV violence in their home countries, challenging MPP accounts for the unique position gendered migrants are in, where they are not safe at home or at the border.

Accordingly, this approach presents more of an ethical and legal obligation than a series of "merits," but if successful in court it could radically change the future of the treatment of migrants at the border for the better. While the UNHCR filed an amicus brief against the MPP policy with the Ninth Circuit Court of Appeals, the Supreme Court allowed protocols to continue while on appeal (Guerrero 2020). Nevertheless, continuing to apply pressure to the U.S. government, especially in the midst of a presidential transition and new foreign policy agenda, could have hopeful results for asylees subject to violence at the border.

Drawbacks: Despite the significant merit of challenging MPP, this crisis requires intervention policies that can be enacted swiftly. Violence and conflict is quickly intensifying, and the judicial process for striking down policy is long and arduous (Deslandes 2020). Marginalized migrants and asylum seekers, in particular, are in urgent need of attention or care. Without quick intervention, the violence they face goes unaddressed, and they lack the necessary resources to heal. Hence, a potential drawback of this strategy would be the lengthy timeline involved in pursuing a legal case and the uncertainty of success. Another potential risk of challenging the MPP policy is the UNHCR's reliance on funding from the U.S. government for other humanitarian initiatives serving refugees and asylum seekers worldwide (Narea 2019). In 2019, the U.S. contributed around $1.67 billion to helping displaced people worldwide, and while it is necessary to explore new sources of funding for humanitarian initiatives, losing American support could jeopardize the well-being of migrants internationally (Narea 2019). It is also important to note that since the UNHCR was not involved in "initial discussions" between the U.S. and Mexico about MPP, they are not "in contact with U.S. authorities," nor privy to immigration policy discussion (Narea 2019).

3. Support women-led support groups and migrant workers in the area to increase camp and host community capacity.

Merits: On the border, many female migrants

work in an "informal economy" in dangerous conditions, while also facing routine abuse and discrimination (UN Women 2016). One of the greatest merits of increasing community capacity by supporting women-led support groups in-camp is helping women and gender-diverse migrants become self-sufficient (UN Women 2016). While the UN International Organization for Migration (IOM) currently works to help migrants obtain work permits, employment, accommodation, and cash assistance for basic necessities, expanding and localizing aid for women and gender-diverse migrants is a critical form of harm reduction and violence prevention (Narea 2019). Funding local human rights organizations and support groups to facilitate training for migrant women, allow space for them to "share their experiences," identify areas of need, understand their rights, and "analyze migration from a gendered perspective" is important for long-term harm reduction (UN Women 2016). This allows women to develop "leadership skills" in-camp and contribute to local economies, allowing for self-protection against exploitation and facilitating community solidarity (UN Women 2016). This kind of community building also lends itself to community healing. By localizing aid, migrants who are victims of GBV have the support of their community in addition to quick access to critical health and financial resources. A focus on increasing community capacity and solidarity also allow opportunities for marginalized migrants, particularly those in the LGBTQIA+ community, to support one another in safe spaces while accessing healthcare and financial aid networks.

Another merit of working to support women-led groups in-camp is the inherent sustainability in skill-building and information dissemination programs (UNHCR 2020). Women-led refugee programs that establish "community focal point systems" and "expand the availability of hotline services" to link survivors of GBV with social workers and counsellors have proved critical to disseminating information on mitigating and healing from GBV (UNHCR 2020). Teaching women their "legal rights and responsibilities" through "culturally sensitive information campaigns" is a necessary long-term humanitarian intervention to combat violence, by encouraging independence, and confronting patriarchy and structural disenfranchisement in border camps (Jensen 2019).

Drawbacks: The logistical aspect of information dissemination in the pandemic is challenging. While technology is a valuable resource to provide information to migrants, access to online platforms and other various communication tools is limited (UNHCR 2020). Nevertheless, this limitation has been overcome by UNHCR information campaigns in other refugee camps, where community leaders, health workers, and social workers use platforms like WhatsApp to deliver key messages to communities (UNHCR 2020). Similar methods could be applied to overcome communication challenges at the border camps in Mexico, and potentially side-step the consequences of increasing in-person humanitarian aid in the pandemic.

Recommendation: Choice III

Addressing the gendered consequences of the U.S.-Mexico border crisis by supporting women-led migrant groups and workers in border encampments applies a necessary gender-specific lens to the issue. While Choices I and II are viable approaches to the crisis, Choice III addresses the need for both swift and sustainable humanitarian interventions. Further, since Choice III applies a gender-sensitive perspective to the migrant crisis, it addresses a critical part of ensuring that policies will remain effective (Jensen 2019). Gender-based initiatives in-camp must be designed and implemented by women and gender-diverse migrants in order to identify key areas of need and alleviate harm for the long term, as the best solutions to violence against vulnerable peoples often come from those subjected to violence. Further Choice III addresses the issue of gendered violence and conflict at the border through a three-pronged approach: it works to disrupt oppressive beliefs about gender roles and norms in-camp through information campaigns, distribute necessary resources and strengthen health infrastructure by building safe communities, and ensure the sustainability of the intervention for the long-term by working with women-led groups and marginalized leaders in-camp.

Relying on changes in American immigration policy and Mexican camp oversight to stimulate long-term change and harm reduction is contingent on unpredictable state agendas and domestic interests. While nation-states debate the disposability of human life at the border, women and gender-diverse migrants remain subject to intensifying and ongoing abuse without the necessary resources to heal and thrive. The UNHCR must not only condemn the U.S. administration's treatment of Mexican asylum seekers at the border, but more importantly, ensure that migrants have access to critical resources in accordance with international law. As the crisis intensifies, the urgency of further intervention has become self-evident, and overlooking the trauma and injury suffered by those who experience violence at the border would forgo the UNHCR's ethical and legal obligation to protect the human rights of asylum-seekers worldwide.

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The Invisible Hand and Satire

Author: Kyle Paziuk
Discipline: Economics

ABSTRACT: This paper argues that the famous "invisible hand" term coined by Adam Smith was used ironically in his work. Despite being one of the most revered economic terms in history, Smith only used it three times in his writing. This paper analyzes all three uses, arguing that, from the context of his writings, Smith used the term ironically.

KEYWORDS: Adam Smith, capitalism, invisible hand, stoicism

Few phrases in the history of economics have pierced through more generations and received more interpretations than Adam Smith's "invisible hand." The fame this phrase receives is synonymous with Smith, helping craft his reputation as a household name. However, the debate regarding the term's definition creates the illusion that it was a plentiful addition to his writings, a firm truss supporting his theories. On the contrary, the engrossment surrounding the term does not match its usage in Smith's work. From his early works in astronomy to his final written word, Smith uses the phrase "invisible hand" in his work on a paltry three occasions. The fervour of the term is overblown, as Smith himself did not consider it to be a serious term worthy of explaining his philosophical and economic views. The term is mentioned in the following circumstances: starting in astronomy writings and on one occasion each in his two economic texts. The separation in circumstances between the three mentions bears very little resemblance or correlation, instead seemingly wildly independent on each occasion. Instead of acting as a grand analogy to explain his economic opinions, it will be demonstrated that Smith used the phrase with tonal cynicism and satire, used to mock those he disapproved of.

Adam Smith's perspective on religion is a guiding factor in his interpretation of the "invisible hand." Smith was raised by his Calvinist mother following his father's death and attended Presbyterian church regularly (Oslington 2012, 432). While working at the University of Glasgow, Smith was known to provide lectures on natural theology, in which he focused on the principles that led to the foundation of religion (2012, 431). Despite his seemingly Presbyterian beliefs, Smith's writings have been observed by scholars to align consistently with Stoicism (2012, 431). Smith's readings of Stoic philosophy focused mainly on "its good understanding of selfish passions," such as a modest approach to accumulating wealth, power, and authority (Furuya 2012, 80). Smith's interpretation of Stoicism emphasized virtuous behaviour or actions which can contribute to the public good (2012, 80). Scholars point to Smith's commitment to a natural order along with his belief in self-preservation as evidence for his Stoicism, believing humans can make proper decisions for themselves (2012, 87).

Smith's Stoicism ties directly into his inaugural usage of the "invisible hand" in his History of Astronomy text, specifically in the section titled "Origin of Philosophy" (2012, 88). Within this chapter, Smith critiques the established thought of the ancient Polytheistic religions, who he demeans as savages for their personal beliefs surrounding religion (2012). Smith is unsupportive of their binary view of the ordinary and unordinary, stating they associate "irregular events of nature" with beings such as "gods, demons, witches, genii, fairies," however fail to do so for "ordinary" events (1980, 49, as cited in Rothschild 1994). Smith reiterates his belief that unordinary events are the result of "the necessity of their own nature," firmly humiliating those who believe otherwise by noting that the "invisible hand of Jupiter" was "[not] employed in those matters" (1980, 49-50, as cited in Oslington 2012).

Smith clearly uses the invisible hand satirically. Smith disregards the opinions of those who believe in religious influences for nature's unordinary events. Smith, a fan of "pithy and forceful phrases," utilizes Jupiter to represent the logical fallacies in ascribing unnatural events to otherworldly influences (Macfie 1971, 598). This is heightened by the increasingly popular presence of science and philosophy at the time. Smith's use of satirical humour reflects criticism of beliefs and choices. All three uses of the "invisible hand" reflect a subtle form of critiquing beliefs of who levies control in society, and this rests as the first occurrence.

Smith's subsequent delivery of the "invisible hand" appears in his text The Theory of Moral Sentiments, published in 1759. While the context of the term's usage is different from the first, the underlying tone of satirical displeasure remains. In this instance, the targets of Smith's scorn are the well-off sectors of society, who are entirely comfortable with paying their employees very little for their services. Smith views their actions as completely lacking any consideration for human dignity and justice, disparaging their "natural selfishness and rapacity" for creating such inequality in society (Smith 1759, 212). Furthermore, Smith observes that whether a man is rich or poor, regarding consumption, "all ranks of life are nearly upon a level" meaning that their consumption is the same (1759, 212). This is caused by the man's "stomach of limited capacity to consume," thus a rich man does not have the time nor the ability to consume more than a poor man (Oslington 2012, 434). It is within this irony of consumption that Smith once again invokes the "invisible hand" to provide a satirical analysis of the situation. Smith states that whether a man is rich or poor is largely irrelevant, as they are "led by an invisible hand" towards the "same distribution of the necessaries of life" (Smith, 1759, 212).

While a degree more subtle than the first occurrence, Smith again uses the "invisible hand" to satirically mock a particular group in society, which is the wealthy

management class. Smith is writing while observing an early incarnation of the market economy, and the divisions of wealth that accompany it. Just as Smith joked that Jupiter's effect on society was mythical, he applies the same humour in this instance. There is by no means a literally invisible hand that seeks to fairly compensate and balance the consumption of individuals, however that may be a belief of some. Similar to the Jupiter metaphor, Smith uses the invisible hand as a means to differentiate what is happening, and what is not happening, and critiques those who do not conform to his opinion. In Smith's view, the working class is poor and thus is being treated unfairly. The limited capacity to consume is what leads to the stabilization of consumption between the rich and the poor, which is ultimately not the result of an "invisible hand."

Smith's third and final "invisible hand" reference is found in The Wealth of Nations, released in 1776. In this context, Smith is disparaging merchants who choose to solely support domestic markets to guarantee their own economic security, instead of investing in foreign trade. Smith aligned supporting domestic industry with merchants consistently "pursuing his own interest," intentionally protecting "his own security," providing no benefit to society (1776, 483). Smith viewed the merchants' self-interested behaviour as harmful to the economy. He associates the "invisible hand" metaphor with greed on this occasion. Satirically, Smith states that selfish merchants are driven by "an invisible hand" to pursue domestic business, which was "no part of [their] intention" (1776, 483). The last section of Smith's quote is clearly said in an ironic tone. Smith is suggesting with humour that wealthy merchants are unaware of their own desire to pursue vast wealth, which comes at the expense of promoting the public interest. Smith is an advocate for a free-market economy, however, is not a proponent of a free economy with no consequences. Similar to the second example, Smith demonstrates his opinion on a particular subset of the economy by utilizing the "invisible hand" satirically.

Smith's voice echoes through his works as ripe and candid, a clear picture of his opinions on economic matters. Smith is unafraid of voicing his displeasure when he deems it necessary and does so rather creatively with the satirical usage of the "invisible hand." Smith uses the "invisible hand" metaphor to offer commentary on religious beliefs, the division of wealth, and economic greed. Ultimately, while there will continue to be a great debate on the usage of the "invisible hand" analogy, it can be determined that at least one interpretation of it can be seen as satirical.

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Re-interpreting Law:

Analyzing the Relation Between the Canadian Legal System and Indigenous Legal Traditions

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Discipline: Political Science

ABSTRACT: This paper examines the outcome of the Canadian legal case of *Restoule v. Canada* in the Ontario Court of Appeal, determining that the Canadian state must determine how it can best meet its constitutional obligations of adequate treaty annuity payments to the Anishinaabe Nation. This case allows for a reconsideration of the relation between the Canadian legal system and Indigenous legal traditions. By examining the efficacy and saliency of various Indigenous legal traditions through the contextual scope of *Restoule v. Canada*, this paper extends an objective for the Canadian legal system to legitimize diverse Indigenous legal traditions so that it may better adjudicate the legal cases of Indigenous peoples. The four salient dimensions of Indigenous legal traditions I will explore are Gitksan conflict management, Haudenosaunee deliberative law, Hul'qumi'num Mustimuhw kinship and land relations, and Mi'kmaw customary law.

KEYWORDS: Constitutional law, Indigenous legal tradition, *Restoule v. Canada*

On November 5th, 2021, the Ontario Court of Appeal ruled on the Restoule v. Canada case that the Canadian government violated the terms of treaty annuity payments to 23 groups of the Anishinaabe Nation located in the Ontario region (Fine 2021). Under the Robinson Treaties of 1850, its Augmentation Clause set out the terms of treaty annuity (annual treaty) payments to be made from the agreement parties of the Crown to the Anishinaabe Nation, which would be augmented or increased to an appropriate share of the resource wealth developed economically within the ceded territory (Fine 2021). However, as this region has economically developed in the century and a half since the Robinson Treaties were signed, the annual treaty payment from the Crown to the Anishinaabe Nation has remained four dollars, as agreed upon in 1875 (Fine 2021).

As summarized by journalist Sean Fine (2021), the Court's decision emphasizes the Canadian state's massive legal violation of constitutional obligations regarding appropriate annual treaty payments to the Anishinaabe Nation. Restoule v. Canada calls on the Canadian legal system to determine fair compensation for the Anishinaabe Nation, but it does not need to make this decision independently (Fine 2021). Indigenous legal traditions share historical coexistence with the Canadian legal system, yet the former has not been given adequate legitimacy that would allow for effective support and interpretation in contemporary legal debates between Canada and Indigenous peoples, as seen in Restoule v. Canada (Fine 2021; Burrows 2010, 23). Therefore, would a stronger legitimation of Indigenous legal traditions alongside the Canadian legal system better position the Canadian state to be held accountable for its constitutional obligations of treaty annuity payments? I argue that centering Indigenous legal traditions in Restoule v. Canada can present effective strategies for addressing the financial accountability of the Canadian state to the Anishinaabe Nation (Fine 2021). In doing so, the necessity for Indigenous legal traditions to be better incorporated into Canada's legal system becomes evident (Napoleon 2013, 244).

Indigenous legal traditions stem from diverse contexts; the intent of this paper is not to separate them from their distinct cultural contexts (Morales 2018, 149). While Restoule v. Canada concerns deliberating treaty annuity payments specifically to the Anishinaabe Nation, there are 23 different groups within this Nation, each with their own distinct approaches to Anishinabek legal traditions (Fine 2021; Morales 2018, 149). As such, the Canadian legal system will be best equipped to respond to this case by considering Indigenous legal traditions from an equally diverse scope. By presenting how four dimensions of Indigenous legal traditions operate within their own contexts, I will consider how each dimension presents potential strategies that can be incorporated into the Canadian legal system for Canada to effectively address its constitutional obligations in Restoule v. Canada. The four salient dimensions of Indigenous legal traditions explored in this paper are: Gitksan conflict management, Haudenosaunee deliberative law, Hul'qumi'num Mustimuhw kinship and land relations, and Mi'kmaw customary law.

The Canadian state could utilize Gitksan legal traditions in conflict management to meaningfully address the dispute they created in violating constitutional obligations of treaty annuity payments to the Anishinaabe Nation (Fine 2021; Napoleon 2013, 238). Legal

scholar Val Napoleon (2013) details how the Gitksan people of northwest British Columbia apply their conflict management system using a decentralized format to resolve disputes as they arise (238). This decentralized format means that Gitksan conflict management relies on a lateral judicial process involving unanimous consensus from all members; this approach favours dispute resolution and shared accountability by Gitksan people over the outcomes of this approach (Napoleon 2013, 238). As a result, this system meaningfully affirms Gitksan legal traditions because conflict resolution is an aligning collective desire for the lawmaking community members (Napoleon 2013, 238). Processing disputes in this manner allows for a constructive approach to conflict management, which could inform the Canadian state in resolving the concerns of Restoule v. Canada (Borrows 2010, 38). Gitksan legal traditions in this case would involve both the Canadian state and the impacted Anishinaabe Nation and assist both in reaching a currently undetermined compensation amount for treaty annuity payment (Fine 2021; Napoleon 2013, 238). The objective is to incorporate shared responsibility in treaty annuity payment resolution (Napoleon 2013, 238). Using the approach of Gitksan conflict management maintains the Canadian state's responsibility to compensate the Anishinaabe Nation under Restoule v. Canada while better considering the needs of the wider Indigenous community (Napoleon 2013, 238).

Like Gitksan conflict management, deliberative law also requires further legitimation; it highlights that the Canadian state needs to better affirm a strong social relationship with the Anishinaabe Nation to fairly compensate the community under Restoule v. Canada (Fine 2021). Jurist and academic John Borrows (2010) explains how the Haudenosaunee people conduct their legal traditions using a practice of deliberative law, where legal decision-making is a dynamic, discussive process of reaching consensus between six Haudenosaunee groups (42). Haudenosaunee legal traditions in deliberative law are as much about the process as they are about the outcome of this legal methodology (Borrows 2010, 36). Specifically, Haudenosaunee deliberative law develops social capital and healthy relationships through trusting that all Haudenosaunee people will prioritize mutual legal obligations (Borrows 2010, 36). Borrows (2010) goes on to explain that better legitimating Haudenosaunee deliberative law in conjunction with the Canadian legal system can help the Canadian state work towards building genuine trust with the Anishinaabe Nation (36). This trust would allow the Canadian state to not only equitably resolve their compensatory wrongdoings in Restoule v. Canada, but also to invest in an anti-oppressive legal relationship going forward by continually meeting their constitutional treaty annuity payment obligations to the Anishinaabe Nation (Fine 2021; Borrows 2010, 36). Therefore, the legitimation of Haudenosaunee deliberative law within the Canadian legal system is part of an effective strategy for Canada to reconcile ongoing Anishinabek constitutional obligations (Borrows 36, 2010).

In addition to Gitksan conflict management and Haudenosaunee deliberate law, Indigenous legal traditions of kinship and land relations require greater legitimation alongside the Canadian legal system to better inform the Canadian state's response in Restoule v. Canada (Morales 2018, 152, 155). In her text, "Locating Oneself in One's Research," Indigenous legal scholar Sarah Morales (2018) presents these kinship and land relations as they are held by the Hul'qumi'num Mustimuhw, or Hul'qumi'num, and people of Vancouver Island (145). The Hul'qumi'num people rely on their extended community relations to form fundamental legal understandings regarding their connection to the landscape (Morales 2018, 152–153, 155). These community or kinship relations employ oral traditions to explain how the Hul'qumi'num people maintain legal management over their traditional territory and its resources (Morales 2018, 154–155). Understanding the interconnectedness of Hul'qumi'num kinship and territory better reveals the depth of sacred meaning articulated in their lived experiences. In other words, the intricacies of Hul'qumi'num Mustimuhw's legal jurisdiction in relation to land is best articulated through kinship ties within the community (155). By considering Hul'qumi'num Mustimuhw's kinship and land relations alongside the Canadian legal system, there is potential to articulate fair compensation for the Anishinaabe Nation in Restoule v. Canada (Fine 2021). This involves understanding how the Robinson Treaties have extended kinship relations between the Canadian state and the Anishinaabe Nation (Morales 152–153; Fine 2021). The Canadian state has economically exploited Anishinabek land resources without respecting their kinship relations to the Anishinaabe Nation, so treaty annuity payments must accurately compensate the Anishinaabe Nation for this exploitation (Fine 2021; Morales 2018, 1534).

The final aspect of Indigenous legal tradition that must be further legitimatized alongside the Canadian legal system is customary law. This legal tradition can assess how the Canadian state should address the communal needs of the Anishinaabe Nation to help them heal from the violation of their constitutional rights. L. Jane McMillan (2016), a legal anthropologist, describes how the Mi'kmaw people of Nova Scotia take on customary

law as it offers legal perspectives on how to best achieve restorative justice that holds wrongdoers accountable and allows victims to heal (198). Customary law reveals a process in which collaborative reconciliation guides the direction of the Mi'kmaw community moving forward from injustice (McMillan 2016, 198). For the Canadian state to comprehensively meet their constitutional obligations in Restoule v. Canada and avoid perpetuating injustices against the Anishinaabe Nation on their deserved treaty annuity payments, Mi'kmaw customary law provides a strategy of collaborative reconciliation between the two groups (Fine 2021; McMillan 2018, 198). Bringing Mi'kmaw customary law in more legitimate conversation with the Canadian legal system can demand that the Canadian state focuses not only on attempting to make the Anishinaabe Nation legally whole in financial terms, but also in terms of healing the relational rift between the two groups for ongoing reconciliation (McMillan 2018, 198). Mi'kmaw customary law affirms the Canadian state's commitment to achieving a restorative outcome with the Anishinaabe Nation through Restoule v. Canada (Fine 2021; McMillan 2018, 198).

Though the legitimation of these four aspects of Indigenous legal traditions within the Canadian legal system sets up an effective response for the Canadian state in Restoule v. Canada, it is not without critique. Aligning Indigenous legal traditions through further legitimation with the Canadian legal system is not necessarily a justifiable primary focus when considering Indigenous legal traditions and this case. The primary focus should instead be placed on best equipping the Anishinaabe Nation following the Restoule v. Canada decision to use Indigenous legal traditions to strategically bolster their advocacy against a potentially inadequate compensation order from the Canadian legal system (Fine 2021). Scholars Catherine Bell and Hadley Friedland (2019) state that the Canadian legal system continues to perpetrate judicial injustice against Indigenous people, as seen in limited legal processes of recognizing Indian Residential School abuse survivors, and ask why Indigenous legal traditions should be concerned with collaborating with this system (659-661). This is a valid critique regarding the delegitimization of Indigenous concerns by the Canadian legal system, but it does not eliminate the possibility for improvement within the Canadian legal system. Cree scholar and lawyer Tracey Lindberg (2015) forms a compelling response to this concern, explaining that the legal issues facing Indigenous peoples demand that an "Indigenous critical legal consciousness" (229) must be considered within the Canadian legal system (227, 230). The interests of the Anishinaabe Nation in Restoule v. Canada are best supported when Indigenous legal traditions contend directly with the reality of needing to work with the Canadian legal system while simultaneously demanding greater legal accountability from the Canadian state (Lindberg 2015, 231).

Another criticism contends that Indigenous legal traditions and the Canadian legal system are not compatible; this would mean that the further legitimation of the Indigenous legal traditions that I argue improve the Canadian state's accountability in Restoule v. Canada would be detrimental. Cree and Saulteaux scholar Gina Starblanket (2019), explains that previous considerations of diverse Indigenous legal traditions alongside the Canadian legal system have resulted in their repression by the Canadian legal system's prioritization of its own settler-state authority and jurisdiction (15). Where Indigenous legal traditions have been applied to treaty matters, they are often interpreted narrowly and one-sidedly and favour the legal order of the Canadian system (Starblanket 2019, 16). However, I believe it is still viable to legitimize Indigenous legal traditions alongside the Canadian legal system to develop a more effective decision on how the Canadian state will meet their constitutional obligations under Restoule v. Canada. The unacceptable treatment of Indigenous legal traditions in conjunction with the Canadian legal system is a historical reality. Indigenous legal traditions pre-date and foundationally inform the process and format of the Canadian legal system (Borrows 2010, 45), therefore meaningful contemporary collaboration would be valuable (24; 43). It is the responsibility of the Canadian state to help establish a Canadian legal system that intends to adequately serve Canadians and Indigenous peoples by giving Indigenous legal traditions greater priority. Therefore, the articulation and legitimation of Indigenous legal traditions alongside the Canadian legal system is a contemporary necessity. The resulting relationship of these two legal entities could better address Restoule v. Canada as a contemporary legal case that deserves thoughtful consideration from both a Canadian and Indigenous perspective (Fine 2021).

This paper has analyzed four aspects of diverse Indigenous legal traditions, highlighting how legitimizing these legal traditions within the Canadian legal system can support the Canadian state in more accurately determining their constitutional accountability under Restoule v. Canada. More authentic and robust collaboration between Indigenous legal traditions and the Canadian legal system allows for effective legal strategies in both this case and in future ones. Deciding the terms of fair compensation also has the potential to strengthen relations between the Canadian state and the Anishinaabe Nation.

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