

A Word from the Editors:

The editorial staff of the 2015 edition of KPU Journal of Political Science are privileged to present the publication of the inaugural issue of the re-launched academic journal. This is the first journal to be published since the Political Science program has been established as a Major. We believe that the journal you are about to enjoy will provide a stimulating base for discussion while showcasing the remarkable perspectives of the future leaders in the Political Science arena that KPU has to offer.

We would like to congratulate the student authors of this Journal for their academic excellence. Their contributions to academia are noteworthy. We would like to express our gratitude to Dr. Ross Michael Pink for being this year's Faculty Editorial Advisor. Without his support, this edition would not have been possible. We would also like to extend our appreciation to Dr. Greg Millard, Alex McGowan, Aaron Philip, and Joanne Yalong.

With the inauguration of the re-launched KPU Journal of Political Science, we welcome submissions for the next edition in 2016. We hope that undergraduate students taking Political Science courses will consider KPU JPS as a venue for showcasing original and thought-provoking papers.

Toska Kamile Fernandez and Lauren Vion
KPUJPS Editors-in-Chief, 2015

Toska completed her undergraduate degree in Political Science in 2015. Her interests include international relations, the United Nations, and especially peacekeeping operations as well as the issue of food security and scarcity. Currently, she works as an office assistant in an Employment and Labour law firm. Toska aims to further her study through law school and pursue a career in an international legal setting. When she isn't working, Toska can be found in a yoga studio, movie theatres, discovering interesting foods, or gallivanting around the globe. Finally, her most sincere thanks goes to Lauren for making this year's revamped journal a success.

Lauren is a fourth year Political Science major. Her academic interests include Human Rights, International Development, and Geopolitics. After obtaining her degree, Lauren would like to pursue a career with the Canadian Foreign Service. Outside of her studies, Lauren enjoys biking, climbing, hiking, and enjoying the outdoors in general. Lauren would like to thank Toska for her dedication to the KPUJPS, for without her perseverance this project would not have been possible.

A Word from the Faculty Editorial Advisor:

It is a privilege to welcome the 2015 edition of the Kwantlen Journal of Political Science which reflects the best traditions of research and thought by emerging scholars.

In this noteworthy edition, Matthew Abe addresses the important and evolving issue of child rights protection under international law. Hadyn Domstad, Ashley Impellezzere and Mihran Keudian provide a thoughtful and always relevant addition the French-English language rights debate in Canada with their timely reference to a speech in Parliament on Bill C-208. The groundbreaking and succinct article by Trevor Crane examines religious symbols in public life, a topic that gives note to the important notions of religious freedom and secularism. Mihran Keudian provides an intelligent assessment of the Communist Manifesto in historical perspective. The article by Josh Merrit is particularly welcome as it addresses one of the leading humanitarian, environmental and economic issues of the 21st Century – climate change. The time for action is critical as the 2015 Paris Summit so dramatically illustrated. And finally, Akram Shaban’s article offers an intriguing and articulate viewpoint on Mary G. Dietz’ commentary on the “*The Prince*” by Machiavelli.

The student authors in this fine edition have provided scholars and students alike with powerful and relevant ideas to discuss and thus contributed to the compelling marketplace of ideas which is a true hallmark of democracy.

DR. ROSS MICHAEL PINK
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Climate Change: A Deep Ecological Solution

▶▶ Josh Merritt

Polluting, clear cutting and over consuming are causes of great concern when the result is a trend towards an increasingly warm atmosphere. According to Gaia theory, the Earth is a living organism, which has the ability to maintain its own existence. The problem is that through human development, we have compromised the planet's ability to maintain this balance, as shown by increasing average yearly temperatures.¹ We continue to make things worse by maintaining our anthropocentric lifestyles with little regard for the future shape of the environment, the future of our planet, or the future of our species. Now is the time to shift our way of thinking to accommodate the health and sustainability of our planet; and this can best be done by the ideas put forth in deep ecology. The best approach to slowing down, stopping, and eventually reversing the effects of climate change lies in deep ecological beliefs, known as ecocentrism, in which the environment is seen as being more important than the need or wants of humans.² The hope for slowing climate change lies in a paradigm shift to a holistic world view, which understands everything on Earth as part of one interconnected environment, having a tendency towards homeostasis (stability or equilibrium). It stresses simple living conditions, which reject materialist and consumerist outlooks, instead focusing on 'being' rather than 'having'. Finally, it encourages a policy of radical population control, relieving Earth from the burden of supporting a bloated human population.³

Ecologism is an ideology primarily concerned with promoting ecological sustainability above economic progress and human development.⁴ Its primary

themes include: holism, sustainability, and a change in beliefs by going from 'having' to 'being', and includes an ethical approach to dealings with the natural environment.⁵ Ecology as a branch of biology has observed "that plants and animals are sustained by self-regulating ecosystems, composed of both living and non-living elements," which act towards a state of balance and harmony.⁶ This is known as homeostasis, defined as the "tendency of a system... to maintain internal equilibrium."⁷ All ecosystems share this characteristic when left to natural devices, but human activity is compromising this ability of self-regulation by seeing their interests as more important than environmental concerns- a view called anthropocentrism.⁸ This attitude of superiority over nature gives anthropocentrists the justification humans need to pollute and consume as many natural resources as possible, in the name of progress and development, with little regard to how their actions will affect the future. Holism is a belief that the entire world is interconnected and interdependent; it sees the Earth as made up of miniature ecosystems, which are all interdependent, self-regulating ecosystem.⁹ It understands that "Earth's biosphere, atmosphere, oceans and soil exhibit precisely the kind of self-regulating behaviour that characterizes other forms of life," and "has maintained homeostasis despite major changes that take place in our solar system," which is outlined by James Lovelock in his Gaia hypothesis.¹⁰ The principle of sustainability attempts to "set clear limits on human ambitions and material dreams because it requires production to do as little damage as possible to the fragile global ecosystem."¹¹ It promotes preservation and sustainable industry including green energy solutions. Environmental ethics urge us to

consider how our actions will shape the lives of future generations, as well as how we should treat animal (and plant) species that inhabit the earth alongside us.¹² Ultimately, a change in perception is required in order to fully appreciate these beliefs. These core themes are key in understanding ecology, but the only way to stop global warming lies in a radical variant of these beliefs known as deep ecology.

Deep ecology, also called ecocentrism, takes the principles of ecology up a notch. Ecocentrists believe that anthropocentrism in any form “is an offence against the principle of ecology.”¹³ It follows the belief of biocentric equality, in which “all species have equal right to live and bloom.”¹⁴ Ecocentrists also believe that everything on Earth has value in its natural state, and does not need to be subjected to human labour to give it value. Intrinsic value in all aspects of nature is present, and it therefore should be preserved in an undisturbed state. Anyone that disturbs this pristine state has committed an offence against nature. Ecocentrists’ radical interpretation of holism does not allow for any distinction to be made between ‘self’ and the ‘other’. They see all as part of one larger existence. Therefore, any offence against nature is an offence against one’s self.¹⁵ The whole ecosystem is then seen as more important than the individual parts that make it up, and one’s actions should tend to preserve the environment.¹⁶ In order to maintain the environment, deep ecology preaches policies of wilderness preservation (as opposed to conservation), a radical decrease in world population to ensure that non-human life can flourish, and living simple lifestyles by consuming resources only to satisfy vital necessities like food, shelter, and water.¹⁷ Deep ecology is an ideology, which harshly rejects traditional materialistic pursuits that equate consumption (of products, goods, resources, *et cetera*) with happiness. Ecocentrists seek to understand happiness by emphasising living a life of good quality and self-actualization, rather than living life in pursuit of material possessions.¹⁸ These ideas are going to give us our best chance at stopping climate change.

Climate change presents us with perhaps the greatest challenge of the 21st century. Human industrialization and consumption of natural resources, such as fossil fuels like coal and oil, have led to an increase of atmospheric particles known as greenhouse gases. These particles absorb heat, which is then trapped in our atmosphere. The more particles we have in our atmosphere, the warmer it will inevitably get; this is a phenomenon known as the greenhouse effect. The greenhouse effect leads to an increased average global temperature, which scientists predict could rise between 1.8-4 degrees Celsius by the year 2100.¹⁹ The increased temperature is known to be due to human causes. Ice core samples taken from glaciers which are over 650 000 years old provide an accurate record of how much carbon dioxide (CO₂) there was in the atmosphere at the time the ice was formed, as carbon dioxide was frozen within the ice sheets. We are then able to compare historical levels of CO₂ with current levels. Scientists have determined that carbon dioxide levels have fluctuated somewhere between 180-300 parts per million by volume (ppmv), over the last 650 000 years- a naturally regulated pace. Since industrialization, “about 900 billion tonnes of carbon dioxide [have been released], of which about 450 billion tonnes has stayed in the atmosphere”²⁰ and unprecedented amount of pollution has caused an increase of CO₂ in the atmosphere to about 316 ppmv in 1958, increasing every year since. In 2008, the CO₂ levels in the atmosphere reached 387 ppmv.²¹ This trend obviously shows an increase in greenhouse gasses, which have and will continue to lead to warmer atmospheric temperatures as more particles are released which are then naturally able to absorb more heat, trapping it in the atmosphere.²² As the temperature climbs, polar ice caps and glaciers start melting at faster rates, causing the sea level to rise and threatening coastal settlements.²³ In addition, extreme weather events - such as tornadoes, hurricanes, heat waves, floods and droughts – will increase in frequency and power.²⁴ The human induced phenomenon of global climate change leading to extreme weather events threatens the existence of

non-human organisms because their abilities to adapt to new climates are challenged. Those organisms that cannot adapt in time will be wiped out.²⁵ Plant species that thrive in certain climates will also be endangered because their accustomed environment is altered and temperatures fluctuate.²⁶ Climate change will also cause great human strife: an unanticipated cold snap could be lurking just around the corner, ready to wipe out an entire year worth of crops, interrupting our food supply; a flash flood could threaten people's health and homes, or a great drought could dry up large swaths of forest, increasing the risk of forest fires (which would release more CO₂ into the atmosphere, speeding the process of climate change). The possibility of events such as these has been drastically increased by climate change brought on by anthropogenic activity.²⁷

Fortunately for us, there are ways to counter the threat of climate change. In order to combat this foe, we must first cast off our atomistic, individualistic world view, and think differently about nature and our place in it.²⁸ We need to stop thinking of ourselves as entities completely separate from the wildness of nature and masters of it, and begin to see ourselves as part of the global ecosystem.²⁹ We are not just part of human society, but part of a global society, including human and non-human components. As Matthew Humphrey puts it, humans are inseparable from nature; we are interconnected and interdependent.³⁰ Humphrey also understands that throughout all species on Earth, only humans have the capacity to destroy.³¹ With this in mind, we must begin to see ourselves as 'ecological stewards,' tasked with "protecting and conserving the environment for generations to come."³² Changing the way we understand the world so that we see it as one connected ecosystem with us as its caretakers. This will make us less likely to degrade our environment.

As we cut down forests, we compromise Earth's ability to self-regulate and increase the pace of climate change. Deforestation and fossil fuel pollution are contributors to global warming. Forests contain large stores of CO₂, which are released when the

trees are destroyed but when left untouched, these same trees will metabolize the atmospheric CO₂, storing the carbon and releasing oxygen back into the air. This process thereby reduces the amount of greenhouse gas particles in the air, which means there are fewer particles able to trap heat.³³ Deep ecologists see forests as having value in their natural state, and so must be preserved; but the fact that plants help clean the polluted air by ridding it of dangerous greenhouse gasses, thereby aiding in the maintenance of homeostasis is another reason that plants have value in their natural state. By this logic: more forests means less greenhouse gases, means cooler temperatures, means slower climate change. Deep ecologists believe forest preservation is a must because unspoiled nature "is a repository of wisdom and morality," but it is more than that.³⁴ Unspoiled nature is the janitor of the atmosphere, giving us our air to breathe, and regulating temperatures across the globe. If we take our place as ecological stewards and learn to preserve nature, only removing from the nature our most basic necessities, climate change may show signs of slowing.

Preserving nature is a necessary step towards slowing climate change, but in order to preserve the wilderness, one must live a simpler lifestyle, void of consumerist and materialistic tendencies. Deep ecologists pose that human "have no right reduce the richness and diversity of nature," except to satisfy vital needs.³⁵ Taking any more than the most basic supplies out of the environment is a violation of biocentric equality.³⁶ We must learn to use the most minimal amount of all resources as part of living a simple life. If we are consuming less, less products will have to be made by polluting industries, which will help cut down global carbon emissions. As well, fewer natural resources will be needed to process for manufacturing purposes, easing our ability to preserve the wilderness. Living a life of simplicity may require us to give up excess material possession, but this sacrifice is worth it because it will mean having a balanced ecosystem.

Giving up on material possessions does not mean we will be less happy. It will merely mean that our

happiness will be pursued in different ways. By putting emphasis on 'being' rather than 'having', we will be able to live more sustainably, while also finding new happiness through self-actualization. Rather than having a focus on economic growth, which relies on consuming, we can shift our focus to inner personal growth, increasing our gross societal knowledge, rather than gross domestic product. Deep ecologists believe we can achieve feeling of inner fulfilment by ridding ourselves of the need to have things. We instead focus on living a good quality life rather than a life in pursuit of attaining material goods, referred to as being "inwardly rich but outwardly poor."³⁷ This attitude would drastically decrease our dependence on consuming natural materials, and also decrease the size of polluting manufacturers. With this mindset, our environment would be made more sustainable, fewer pollution would occur, and global warming would slowly reverse as forests are left to re-absorb the atmospheric carbon.

Living sustainably by rejecting consumerist mindsets will be helpful in reducing carbon emissions. In order to consume as few resources as possible, human population must undergo a dramatic reduction in number. Earth right now has to support an estimated 7.2 billion people, according to the US Census Bureau.³⁸ Earth is not capable to support 7.2 billion people adequately. If all of these people live in comfort, we will run out of natural resources. The solution is a policy of dramatic population control. The rationale is simple. The less people that live on Earth, the fewer resources will be consumed, the less pollution as less goods are required to support such a population, and the more non-human life is able to flourish.³⁹ Human overpopulation has been a threat to homeostasis. Seven billion people need large amounts of food and water to survive. When there are not enough resources to go around, another solution is required. One suggestion may be to cut off aid to the developing world, as some have said, arguing that the best thing to do would be to "let nature seek its own balance."⁴⁰ More humane solutions are to call for a worldwide decrease in birth rates.⁴¹ This would relieve the planet from the

burden of providing nutrients, goods, materials, and shelter for an incredibly bloated population. If we could reduce our population, the world would need to produce fewer goods, decreasing emissions through industry, decreasing consumption of resources, increasing area for non-human life to flourish. This would naturally counteract global warming because of Gaia theory: the Earth would act to restore a state of equilibrium to its biosphere.

Social ecologists may refute this plan to counteract climate change on moral and ethical grounds.⁴² They may argue that it is unethical and misguided to place a higher value on nature than on human endeavours, as they see human achievements as things of the greatest value.⁴³ Some social ecologists would accuse deep ecologists of being misanthropic – having disdain or hatred for their fellow humans.⁴⁴ Murray Bookchin said that deep ecology is a "deeply flawed, and potentially dangerous ecological perspective" because of its supposedly disdainful nature.⁴⁵ Social ecologists would argue that nature has extrinsic value, which should be harnessed and used for instrumental ends. They may say that we should seek to control nature and direct evolution to make it more beneficial for us, and perhaps change nature in fundamental ways that could potentially speed up the absorption of carbon by bio-engineered plant species.⁴⁶ Others still may argue that humans and nature are very different, very separate things. However, deep ecology would counter back, saying that it is unethical to place one's goals above the health of the whole biosphere. Ecocentrists support the environment first because one should understand that without nature, we would not be able to exist. Nature should, therefore, be respected and preserved as it is because this is the state that has evolved and survived over billions of years, making it an intrinsically valuable bastion of universal goodness. It may be a radical, but an ever worsening situation such as global warming calls for radical solutions.

Climate change has presented us with a complex problem. We must decide now whether we wish to continue living in materialistic and individualistic lifestyles, endlessly producing and consuming and

polluting at the expense of the biosphere, or if we wish to change our ways to account for the health of our planet. We have to learn to ‘just be’ rather than existing with a constant need ‘have’. In this closed system in which we are all trapped, every action bears a consequence that will eventually be felt by all life on Earth. The time is now to shift the way we think about our environment, to think of ourselves as the caretakers of Earth, rather than its masters. We must choose to live within our means, and not in excess if we wish to reduce the catastrophic effects of climate change, and return our planet to a balanced state of equilibrium. Natural processes will bring about this equilibrium, if we let them be and discontinue making things worse through pollution and deforestation. Along with that, we must bring our population under control, reversing our species endless expansion, which only serves to stretch our meagre reserves of resources ever thinner, and cuts ever more into pristine wilderness. Mathew Humphrey says it well, noting that “as creatures embedded in and interrelated with a wider universe, our very being- or at the very least important elements of our welfare- is dependent on the maintained existence of nature.”⁴⁷

Deep ecology provides us with an excellent framework to begin a sustainable relationship with nature. Once this relationship occurs, nature will take over in the process of restoring us to homeostasis, naturally acting to bring climate change under control. ■

Josh is a second year student who aims to complete a double major in Anthropology and Political Science. He is intrigued by the constantly evolving nature of politics, its competitiveness, and the diversity of political philosophy and beliefs. When he is not keeping up with politics, Josh likes to watch hockey, football, South Park, and John Oliver. Josh hopes that KPUJPS is his first stepping-stone to being a regular National Geographic contributor.

Endnotes:

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The Hague Convention on the Civil Aspects of International Child Abduction:

The Chris and Noriko Savoie Divorce Dispute

Matthew Abe

Japan formally agreed to sign The Hague Convention on Civil Aspects of International Child Abduction (Hague Abduction Convention) which will go into effect on April 1, 2014.¹ The Hague Abduction Convention is a treaty which “seeks to protect children from the harmful effects of abduction and retention across international boundaries by providing a procedure to bring about their prompt return”.² Previously, Japan had abstained from becoming a signatory of the Hague Abduction Convention which made it impossible for non-Japanese, including naturalized citizens, to retain custody or even to meet their children after a divorce had been finalized as Japanese courts had always favoured the Japanese parent; consequently the non-Japanese parent did not have any legal rights to care for or to visit their children.³ Divorces occurring outside of Japan were of particular concern as a Japanese parent could take his or her child to Japan with the fear of the child being forcibly returned.⁴ But as pressure mounted from major superpowers such as the United States and various European nations, Japan changed its stance. To better understand the reasoning behind the change an analysis of Japanese society and its laws must be taken into account.

The most significant incident that stands out regarding international child abduction occurred on September 28th, 2009, where Christopher Savoie, and American citizen, was arrested outside the entrance of the United States Embassy by Japanese authorities. Mr. Savoie had brought his two children, a 9 year old son and a 7 year old daughter, to the embassy in an attempt to abduct and return

them to the United States. Just a month earlier his ex-wife, Noriko Savoie had fled the United States with their two children in a direct violation of a Tennessee court order prohibiting her to travel to Japan with the children.⁵ This resulted in local authorities to issue a warrant for her arrest.⁶ Normally such an incident would not receive much media attention but what put this abduction incident in the spotlight was not only because of the extreme measures of Mr. Savoie’s actions but the fact that at the time Japan was the only G7 nation that had not signed the Hague Abduction Convention.⁷ To aggravate the situation more Japanese courts almost always award child custody to the mother, prohibiting fathers to have any form of contact with their children until they reach adulthood.⁸

Christopher’s arrest in Japan put him into the spotlight representing foreign “left-behind” fathers looking to repatriate their children or to at least have visitation rights. He was held in prison for five days only to be released without charges.⁹ With increased media attention in Japan and particularly the United States government officials began to mount pressure on to Japan along with Australia, Britain, Canada, France, Italy, New Zealand and Spain to sign the Hague Abduction Convention.¹⁰

Although Christopher was safely returned to the US without his children and the Japanese government pledge to enact the Hague Abduction Convention on April 1, 2014, there were a few issues that must be taken into account in order to explain some of the reasoning behind the actions taken by the Japanese government and by both Noriko and Chris Savoie.

The first issue to consider concerns the change of stance by the Japanese government to become a signatory of the Hague Abduction Convention. Factors influencing such a change in policy can be attributed to an increase in media attention with improved technology, as well as mounting international pressure to ratify the 1980 treaty. As an island nation that has a history of limiting access to its lands, Japan has been a predominantly homogenous nation with very few immigrants despite globalization in the modern era. From 1991 to 2008 Japan's foreign population nearly doubled.¹¹ However, even with such growth the foreign population of Japan as of 2013 was a mere 1.5% of the total population, representing approximately 1,980,200 individuals.¹² Although official numbers or percentages of the foreign population in 1980 are inaccessible, it can be safely presumed that there were fewer foreigners residing in Japan, therefore leading to fewer international marriages and divorces. International divorces at the time would have been so few that they would have been viewed as isolated incidents.

Secondly, divorce maintained a social stigma for most of the 20th century in Japan, gaining acceptability much later than in the U.S. or other Western nations.¹³ Divorce law in Japan is also quite different, as previously mentioned, in the status of child custody and visitation rights. Courts siding with the mother occurs not just in divorces with foreign fathers but in those with Japanese fathers as well. Culturally, it is to create a "clean break" between the divorcing husband and wife, but Japanese civil code emphasizes protection for the divorcing wife and children against vaguely defined domestic violence, creating a loophole of which women can easily take advantage.¹⁴ A simple claim by a child's mother that she fears the risk of violence, physical or verbal abuse, and the court will easily rule in her favour, forbidding the father to have any contact with the child even if there is actually no threat at all nor any history of violence.

The final issue is the Japanese custom of

"Koseki", or family register, which are only used by families that have a Japanese member, not including permanent residents. Resembling a family tree a koseki is an official document that lists the names of every family member in a Japanese household. If a couple were to marry then it would be the wife who is added to the husband's koseki, therefore representing a new addition to a family rather than creating a new family altogether.¹⁵ If a divorce were to occur, all members who were "leaving" the family would be nullified from the koseki, allowing no possibility of joint custody.¹⁶ Historical customs of patriarchy still exist in the civil code where women were relied on for child rearing while men gained "independence from their former wives,"¹⁷ creating favouritism in the courts toward awarding custody to the woman. As an individual foreigner is unable to obtain or create their own koseki he or she can only be added to that of another family, most often through marriage. Because a divorce would remove the divorcing foreign spouse from the koseki, there would be no document to register any children which risks the child of "losing their Japanese identity".¹⁸

For foreigners dealing with international child abduction, such as Christopher Savoie, the official implementation of The Hague Abduction Convention are a step in the right direction. By signing the Hague Abduction Convention Japan is now required to uphold the convention as it "aims to protect children from the harmful effects of parental abductions. It prioritizes the interests and welfare of children, guarantees the right of separated parents to contact their children, and requires governments of the signatory countries to help separated parents visit and interact with their children."¹⁹ As this effectively would modify the Japanese Civil Code, the Hague Abduction Convention will modernize Japanese divorce law allowing future consideration of permitting joint custody for not only foreign fathers, but for Japanese fathers as well.

Another overlooked aspect is that by signing

The Hague Abduction Convention Japanese parents going through divorce with foreign spouses will benefit as well. Previously, foreign parents were technically able to abduct their children out of Japan without any repercussions from Japanese authorities or any international body.²⁰ Therefore having Japan become a signatory of the convention will be mutually beneficial for parents who are foreign and Japanese. Unfortunately the April 1 rollout does not appear to be retroactive, leaving left-behind fathers such as Chris Savoie to continue his struggle outside of the Hague Abduction Convention. Adjustments made to the Japanese Civil Code to fit within the mold of the new convention will of course exist, allowing for at least some leeway in negotiations although disputes must be resolved outside of court through mediation which can vary in length.²¹

As a majority of English media on this issue is based in the U.S., information pertaining to the Savoie abduction issue has mainly been taken from the perspective of Chris Savoie. Although many people outside of Japan can easily sympathize with Chris and his plight, there seems to be a lack of information regarding the build up of Chris and Noriko's divorce as well as what made both of them take such drastic measures. They were married in Japan where they lived together from 2001-2008; but, upon moving to the United States Chris served Noriko divorce papers in the following January.²² Court documents show that Noriko had wanted to divorce Chris much earlier while in Japan only to be coaxed into moving to the U.S. and finding herself financially dependent on Chris.²³ To make matters worse Chris had been involved with another woman during the divorce proceedings to whom he is currently married. Had such information been available to the general public from the start, Chris may have not garnered the attention and support that he had gained through his abduction ordeal –although it would also be hypothetical to say that American-based media outlets would have stood by Chris nonetheless out of national interests and/or pride.

Japan's move to become a signatory of the Hague Abduction Convention is a positive change for many: the Japanese government, other signatories of the Convention, foreign parents, as well as Japanese parents. By becoming a signatory Japan has been able to make much needed changes to update its civil code, aligning it more closely to modern international standards. This in turn has given assurances to other nations that instances of international child abductions will decrease, and even if they were to occur that they would be resolved in an efficient and timely manner, thus minimizing escalation when international couples file for divorce.

Unfortunately, the late implementation will not resolve retroactive abduction cases and the abuse prevention loophole still runs the risk of open interpretation. Chris and Noriko's child custody dispute could have been prevented had Japan been a signatory to The Hague Abduction Convention in 1980, even though international marriages were few and that Japan was not an "immigrant destination" nation.

It seems that both Noriko and Chris might have actually known the circumstances regarding Japan and the Hague Abduction Convention even before the escalation of their case. For Noriko, she would have had an advantage to divorce in Japan as she would have not only been able to maintain custody of her children while living in familiar surroundings, supported by a network of family and friends, but she also would not have had to worry about language barriers. For Chris, it appears that he knew U.S. divorce courts would at least give some balance in retaining a relationship with his children, but seemingly bringing him closer to the women with whom he had been maintaining a questionably secret relationship. Had the Hague Abduction Convention been in place in Japan from the outset we may have never heard of Chris or Noriko Savoie.

Japan, under pressure of foreign governments, finally agreed to sign the Hague Convention on

Civil Aspects of International Child Abduction in 2014. The delay of its implementation has created unnecessary conflicts among divorcees of international marriages and also inflicting trauma to the children involved. Had the Hague Abduction Convention been in place much earlier the Savoie Abduction may have been easily avoided, but the negative attention may have been the final push necessary to pressure Japan to adopt international standards regarding international divorce and child abduction. The UNHCR's Convention on the Rights of the Child Article 3.3 states that "States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision."²⁴

Japan can be criticized for its delay of joining the Hague Abduction Convention and people may still be concerned as to how much will actually change after April 1, 2014. It is disappointing that such a powerful nation held back for so many years. By recognizing that the world is changing and that Japanese society itself is changing, Japan has taken a small but necessary step to uphold international law and hopefully recognizes that a less realist approach would help its position and image as a member of an ever-increasing globalized world. ■

Matthew Abe is a third-year B.A. student majoring in Political Science and doing a double minor in Asian Studies and Modern Languages & Culture. His primary academic interests are East Asian Culture and Politics. After completing his B.A. Matthew plans to pursue a graduate degree in International Relations.

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- ¹⁶ Reynolds. "It Can Be Done." 379
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- ¹⁹ Japan Times. "Joining the treaty."
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Looking forward, looking back: The Communist Manifesto in Historical Perspective

➤➤ Mihran Keurdian

A spectre is haunting our planet—the spectre of loosely-regulated global financial capitalism. The world’s economy as a whole is still recovering sluggishly from the colossal economic devastation inflicted upon it by the latest global financial crisis of 2008-2009.¹ This puts on display how highly-volatile and overarching the edifice of the existing international financial capitalism is. Given the significant and wide-ranging economic, social and political impacts exerted by private moneyed interests on the world’s nations, where can we turn to for accurate analysis of the workings and machinations of global financial capitalism?

Remarkably, we do not need to look much further for a starting point than the *Manifesto of the Communist Party*, published by Karl Marx and Frederick Engels in 1848. The descriptions in the *Manifesto* of the forces and fundamentals of capitalist market society are just as apropos today as they were with reference to events of the mid-nineteenth century. Accordingly, this essay will examine the analytic framework and critique advanced by Marx and Engels in the *Communist Manifesto*, and; argue that, with the exception of a few optimistic predictions about the “inevitable” overthrow of capitalism, Marx and Engels’ analysis of the characteristics and contradictions of the capitalist mode of production is just as incisive and useful today as when first published over 166 years ago, making the *Manifesto* a thoroughly relevant and modern treatise.

The *Communist Manifesto* was originally published in London on February 21, 1848. It was first printed in German and its production was commissioned by a group of radical German political émigrés, who were

clandestinely organized in London as the Communist League.² Two of the *League’s* newest members at the time, Karl Marx and Frederick Engels, took up the task on behalf of the group to “openly, in the face of the whole world, publish their views, their aims, [and] their tendencies [...] in a manifesto of the party itself.”³ Written in the crucible of a turbulent Europe, the *Manifesto* was published on the eve of the revolutionary wave of 1848, in which a series of political upheavals that began in France in February of that year occurred and quickly spread throughout much of continental Europe.⁴ Although the tumultuous political disruptions were suppressed by reactionary forces within a year of their inauguration, the revolutionary wave of 1848 nevertheless brought about some progressive changes to the continent, including the abolition of serfdom in Austria and Hungary as well as the establishment of the Second Republic in France.⁵

The unsuccessful revolutions of 1848 and their aftermath had a strong influence on the ideas and writings of Marx and Engels, figuring prominently in many of their later works.⁶ In addition to being affected by chaotic political and social changes endemic to nineteenth century Europe, Marx and Engels were inspired to a great extent by Enlightenment thinking and philosophical methodologies. As such, their works employed scientific methods in their analysis of social, economic and political phenomena, based on empirical observations of historical trends as opposed to sentimental appeals to tradition, custom, or religion. Like other Enlightenment-influenced thinkers, Marx and Engels prioritized freedom and individualism as the highest political

values, as expressed in their conception of a prospective communist society, which, “in place of the old bourgeois society, with its classes and class antagonisms, [will be based on free] association, in which the free development of each is the condition for the free development of all.”⁷

Like many thinkers of his generation, Marx was influenced by the writings and teachings of German philosopher G.W.F Hegel. While studying at the University of Berlin in 1837, Marx became a member of a group of radical thinkers known as the Young Hegelians.⁸ Marx, along with other Young Hegelians, undertook to revise Hegel’s philosophical constructs by focusing on changes in existing *material* conditions as the principal force driving teleological social change (instead of ideas or *idealism*), while still using Hegel’s dialectical philosophical method. Marx referred to his reconfiguration of Hegel’s dialectical idealism as the *materialist* conception of history.⁹

“The history of all hitherto society is the history of class struggle”¹⁰ begins chapter one of the *Manifesto*, declaring in a potent distillation the source of all eternal, cyclical dynamics powering historical social evolution. In chapter one, entitled “*Bourgeois and Proletarians*”, Marx and Engels, through the lens of historical materialism, describe history as a dialectical process, evolving as a series of a class struggles between “oppressor and oppressed, [who] stood in constant opposition to one another, [and] carried on an uninterrupted, now hidden, now open fight, a fight that each time ended, either in a revolutionary reconstitution of society at large, or in the common ruin of the contending classes.”¹¹ As a case in point to illustrate their materialist theory of history, Marx and Engels describe the disruptive transition from European feudal society—with its particular social and property relations and its “feudal system of industry”¹²—to bourgeois market society. This systemic transition was catalysed by the latter’s revolutionary material productive forces and techniques, manifested in its “giant, [capitalist] Modern Industry”¹³ and its industrial division of labour. “The

bourgeoisie cannot exist without constantly revolutionising the instruments of production, and thereby the relations of production, and with them the whole relations of society”¹⁴ write Marx and Engels in the *Manifesto*.

Moreover, in addition to revolutionizing the means of exchange and commodifying labour, the bourgeoisie:

*has created more massive and more colossal productive forces than have all preceding generations together. Subjection of Nature’s forces to man, machinery, application of chemistry to industry and agriculture, steam-navigation, railways, electric telegraphs, clearing of whole continents for cultivation, canalisation of rivers, [and] whole populations conjured out of the ground.*¹⁵

However, despite incessant, innovative developments in the means of production and means of exchange under the capitalist mode of production, Marx and Engels emphasize that “the modern bourgeois society that has sprouted from the ruins of feudal society has not done away with class antagonisms. It has but established new classes, new conditions of oppression, [and] new forms of struggle in place of the old ones.”¹⁶ This is because bourgeois market society is parasitic on an economic foundation of wage labour, engineered to continuously extract surplus value from the toil of the many in order to accumulate and concentrate it in the hands of the few. Marx and Engels call attention to the moral bankruptcy characterising social relations in general (and relations of production in particular) under bourgeois market society. Bourgeois capitalist social relations leave:

no other nexus between man and man than naked self-interest, than callous “cash payment”.
[The bourgeois wage labour system] has resolved personal worth into exchange value, and in place of the numberless indefeasible chartered freedoms, [the bourgeois state] has set up that single, un-

*conscionable freedom — Free Trade. In one word, for exploitation, veiled [in previous epochs] by religious and political illusions, it has substituted naked, shameless, direct, brutal exploitation.*¹⁷

Marx and Engels encapsulate the ground-breaking effects exerted on feudal society by the revolutionary productive forces generated through the bourgeois system of industry with the following passage:

All fixed, fast-frozen relations, with their train of ancient and venerable prejudices and opinions, are swept away, all new-formed ones become antiquated before they can ossify. All that is solid melts into air, all that is holy is profaned, and man is at last compelled to face with sober senses his real conditions of life, and his relations with his kind.

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In order to rationalize and enforce its exploitative economic foundation, the bourgeoisie, using the sizable political influence its accumulated capital allows it to command, construct a self-serving, capitalist political and legal framework to prop up bourgeois market society. “[The bourgeoisie] has agglomerated population, centralised the means of production, and has concentrated property in a few hands. The necessary consequence of this was political centralisation”¹⁹ observe Marx and Engels. In the *Manifesto*, Marx and Engels trace the historical trajectory of the tireless efforts made by the capitalist class to gain social supremacy, and note that:

*the bourgeoisie has at last, since the establishment of Modern Industry and of the world market, conquered for itself, in the modern representative State, exclusive political sway. The executive of the modern [liberal democratic] state is but a committee for managing the common affairs of the whole bourgeoisie.*²⁰

Much of what was observed in the 1840s by Marx and Engels in the *Manifesto*, about the characteristics and mechanisms of bourgeois market society holds true today. When one considers the enormous amount of political influence wielded by such behemoths

transnational corporations as JP Morgan Chase, Exxon Mobil, Walmart and Lockheed Martin—with respect to affecting favourable legislation, shaping loose operational regulations, securing immunity from criminal prosecution, or negotiating ultra-low rates of corporate taxation, for example—one is reminded of Marx and Engels’ depiction of the dynamics of political power within liberal democratic governments, with “the executive of the modern state [functioning as an exclusive] committee for managing the common affairs of the whole bourgeoisie.”²¹

Another feature of contemporary capitalist society that reflects the class-based, historical materialist analysis advanced by Marx and Engels in the *Manifesto* is the exploitative and “miserable character”²² of the bourgeois system of wage labour. Like the modern multitudes of economically precarious wage-earners, nineteenth century:

*proletariat, the [then] modern working class, [comprised] a class of labourers, who live only so long as they find work, and who find work only so long as their labour increases capital. These labourers, who must sell themselves piecemeal, are a commodity, like every other article of commerce, and are consequently exposed to all the vicissitudes of competition, to all the fluctuations of the market.*²³

With respect to the abysmal employment standards and appalling working conditions, especially for factory workers of the Victorian era, Marx and Engels wrote in the *Manifesto*:

*not only are [the proletariat] slaves of the bourgeois class, and of the bourgeois State; they are daily and hourly enslaved by the machine, by the overlooker, and, above all, by the individual bourgeois manufacturer himself. The more openly this despotism proclaims gain to be its end and aim, the more petty, the more hateful and the more embittering it is.*²⁴

Today, with chronically high unemployment rates²⁵—with upwards of 50% youth unemployment

in some advanced capitalist states such as Spain, Portugal and Italy—and a low-wage, post-industrial service economy, the working conditions and livelihoods of vast swathes of the modern working classes are, in many ways, just as precarious and impoverished as they were for wage slaves of Marx and Engels’ era. Perhaps the one observation from the *Manifesto* that resonates most in today’s world is Marx and Engels’ description of the insatiable, expansive tendencies of capitalism: “The need of a constantly expanding market for its products chases the bourgeoisie over the entire surface of the globe. It must nestle everywhere, settle everywhere, establish connexions everywhere.”²⁶

The volatile nature and unpredictable dynamics of global financial capital was another feature of the capitalist system that was well described and analysed by Marx and Engels in the *Manifesto*.

*“Modern bourgeois society, with its relations of production, of exchange and of property, a society that has conjured up such gigantic means of production and of exchange, is like the sorcerer who is no longer able to control the powers of the nether world whom he has called up by his spells.”*²⁷

The imperative need for the system of global financial capital to continually expand, to voraciously create *lebensraum* for fresh exploitation, surplus-value extraction, and insatiable capital accumulation, gives it an unstable, crisis-prone disposition. “It is enough to mention the commercial crises that by their periodical return put the existence of the entire bourgeois society on its trial, each time more threateningly”²⁸ observe Marx and Engels. Ironically, “in these crises, a great part not only of the existing products, but also of the previously created productive forces, are periodically destroyed.”²⁹

With an analysis that foreshadows the Schumpeterian notion of “creative destruction”, Marx and Engels describe the manner in which the bourgeoisie overcome chronic, systemic economic crises propelled by internal, structural contradictions:

*On the one hand, [systemic crises are overcome] by enforced destruction of a mass of productive forces; on the other, by the conquest of new markets, and by the more thorough exploitation of the old ones. That is to say, by paving the way for more extensive and more destructive crises, and by diminishing the means whereby crises are prevented.*³⁰

Massive deregulation of American financial markets and financial institutions over the course of the Clinton administration unleashed a torrent of unproductive, high-risk speculative activity.³¹ Part and parcel of the reckless deregulation of the American financial sector was the unchaining of unpredictable and uncontrollable consequences of financial-bubble economics.³² Also, because of the internationalised character of global financial capital, what affects the U.S. economy invariably influences the world economy.

Like the unmanageable destructive forces let loose by the “sorcerer’s apprentice” as described by Marx and Engels, devastating economic consequences resulted from the deinstitutionalization of the U.S. economy, beginning in the late 1990s. Two notable financial bubbles—each one eclipsed in magnitude and destructiveness by the next—plagued the American economy as a direct result of Clinton era deregulation of financial markets: the so-called ‘dot com’ tech-bubble of the late 1990s, and the financial-derivatives bubble that burst asunder in 2008.³³ As noted earlier, the world economy is still slowly recovering from the global financial meltdown of 2008, over six years after it first hit. All of this vindicates Marx and Engels’ analysis of the contradictions and revolutionary tendencies of the capitalist market system, advanced over 166 years ago.

Some reactionaries like to conjecture that it would be easier today to imagine the end of the world than to imagine the end of capitalism. Despite the self-congratulatory tone of conservative commentators like Francis Fukuyama—rashly announcing “the end of history” and prematurely declaring the global pre-eminence of the liberal democracy and the capitalist

mode of production—this essay, using Marx and Engels’ historical materialist analysis of capitalism, has argued that there are many flaws, contradictions and self-destructive tendencies within the logic and infrastructure of global financial capitalism which need to be restrained with sensible and robust government regulations. As we have seen, the *Communist Manifesto* is far from being a historical relic. Its analysis of the shortcomings and inconstancies of capitalism are as thoroughly relevant today as it were when first published in 1848. The contemporary relevance of the *Manifesto* is especially important for communists who take inspiration from Marx and Engels’ analysis and teachings, taking to heart the call to action at the end of the *Manifesto*: “workers of the world, unite!”³⁴ ■

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Endnotes:

- ¹ Larry Elliot, “IMF says economic growth may never return to pre-crisis levels”. *The Guardian*, October 7, 2014
- ² Isaiah Berlin, *Karl Marx*. (Oxford: Oxford University Press, 1968), 134-135.
- ³ Marx, Karl and Frederick Engels. *Manifesto of the Communist Party*. Translated by Samuel Moore. (Chicago: World Library Classics Books, 2009), 7
- ⁴ Berlin, *Karl Marx*, 132
- ⁵ Jonathan Wolff, "Karl Marx", *The Stanford Encyclopedia of Philosophy* (summer 2011 Edition), Edward N. Zalta (ed.).
- ⁶ Berlin, *Karl Marx*, 143-147
- ⁷ Marx and Engels, *Manifesto*, 25
- ⁸⁻⁹ Wolff, “Karl Marx”.
- ¹⁰⁻¹¹ Marx and Engels, *Manifesto*, 8
- ¹²⁻¹³ Ibid, 10
- ¹⁴⁻¹⁵ Ibid, 12
- ¹⁶ Ibid, 8
- ¹⁷ Ibid, 12.
- ¹⁸ Ibid, 14
- ¹⁹ Ibid, 18
- ²⁰ Ibid, 16
- ²¹ Ibid, 24
- ²² Ibid, 22
- ²³ Ibid, 23
- ²⁴ Ibid, 24
- ²⁵ Elliot “IMF says”
- ²⁶ Marx and Engels, *Manifesto*, 23
- ²⁷ Ibid, 17
- ²⁸⁻³⁰ Ibid, 20
- ³¹⁻³³ George Soros, “The worst financial crisis in 60 years”. *The Financial Times*, January 22, 2008
- ³⁴ Marx and Engels, *Manifesto*, 36.

Machiavelli's *The Puppet*

✦✦✦ Akram Shaban

This paper argues that Mary G. Dietz's thesis most sufficiently interprets Machiavelli's *The Prince*. She contends that "the Florentine" sought to deceive Lorenzo de Medici. Machiavelli gave advice that, if applied, would have led to the noble's political downfall. What Machiavelli had actually wanted was a "resurgence of the Florentine republic" in which the Medici would have to be eliminated. Thus, *The Prince* was Machiavelli's method for subversion. I argue that this interpretation adequately explains the peculiarity of Machiavelli's advice and contradictions between this book and his other works. I will conclude that Dietz's argument provides valuable insight and a necessary deviation from popular explanations of Machiavelli's extensively debated "book of advice."

In Dietz' paper "Trapping the Prince: Machiavelli and the Politics of Deception," she argues that Machiavelli's *The Prince* is a work of deception. After contesting various popular arguments about how the book should be interpreted, she presents her point in two ways. First, she demonstrates how *The Prince* is a book of deception rather than advice. She tests Machiavelli's advice against contradictory historical examples - some of which are provided by Machiavelli himself in his other texts, namely *The Discourses* and *History of Florence*.¹ Second, she establishes motive by exploring Machiavelli's relationship with the Medici during and prior to writing the book. She argues that Machiavelli resented the family: Machiavelli's bitterness stems from a history of familial dissent from the Medici, as well as his own negative experiences with them. Clues of his aversion - presented in

the two texts mentioned previously - also supplement Dietz's claim.

Glossed over with "promises of power, glory, and popular support," Machiavelli's deception concerns three matters - on which he had advised Lorenzo on - "where to live, how to behave, and whom to arm." If we consider historical context and understand the Medici's circumstances at the time, Dietz argues, Machiavelli's intent to deceive would become apparent.²

Chapter 5 of *The Prince* outlines the difficulties behind ruling formerly free "principalities." It warns that a people with the memory of liberty will not forget it. Thus, rebellion is inevitable unless they are subdued.³ Consequently, it offers the prince three choices: reside in the state, despoil the people, or "restore the freedoms of the occupied city."⁴ *The Prince* dismisses the third option citing The Romans and the Spartans as historical examples. They failed to hold Greece by allowing its people to keep its laws and remain free. To retain control, the Romans "ruined" the cities within Greece and succeeded.⁵ Given these points, it shows that "when a city is accustomed to freedom, he who becomes master of it and does not destroy it runs the risk of being destroyed by it..."⁶ Therefore, the prince must either destroy or reside in the city. Assuming he does not want to destroy Florence, Dietz pursues the option of the prince residing there.⁷

If Lorenzo were to reside in Florence, he would have faced a congregation of vengeful citizens seeking his dethronement. Dietz maintains that the prince would then stand to lose because he would be "easier to find and destroy."⁸ She points out that the advice

given by Machiavelli contradicts “the habit of the Medici family” to spend “much of their time in their villas...outside the city.”⁹ Hence, Machiavelli’s advice displaces the prince in a vulnerable position. Dietz does, however, concede that Machiavelli goes on to advise on how to quench the “desire for vengeance;” albeit his advice on “how to behave” is troubling.¹⁰

Chapter 9 dictates that the prince must gain the people’s favour (the people consist of nobles and the masses). Avoiding hatred prevents uprising; additionally, love of the masses is preferable because “a prince can never make himself secure against a hostile people...they are too many.”¹¹ The nobles, on the other hand, “wish to oppress.” Their association is incompatible with the wishes of the masses and is, thus, unreliable.¹² Moreover, chapter 16 explains that a prince gains love through miserliness. Liberality without the reputation for generosity is detrimental. Acquiring said reputation requires “magnificent displays” of it. The prince must then “burden his people, and tax them” to fund his displays.¹³ Either way, he will be despised. Therefore, to be miserly is wiser. “Revenues will be sufficient” and a reputation for proper “economic management” will make the prince loved. Funds would also be available without burdening the people. Accordingly, the prince will be loved, and the desire for rebellion would be “neutralized.”¹⁴

Dietz contends that the advice would have made little sense for Lorenzo. The people were already “not well inclined toward the new Medici.”¹⁵ They were accustomed to the republic, while the aristocracy opposed it. Machiavelli, nevertheless, tells the prince to distance himself from potential allies. More peculiar, Dietz observes, is Machiavelli’s previous advice to Pope Leo X in 1512. He tells the Pope in a “document” that “a prince alone, without the nobles, cannot bear the weight of a monarchy.”¹⁶ Machiavelli may have changed his mind on the subject by 1521, but Dietz identifies more inconsistency in his thought. On being miserly, she cites *The History of Florence*. In book 8, Machiavelli outlines the success of the Medici’s liberality, using an unsuccessful

assassination attempt on Lorenzo (the grandfather) in 1478 as an example. One of the conspirators was wounded leaving the other to sound an alarm. Machiavelli writes “...he went to the Palace square calling the people and liberty to his aid. But the first had been deafened by fortune and the liberality of the Medici and the second was unknown in Florence, so there was no response.”¹⁷ Machiavelli says that liberality saved his grandfather’s life in the past, yet recommends the opposite to Lorenzo.

More inconsistency is found in Machiavelli’s advice on whom to arm.¹⁸ In chapter 20, he cautions against disarming the people. It offends them. Instead a new prince should arm his people. For their arms become his own. It inspires loyalty and partisanship among his subjects.¹⁹ But Dietz contends that arms may “facilitate plots... and inspire rebels.”²⁰ It creates a “civilian militia” that might overthrow him.²¹ Machiavelli also assures that “history is full of such examples” of his advice working, but provides none.²² Furthermore, he omits another familial example that would have resonated well with Lorenzo. In describing princes who achieved greatness, he writes in a letter that “Lorenzo de Medici disarmed the people to hold Florence...”²³ It is perplexing that Machiavelli’s advice contradicts Lorenzo’s successful grandfather’s actions.

More significantly, Dietz is concerned with broader historical factors. She claims that the Medici had too much opposition to risk arming the people. Various proclamations against submitting to autocratic rule and declarations of opposition to the family were made by the people.²⁴ The Medici was considered tyrannical. Lorenzo, the young prince, rarely went out in public to meet with the people. Consequently, the rare occasions that he did go out, he was accompanied by his guards. And Dietz assures that Machiavelli would not have been oblivious to such opposition. Thus, only an intention to deceive can explain such omission of facts.

Dietz concludes that “Machiavelli has not lost sight of reality of Florentine politics; he knows full well what the consequences will be if Lorenzo re-

sides in the city, arms the people, distrusts the nobles... and ‘mingles from time to time’ with the Florentines.”²⁵ With a strong desire for redemption, people who cannot forget their liberty would surely rebel.

After considering Machiavelli’s methods for deception, Dietz explores his motives.²⁶ First, the Machiavelli family was known for political opposition to the Medici. And in that era, family often defined the individual; Niccolo was no exception. Second, Machiavelli’s personal experience with the noble family was negative. It included torture and exile. Lastly, Machiavelli himself expresses his aversion to the family in the *History of Florence*. He does so in a cunning way, appearing as appreciatory, rather than condemnatory, of the Medici.

The Machiavelli family had a conflicted relationship with the Medici, which directly influenced Niccolo’s outlook. As he says in *The Discourses*: “what a youth hears praised or censured within his family ‘becomes afterwards the rule of his life for all time.’”²⁷ Like him, his family was also involved in public life and loved, but missed, the republic. Girolamo Machiavelli, the great grand-uncle, was tortured and executed for acting adverse against the Medici. Francesco Machiavelli then made a public speech “condemning tyranny and praising liberty.”²⁸ Dietz recognizes that Niccolo may not have known of the speech, but its sentiments, nevertheless, reverberated throughout *The Discourses*.²⁹ Accordingly, it seems that family values might have inspired Machiavelli’s intention for deception.

Machiavelli had his own unfavorable experience with the Medici. For instance, when the family revived a chancery in 1512, “Machiavelli was the only chancery official dismissed by the Medici.”³⁰ After that, other than granting him the task to write Florence’s history, “the family never allowed him back into any position of power.”³¹ Moreover, Machiavelli was “implicated” in two conspiracies against the Medici. The first was an attempt against Giuliano. Machiavelli’s name was on a list held by one of the conspirators.³² The Medici tortured him with no

success. The other attempt was against Guilio de Medici. The conspirators were two of Machiavelli’s closest friends; he dedicated *The Discourses* to one of them.³³

His name was mentioned as a possible invitee to join the plot.³⁴ Clearly, Machiavelli, whether he was involved with or even knew about the plots, was associated with “anti-Mediceans.” He was also punished for this association. Machiavelli’s unpleasant experience can then be seen as another possible reason for him to pursue subversion.

To supplement her analysis, Dietz discusses Machiavelli’s “final clues about his attitude toward the Medici” in the *History of Florence*: they are “clues” because his true thoughts are not immediately apparent. Machiavelli had to “appear” loyal to avoid risking imprisonment (or worse as Dietz adds).³⁵

Dietz notes that Machiavelli wanted to handle the task of writing the *History of Florence* with delicacy; after all, the Medici commissioned him.³⁶ He wanted to tell the truth in such a way that nobody complained.³⁷ He did so by constantly praising the Medici for its supposed greatness. But underneath the excessive flattery was cunning truth telling.³⁸ Starting with book seven, Dietz points out that Machiavelli feared “the unity of the city is threatened by factions and partisans.”³⁹ He condemned private citizens who served the corrupt, gave them money, and “beguile[ed] the lower classes... to advance... personal goals.”⁴⁰ And in Machiavelli’s eyes, the Medici were those private citizens. They practiced liberality, and “dispensed pensions and aid to the nobility.”⁴¹ Lorenzo held pageants and tournaments for the populace, “tactics... to foster partisan support.” Thus, Machiavelli masterfully criticized the Medici, who accepted the book “enthusiastically.”⁴²

In summary, Dietz does what she believes political scientists and theorists fall short of doing. She goes beyond conclusions about Machiavelli being a “political realist.” He is also conceived of as an activist, who wants to restore a much loved republic. He does so by painting a picture for Lorenzo no prince would be able to resist. And in doing so, in

his final call for action in chapter 26, Dietz argues, Machiavelli concludes his “crafty assault.” Lorenzo would take the bait and pursue his own demise, blinded by vanity and flattery. If only Lorenzo had read the book.

Dietz offers a comprehensive and compelling interpretation of *The Prince*. By testing Machiavelli’s advice against historical facts and even his own claims, she exposes him as a master of deception. In a way, I admire the view of Machiavelli as cunning. If he truly intended to deceive, then his attempt was convoluted and complicated. Had it worked, it would have demonstrated the power of Machiavelli as a tactful advisor. And, maybe, that is why Dietz’s interpretation is very important. It has implications about how “painting pictures” for leaders can have negative consequences. For instance, telling the president what he wants to hear, rather than what is true, can influence him to make bad decisions. Painting false pictures can also lead to the fall of leaders, such as the case of Henry Kissinger and Richard Nixon. As part of the “canon” of political thought, Machiavelli can teach many valuable lessons. Interpretations can be just very valuable. As a final point, I conclude that treating *The Prince* as a book of deception should be considered a popular interpretation of the text in which it is studied. ■

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Endnotes:

¹ I will rely on Dietz’s citations of *The History of Florence and The Discourses*. Any citations (including those made by Dietz) from *The Prince* will be made directly as included in Bailey et al. Regardless of the medium for citation of either primary source, most of the observations made should be and are credited to Dietz. This is simply to minimize the number of double quotations. Regarding *The Discourses*, Baily et al does not include the specific chapters discussed by Dietz. So I hope citing through Dietz suffices.

² Dietz, Mary G. "Trapping the Prince: Machiavelli and the Politics of Deception." *The American Political Science Review* 80, no. 3 (1986): 782

³ Machiavelli. "The Broadview Anthology of Social and Political Thought: Essential Readings Ancient, Modern, and Contemporary Texts." *The Prince*, Edited by Andrew Bailey, Samantha Brennan, Will Kymlicka, Jacob Levy and Clark Wolf, 199. International: Broadview Press, 1532.

⁴ *supra note 2.*, p. 782

⁵ Option two: despoil the people

⁶ *supra note 3.*, p. 198-199

⁷ Machiavelli does also seem to lean towards residing in the city. In chapter 6 he holds that an obligation to reside in the city assures a maintenance of power. *Supra note 3.*, p.199.

⁸⁻¹⁰ *supra note 2.*, p. 783

¹¹⁻¹² *supra note 3.*, p. 205

¹³⁻¹⁴ *Ibid.*, p. 214

¹⁵ *supra note 3.*, p.784

¹⁶ Pansini, Anthony. 1969. *Niccolo Machiavelli and the United States of America*. Greenvale, NY: Greenvale press: 20, in *supra note 3.*, p. 784

¹⁷ *supra note 3.*, p. 785

¹⁸ Dietz goes into great detail on this matter, which goes beyond the scope of my paper. Therefore, I will summarize and discuss the most relevant aspect of it. The segment to be omitted is the one discussing “fortresses” from page 787 to page 788. I will also acknowledge that Chapter 20 of *The Prince* is not included in Bailey et al, and will then rely on Dietz for the citations.

¹⁹ Machiavelli, Niccolo. 1950. *The Prince and the Discourses*. Luigi Ricci, trans. New York: Modern Library. Pp. P. chapter 20, respectively, in *supra note 3.*, p. 785

²⁰⁻²¹ *supra note 3.*, p. 786

²² *supra note 17.*, p. 786

²³ Machiavelli, Niccolo. 1961. *Letters*. Allan Gilbert, trans. New York: Capricorn. (Original works published in 1532 and 1531.) in *supra note 3.*, p. 786

²⁴ *supra note 3.*, p. 786

²⁵ *Ibid.*, p. 788

²⁶ *Ibid.*, p. 790 - 793

²⁷ Machiavelli, Niccolo. 1950. *The Prince and the Discourses*. Luigi Ricci, trans. New York: Modern Library. Pp. D. 535, in *supra note 3.*, p. 790

²⁸⁻³⁰ *supra note 3.*, p. 790

³¹⁻³⁵ *supra note 3.*, p. 791

³⁶⁻⁴² *Ibid.*, p. 792

Bill C-208 Speech

◆◆◆ Hadyn Domstad, Ashley Impellezzere, and Mihran Keurdian

Mr. Speaker, it is with great pride that I rise here today to speak in support of Bill C-208, *An Act to amend the Supreme Court Act (understanding the official languages)*; a motion which seeks to require that *only* judges who are able to accurately communicate in both French and English—without the assistance of an interpreter—are appointed to the Supreme Court of Canada.

To begin with, I would like to congratulate my honourable colleague, Mr. Yvon Godin, member for Acadie—Bathurst and Official Languages critic for the NDP, for his remarkable diligence in continuing to bring forward this exceedingly important motion which, at its heart, endeavours to ensure the fullest access to justice—in either official language—in the highest court of the land, for all citizens of this great country. I say *remarkable diligence*, Mr. Speaker, because despite continued, stubborn opposition to this bill by the Harper government, Mr. Godin has tirelessly persevered in his efforts to bring about linguistic equality before the law for all Canadians, especially for those living in minority francophone communities across this magnificent nation.

Indeed, this is the third attempt since 2008 that my honourable colleague from Acadie—Bathurst has sought passage for this bill, in spite of continued, mulish obstruction by this government. Let us not forget that approximately four years ago today, this motion *did* pass third reading in this great House when it was called Bill C-232, only later to be killed on the order paper by unelected, democratically unaccountable Conservative senators—including, unbelievably, *francophone* Conservative senators—flouting the democratic will of Canadians as collectively ex-

pressed through Parliament. Do we need any more reason than this, Mr. Speaker, to finally abolish the Senate—this undemocratic, profligate chamber of partisan privilege and patronage appointments? The NDP agrees with the majority of Canadians in calling for the abolition of the Senate, Mr. Speaker.

Similarly, the NDP is the only party sincerely working on behalf of Canadians to ensure linguistic equality for minority francophone communities this blessed country, as is evident by the passage of Bill C-419, which requires that all appointed officers of Parliament be fully bilingual. That bill, which was championed by my honourable NDP colleague from Louis-Saint Laurent—and which received royal assent last June—was a commendable example of how the charter-guaranteed language rights of all Canadians *eclipsed* divisive partisan politics.

Moreover, Mr. Godin's bill has been roundly praised and supported by many non-partisan academic, legal and cultural associations, both within and outside of Quebec. In addition, The Commissioner of Official Languages, Mr. Graham Fraser, strongly supports Bill C-208 and has written favourably about it in his 2013 Annual Report, released last November. Indeed, Mr. Fraser has enthusiastically recommended adoption of Bill C-208 to both the honourable Minister of Justice and the Minister of Canadian Heritage and Official Languages.

By contrast, the Harper government has done all it can to procedurally impede Mr. Godin's motion by blocking his efforts at every turn while, hypocritically, claiming to simultaneously care about the minority linguistic rights of French-speaking Canadians.

The very fact that a crucially important matter like ‘equality before the law’ is being advanced as a private members bill and not a government bill shows how little the Harper administration actually cares about the linguistic rights of francophone Canadians. In addition to appointing a unilingual, anglophone auditor general to Parliament, this government has appointed two unilingual, anglophone judges to the Supreme Court—Justices Rothstein and Moldaver. This is despite the fact that a pool of highly qualified, fully-bilingual, Federal Court judges already exists and is being ignored by the Conservative government for partisan reasons. Can you imagine if a Supreme Court justice who spoke and understood only French was appointed? Canadians would be outraged, Mr. Speaker; yet the prime minister thinks it perfectly acceptable to favour English-speaking justices in this way.

We must not fail to remember that the Canadian state was founded on the efforts of two linguistic and cultural communities. To deny French-speaking Canadians the right to a French-speaking Supreme Court is to deny the very character of Canada. This is a character that emphasizes the cooperation of two linguistic communities who continue to enrich our prosperous Canadian society, standing as a beacon of diversity and multiculturalism worldwide. Indeed, there are certain qualities that are inalienable, lest we betray the highest ideals of Canada itself.

As bilingualism is intrinsically linked to the Canadian state, so is the incorporation of both English common law and French civil law traditions. To neglect the fully equal standing of the French language in our courts is to neglect a fundamental principle of our nation. Thus, the highest court in the land should reflect the Canadian state as a bilingual entity.

I do wonder, though, as to why Mr. Harper has decided the English language warrants stronger representation than French. But perhaps we shouldn’t be surprised by the actions of this government. Conservative support in Quebec is, of course, miniscule, and political favouritism has come to typ-

ify a government that continues to alienate our French-speaking communities.

Surely it goes without saying that there are numerous nuances and subtleties in every language that can, and often do, get lost in translation. This is of crucial importance when matters of law and justice are concerned, especially at the Supreme Court level, the final court of appeal for Canadians. One significant problem lies in what author Ruth King, member of the department of Languages, Literature, and Linguistics at York University refers to as “code switches”. Ruth defines “code switches” sentences that use verbs to communicate of “opinions or belief”. Statements such as “I think”, “I guess”, or “I believe”, all work to underscore the speakers stance or truth of the proposition- and in some cases, to indicate a degree of uncertainty. Ruth argues that terms such as these can be replaced by French vocabulary, which can either enhance or diminish the degree to which the proposition is true. Based on Ruth’s research, one can conclude that translators who translate between the French and English language are likely to face problems in accurately conveying the meaning of a statement.

Indeed, Canadians who have to rely on a translator to make their case for justice are at automatic disadvantage. For example: tests. If a test written in French is given to one who only speaks English, it is unlikely that they would be able to perform to the best of their best ability, as relying on a translator stands as an impediment. In 1998, Professor R. K. Hambleton performed a number of studies to reliability and validity of tests administered across language and cultures. His research concluded that language did, in fact, play a significant factor in one’s ability to perform well on a test. Hambleton suggests that despite the use of translators, when one is tested in a language that is not their own, their results are not an accurate representation of their knowledge. It is imperative for tests to be administered in ones native language in order to gain truly reflective results. Much like taking a test, trials rely

on the interpretation of questions, by which judgments are based on one's response.

If a question is answered incorrectly due to its interpretation, this poses a fundamental risk to the reliability and validity of a verdict. Simply requiring all judges to be fluent in both English and French can reduce such problems. By removing the language barrier, all Canadians, both English and French, will receive equal opportunities to a fair and reliable trial.

Therefore, Mr. Speaker, the inherent limitations of translation require judges to be able to communicate in both English and French, in order to avoid any misinterpretations of vital information. Given the responsibilities and integrity of the Supreme Court of Canada, it is absolutely essential that any room for error be eliminated. Continuing to rely on translators in the Supreme Court of Canada puts the integrity of our justice system at risk. It is irresponsible to continue using a system that has essential flaws. Indeed, I would go as far as to say that leaving the Supreme Court reliant on translators damages the principle of Canadian bilingualism.

If judges are required to speak both English and French, the chance for misinterpretation will be reduced. Mr. Speaker, it is the responsibility of this House to ensure that the Supreme Court of Canada provides non-partisan, sound and equal treatment to all citizens of Canada. What's more, it is inexcusable to risk a Superior Court that cannot discern testimony with utmost accuracy and fails to offer the optimal conditions for *all* those who seek justice.

In closing, I ask my colleagues from all political parties to rise above polarizing partisan divisions and make good use of this opportunity to restore the faith and respect Canadians once had for this great Parliament. As this House did with Bill C-419, let us work together to support this motion which, in essence, seeks to uphold two of our most cherished, fundamental constitutional rights: equality before the law and protection of minority language rights. I call on all members of this House, especially

my Conservative colleagues across the aisle, to vote in favour of this motion and send this bill to the Standing Committee of Justice and Human Rights for further deliberation. Thank you. ■

Hadyn is a fourth-year Political Science student. His primary academic interests largely relate to Canadian government and politics, including Canadian regionalism, political culture, and politics of finance, Canadian-Asian relations and Canada's broader role in the world. Beyond academia, Hadyn is an avid gardener, White Caps supporter, and narrative enthusiast. After completing his degree, Hadyn would like to travel throughout the British Isles, the Northern European Lowlands, and Japan. Furthermore, Hadyn plans on pursuing a career in the Canadian Foreign Service.

Ashley graduated in 2014 with a BA in History. She also completed a second degree at UBC with a BA in education and was awarded the Hazel Grimmet scholarship for outstanding achievement. Currently, Ashley works as a High School teacher. Through teaching, she hopes to equip students with the tools necessary to critically assess the world around them. Aside from teaching, Ashley coaches Cheerleading – her goal is to break the negative stereotypes that surround Cheerleading as a sport, and to place an emphasis on its physical and leadership aspects. If time permits, Ashley hopes to spend her summers travelling the world and experiencing as many different cultures as possible.

Mibran is a third year arts student majoring in Political Science. He is also the proud father of 9-year-old (future Political Science scholar) Dominic Keurdian.

Religious Symbols in Public Life

✦✦ Trevor Crane

This paper will attempt to answer the following question: where, if at all, do religious symbols belong in public life? The focus of this examination will not be confined to a single state or jurisdiction: rather, the analysis offered herein will situate the issue within the broader framework of liberalism. That said, whenever it is beneficial to illustrate the arguments on the different sides of the subject, I will refer to the ways in which specific governments have approached the issue of religious symbols in public life. Any examination of this issue would be incomplete if it did not discuss secularism at some capacity. To that end, this paper will explore the range of secular policy as it pertains to the issue at hand. It will be argued herein that the display of religious symbols in public life is permissible so long as it does not involve a violation of individual rights or the marginalization of minority religions. Thus, the task herein will be to demonstrate that said displays do not necessarily violate rights, and that in some cases the prohibition of those displays would in fact curtail individual rights.

In order to properly examine the issue of religious symbols in public life, it is first necessary to define both ‘religious symbols’ and ‘public life’. First of all, religious symbols can take on either a personal or impersonal dimension: a cross worn around the neck of a Catholic is representative of the former, whereas the inclusion of the phrase ‘In God We Trust’ on American currency is an example of the latter. Both definitions are relevant to this paper, and this initial dichotomy will be expanded upon where appropriate.

Public life is slightly more difficult to define. On one end of the spectrum, one could reasonably con-

ceive public life as encompassing all interactions between individuals which occur in common areas of socialization. This would include not only government institutions such as schools and courts, but also privately-owned entities, such as shopping malls and restaurants. As one might suppose, such a definition is too broad for the purposes of this paper. It hardly seems objectionable that someone should be able to wear a cross or a headscarf in these sorts of public places, if they wish to do so; and there would be little benefit in the explicit prohibition of this sort of religious expression, insofar as it does not infringe upon the rights of others.

Instead, this paper will adopt a narrower conception of public life, one that falls more along the lines of the common distinction that is made between the public and private sectors in economics. Drawing on John R. Bowen’s discussion of public space, ‘public life’ will refer to socialization which takes place or within government institutions, as well as the actions of those institutions and the employees thereof.¹ Of the examples given for the previous definition – schools, courts, shopping malls, and restaurants – only the first two still apply. Admittedly, this definition does not eliminate all possible ambiguity: a national park is government-property, as are roads and sidewalks, for that matter. Obviously, a ban on the display of personal religious symbols (e.g. a necklace with a cross) on city streets would represent an unnecessary restriction of religious freedom. But it is far more reasonable to suppose that a park ranger should have to adhere to the same standards of religious expression as other public-facing employees of the civil service.

Having now clarified the terms, the initial question becomes more robust: where, if at all, do religious symbols – that is, either impersonal religious signs and monuments or religious items that are individually-worn – belong in state institutions? The issue, then, has two main components: government endorsement or preference of a particular religion (or religions); and the religious freedoms of individuals in the public sphere. These two components are central to the notion of secularism.

In simplest terms, secularism refers to a set of policies concerning government's relationship with religion; generally conceived, secularism prescribes the separation of church and state and the freedom of individual religious exercise. In his article, *Religious Symbols and Secular Government*, Steven D. Smith divides secularism into three distinct categories: classical, comprehensive, and agnostic.² The first refers to a mode of thought originating in the Middle-Ages, particularly the time of Christendom. This conception, he writes: “understands the term ‘secular’ as one compartment or sub-category within a more encompassing reality.”³ This view distinguishes the physical world from a “different dimension of reality,” particularly a spiritual one – it did not simply denote the absence of religion.⁴ In this sense, ‘secular’ has its origins as a religious term – and on this point, Charles Taylor agrees.⁵ Classical secularism thus bears little relevance to most modern, western liberal societies.

Comprehensive secularism reverses the relation between religion and non-religion described above: in this version, religion is thought to exist within a larger non-religious (secular) context.⁶ Implicit in this model is a denial or reduction of religion. Smith uses the late Christopher Hitchens as an example of a ‘comprehensive secular’ thinker, insofar as Hitchens was a staunch atheist and a vehement opponent of religion.⁷ As a less-extreme example, one might consider a social scientist who acknowledges religion but is certain that it can be reduced and explained by rational inquiry in fields such as through anthropology or sociology. Elements of this approach are gen-

erally more prominent than classical secularism in western liberal societies.

Finally, agnostic secularism is the most neutral of the three stances. It abstains from making any truth or value determinations pertaining to religion. A state pursuing this approach likely has confidence in non-religious domains, such as science, and is neither overtly religious nor staunchly non-religious in its outlook.⁸ As Smith argues, a state's decision to employ any particular approach must take the religious composition of the population into consideration: for instance, there would seemingly be little sense in an irreligious state using classical secularist ideas to guide its policy-formation process. Again, this analysis is situated firmly within the bounds of liberal democratic states, with which there is religious plurality. For the purposes of this analysis, theocracies are outside of the realm of consideration. Although a case can be made for comprehensive secularism, agnostic secularism seems to be the most egalitarian approach to the state/religion problem in a liberal democracy.

If preference is given to agnostic secularism as a general framework, how might we reconcile this approach with the two main components of secularism, namely the separation of church and state and the preservation of individual religious liberty? Agnostic secularism is ultimately compatible with a system of two-way protection that “aims to protect individual freedom of religion in exchange for protecting politics from the power of organized religion,” such as favoured by Amy Gutmann in her book *Identity in Democracy*.⁹ The broad priorities of secularism so-conceived would thus be to prevent religion-to-state and state-to-individual interference. Based on these principles, I will now seek to flesh out the proper role of religious symbols in public life.

As I noted at the beginning of the paper, individual rights should ultimately serve as the litmus test for any prospective policy governing the display of religious symbols in public life. This criterion is wholly liberal – the emphasis in this analysis lies largely on the prevention (or at least the reduction) of harm.

This analysis will be separated into the two dimensions noted earlier in the paper: the impersonal and the personal. The former concerns the government-sanctioned or - supported creation of religious symbols in public (i.e. religious monuments on government property), whereas the latter concerns the personal choices of individuals – whether or not they are employees of the government – to display religious signs in their dress (i.e. crosses and hijabs). I will begin by examining the impersonal dimension.

At a basic level, I will argue that state-ordained religious representation should be either equal or nonexistent. With regards to the impersonal (governmental) display of religious symbols in public life, a simple appeal to the majority might seem initially tempting. After all, if most citizens should happen to be in favour of the general state-ordained display of religious symbols, would the most straightforward, democratic response not be to act on those wishes? For one, it would not be possible to satisfy all parties: that is, unless, the state could somehow ensure that all religions present in the population were represented through the display of appropriate symbols in public settings (e.g. courthouses, schools) – a proposal that is as amusing as it is impractical. Presumably, the next-best option would thus be to accommodate the most popular religion – that is, the religion which enjoys the greatest representation in the population at large. On the contrary, I would argue that a liberal democracy should be concerned as much (if not more) with the protection of minority-rights than with the fulfillment of the wishes of the majority.

In his essay, *The Politics of Recognition*, Charles Taylor deals with the issues of identity and recognition, as they pertain to multiculturalism. He argues that the exclusion of certain social groups from school curricula and media harms those groups, in that the members of those groups are, through this omission, given “a demeaning picture of themselves.”¹⁰ In the context of religious symbols in public life, one could draw a connection with Taylor’s argument and assert that the exclusion of certain (i.e. non-dominant) religions from government-ordained

religious symbols might give a similar impression to the adherents of those religions. Furthermore, non-majority religious groups are generally unlikely to be in positions of power within society; that is to say, the groups which would not benefit in the first place from majority-rule in the public display of religious symbols, would be at a further disadvantage in that they are generally likely to be the same groups that would suffer from identity issues.

One could make a more convincing argument in favour of the state-ordained display of religious symbols in public life, predicated on the notion that in certain cases, the symbols have transcended their original religious meanings and come to take on new significance. Where religion has played an important role in the historic development of a culture, one may deem it appropriate to allow for the continued existence of symbols pertaining to that religious heritage. A crucifix on display in a Quebec courthouse is an example of a symbol, which one could argue, is expressive of cultural heritage; and thus, there are sufficient grounds for it to remain there. In order to judge the validity of such claims, one must determine whether the presence of these residually religious symbols places restrictions on individuals who are not a part of the majority accommodated by the symbol.¹¹ Gérard Bouchard and Charles Taylor agree that religious symbols are compatible with secularism when they serve as cultural relics rather than as signs of state-sanctioned religious identification.¹² A religious symbol, they feel, “does not infringe basic freedoms if it is not accompanied by any restriction on individuals’ behaviour.”¹³ By that criterion, the courthouse crucifix would not necessarily have to be removed. However, although it may not represent a concrete restriction on individual behaviour, it could conceivably be interpreted as identifying the legal system with a particular religion; a government would arguably be wise to avoid such a connotation.

In contrast to the impersonal dimension, discussed in the previous section, the personal dimension encompasses the decisions of individuals to display their own personal religious symbols in public set-

tings. There are two subcategories of the personal display of religious symbols in public life: displays made by government employees and those made by citizens participating in government-provided activities. Each case will be examined independently.

The key distinction to be made between the two categories is that civil servants constitute, in a sense, the living embodiment of government. They represent government through their actions, and even the most conservative forms of religious dress on a public-facing employee could be construed as denoting preference for the religion in question. If the (theoretical) agnostic secular state makes no religious affiliations, then an employee of the state must also uphold and project this neutrality.¹⁴

A straightforward ban on the wearing of religious signs by public employees would serve to avoid any perceptions of conflict-of-interest that might otherwise arise.¹⁵ However, this would also mean that not all individuals would have equal access to these jobs; in cases where religious beliefs require an individual to wear certain garments or signs, jobs would be made unavailable – in other words, job opportunities would be restricted on the basis of religion.¹⁶ The question, then, is whether the appearance of bureaucratic neutrality is a sufficiently compelling reason for the infringement of basic rights and freedoms.

Some, like Brian Barry, argue that laws will naturally have different effects on different people. As Barry writes, “the essence of law is the protection of some interests at the expense of others when they come into conflict.”¹⁷ Virtually any law, he says, will affect some more than others. As a result, he holds that claims of inequality must be substantiated beyond simply showing that certain laws have non-uniform effects.¹⁸ The problem with Barry’s argument is that he discounts religious beliefs by equating them with mere preferences.¹⁹ In contrast with this, others have argued that religious beliefs should be conceived of in the same manner as conscientious beliefs – Amy Gutmann calls conscience a “special feature of ethical personhood,” consisting

of “ethical precepts that are ... binding on those who believe in them.”²⁰

Whether or not one is religious, or indeed, whether one considers religion to be a positive moral force, one will likely agree that Barry’s treatment of the ‘religious beliefs as preferences’ argument – whereby it is compared to his ‘expensive tastes’ argument – is perhaps too flippant for its own good.²¹ The religious need for one to wear a headscarf at work is not the same as the need for an individual to be given subsidized “plover’s eggs and vintage claret,” in order to gain the same pleasure as an average individual gets from regular food.²² As amusing as the example may be, the fulfillment of hedonistic impulses should not be equated with the liberal right to employment without discrimination. And that is not to mention the ways in which the bureaucracy would arguably suffer from the under-representation of certain groups within the populace, particularly those (such as women and visible minorities) that have generally faced historic disadvantages in western countries.²³

On balance, I find the arguments in favour of allowing religious symbols to be worn by civil servants more compelling than those against. Bouchard and Taylor make, perhaps, the most salient point on the issue: “why should we think that the person who wears a religious sign would be less likely to display impartiality, professionalism and loyalty to the institution than the person who does not wear such a sign?”²⁴ Why, in other words, should external signs of religiosity serve to undermine public confidence in the wearers? There is no basis on which to believe that there is a correlation between the wearing of religious signs and a lack of allegiance to government. Furthermore, to take away the symbol does not ‘neutralize’ the religion of the person behind the symbol.

To a degree, this is an issue of perception; a philosophical justification for the continued presence of personal religious symbols in the civil service is probably less important than the real perceptions which average citizens would form of the symbol-

wearing civil servants – what matters is whether those citizens believe that the symbols indicate disloyalty or religious preference. If an individual's confidence in government is liable to waver because he or she is uncomfortable talking to a woman wearing a hijab at the passport office, that individual is unlikely to be a supporter of multiculturalism in a broader sense, anyway – why should the symbol-wearer have to cater to illiberal or culturally homogeneous preferences? To that end, personal religious symbols in the public service arguably have their greatest value as emblems of diversity – signalling to the public that the civil service is a representative, inclusive body, and ideally subverting expectations of religious and/or cultural homogeneity therein. For these reasons, I feel that state employees should be allowed to wear religious symbols or garments in their jobs.

Finally, there is the issue of personal religious symbols being displayed in public settings by individuals other than government employees. The argument from equality of employment opportunity, of course, does not apply here. In some cases, though, students might face a similar choice between the ability to participate fully in their class activities (or indeed, to be able to attend their public school at all), and the ability to do uphold their religious beliefs. If we are to treat religious beliefs as more than mere preferences, it then follows that we should endeavour to prevent the exclusion of non-government-employees from public services on the same grounds.

A general ban on religious symbols in schools receiving public funding, such as that which was passed in France a decade ago, reflects a particularly aggressive form of secularism. Smith would call it comprehensive secularism, in that it reflects a conception of religion as being compartmentalized within secularism. Ahmet Kuru refers to it as 'assertive secularism' – that is, the deliberate exclusion of religion from the public sphere.²⁵ This policy has garnered support from those who oppose the hijab, which is traditionally worn by Muslim women.²⁶ This opposition typically comes for humanitar-

ian or feminist reasons, on the grounds that the headscarf is emblematic of male dominance in Muslim society.²⁷ While there is arguably some truth to that notion, the headscarf is far more of a symbolic issue than anything else, especially when it is compared with some of the more harmful illiberal-practices for which Muslim immigrant communities often garner criticism: polygamy and female genital mutilation are particularly good examples of more harmful illiberal practices, the fight against which is perhaps weakened by the strong emphasis on headscarves.²⁸ Furthermore, one could argue that the headscarf serves to empower women, rather than oppress them, by freeing them from the hypersexualisation of women within western culture. A bit of cultural introspection never hurts, not even within the hallowed confines of liberalism.

The most important issue at hand, in the case of students at least, is the ability of young people to be exposed to, and engage in constructive socialization with, peers and teachers coming from diverse religious and cultural backgrounds.²⁹ One could argue that on those grounds alone – particularly in diverse and/or multicultural states – it would be counter-productive at a societal level to prohibit the displays of personal religious symbols in public life.

This paper has attempted to answer the question of where, if they have a place at all, religious symbols belong in public life. After defining the key terms – public life and religious symbols – the next section sought to reconcile different conceptions of secularism, which is integral as a framework for the formation of religious policy, especially in liberal democracies. Special focus has been given throughout to the preservation of individual rights – religious freedom and non-discrimination in employment, in particular. The conclusions reached herein have generally been to allow the display of religious symbols in public life, with the exception of impersonal relics and monuments that have not gained secular meaning or heritage to this point. It has been argued that civil servants should be allowed to display religious signs or symbols at work; on the grounds that the concerned employees would be

religious regardless of their ability to display religious idols, and that to do otherwise, would be to prevent equal employment opportunity. Finally, the argument has been made that the individuals, other than government employees, should also be allowed to display religious symbols in the public sphere; largely on the same grounds as for civil servants, but also on the basis that prohibition would prevent free exercise of religion and reduce the diversity of peers for early-life socialization in students. ■

Trevor completed a Bachelor of Arts degree (Major in History, Minor in Political Science) at KPU in early 2014. His scholarly interests include the development of the middle-class in postwar America, modern military strategy, and twentieth-century British culture. He currently work as a Corporate Security Administrator at First West Credit Union. In his free time, he is a performing drummer and guitarist. He would like very much to pursue graduate studies in the medium-term.

Endnotes:

¹ John R. Bowen, *Why the French Don't Like Headscarves: Islam, the State, and Public Space*, (Princeton: Princeton University Press, 2007), 29-30.

²⁻⁴ Steven D. Smith, "Religious Symbols and Secular Government," *Israel Law Review* 46, No. 2 (2013): 194.

⁵ Charles Taylor, "Multiculturalism and the Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, edited by Amy Gutmann (Princeton: Princeton University Press, 1994), 62.

⁶⁻⁷ Smith, "Religious Symbols and Secular Government," 194-195.

⁸ *Ibid.*, 195.

⁹ Amy Gutmann, *Identity in Democracy*, (Princeton: Princeton University Press, 2003), 152.

¹⁰ Taylor, "Multiculturalism and the Politics of Recognition," 65

¹¹⁻¹³ Gérard Bouchard and Charles Taylor, *Building the Future: A Time for Reconciliation*, (Montreal: Bibliothèque et Archives Nationales du Québec, 2008) 152.

¹⁴⁻¹⁶ *Ibid.*, 149.

¹⁷⁻¹⁹ Brian Barry, "The Strategy of Privatization," *Culture & Equality*, (Cambridge: Harvard University Press, 2001), 34-35.

²⁰ Gutmann, *Identity in Democracy*, 168.

²¹⁻²² Barry, "The Strategy of Privatization," 34-35.

²³ This concept is known as representative bureaucracy. Gregory Inwood, *Understanding Canadian Public Administration: An Introduction to Theory and Practice*, 4th ed. (Toronto: Pearson - Prentice Hall, 2011), 277; Kenneth John Meier, "Representative Bureaucracy: An Empirical Analysis," *The American Political Science Review* 69, No. 2 (June 1975): 527.

²⁴ Bouchard and Taylor, *Building the Future*, 149.

²⁵ Ahmet T. Kuru, "Passive and Assertive Secularism: Historical Conditions, Ideological Struggles, and State Policies toward Religion," *World Politics* 59, No. 4 (2007): 571.

²⁶⁻²⁷ Susan Moller Okin, "Is Multiculturalism Bad for Women?" *Boston Review*, (Oct/Nov 1997): 2.

²⁸ *Ibid.*, 2, 5.

²⁹ Bouchard and Taylor, *Building the Future*, 141.