

The background of the cover is a photograph of a large, multi-story stone building, likely a university hall, with a prominent central tower topped by a green copper dome. A flag flies from a tall pole in front of the tower. In the foreground, there are snow-covered evergreen trees. The sky is blue with some light clouds.

McGill Journal of Political Science

Winter 2025

Volume XII

MJPS

*McGill Journal
Of
Political Science*

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The McGill Journal of Political Science (MJPS) is published annually by the Political Science Students' Association of McGill University (PSSA)

845 Rue Sherbrooke Ouest,
Montréal, QC H3A 0G4.

ISSN 0835-376X (Print)

ISSN 2291-5648 (Online)

The journal is jointly funded by:

The Political Science Students' Association of McGill University (<http://www.mcgillpssa.ca/>), The Arts Undergraduate Society (<http://ausmcgill.com/>)

Electronic editions of the Journal are available online at
<https://mjps.ssmu.ca/category/print-editions/>

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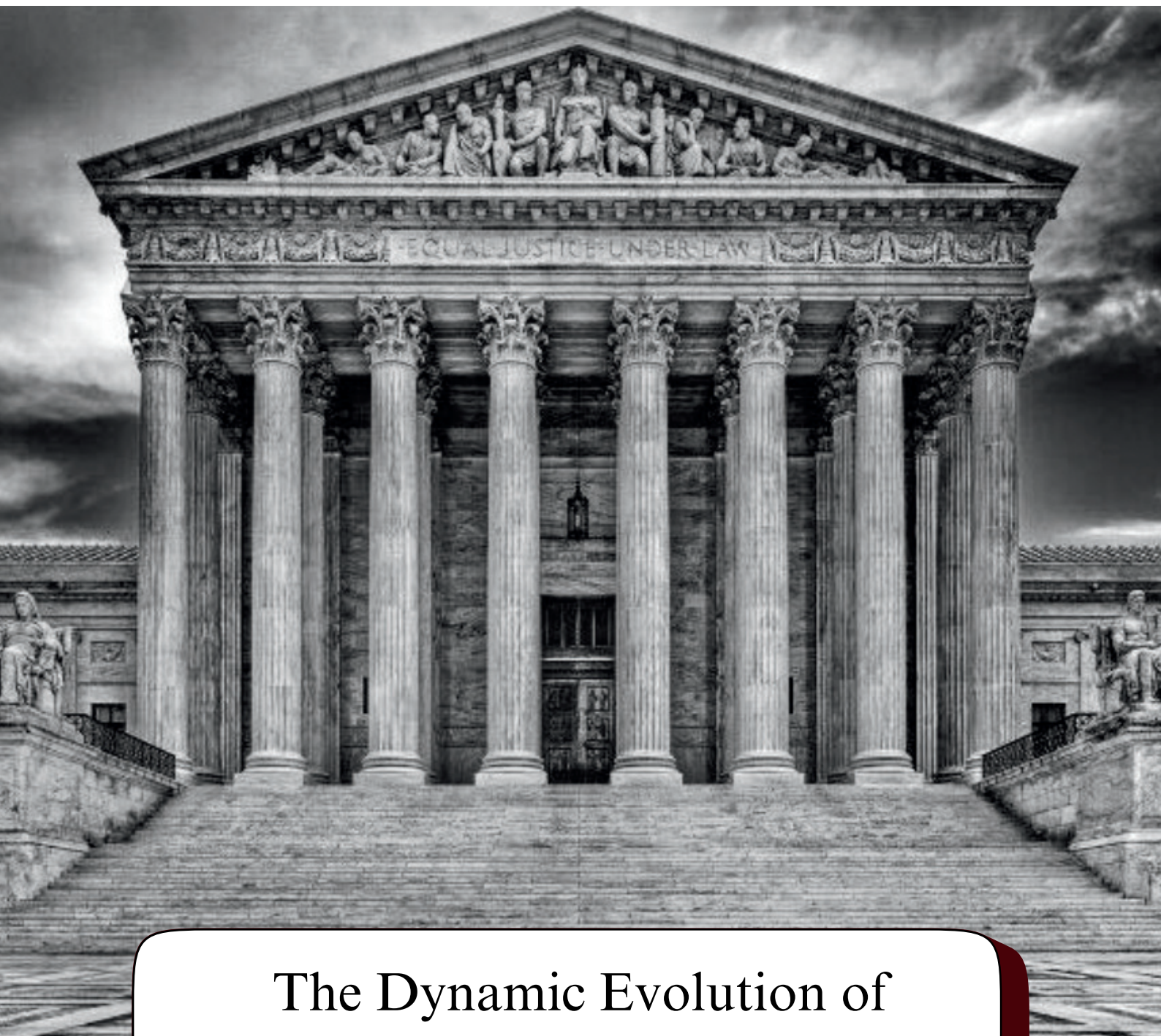
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The Dynamic Evolution of Constitutional Interpretation

Jeanne Leroux

Edited by Jane Malek

The blueprint of government, the Constitution of the United States (US) is a living document that has been the basic framework of the American government since 1787. Drafted during the Constitutional Convention, it replaced the Articles of Confederation and set out a system of checks and balances to prevent any branch of government from holding too much power. Intended to outline the rules and restrictions on the behavior of political actors, this central document was designed to adapt to the changing needs and circumstances of society. As it constitutionally entrenched the fundamental laws of government, the Constitution creates a framework that is difficult to amend, contributing to greater political stability over time. However, this document requires interpretation because of its broad and flexible language, as well as the continuous need for governance to respond to emerging and evolving challenges.¹ As a result, the Supreme Court has an interpretive role of shaping the Constitution. Because its composition changes through presidential appointments, the Court's rulings on constitutional matters reveal different emphases on principles such as individual rights or the limits of federal power, greatly shaping the US and its legal system. Since their earlier years, constitutional interpretations mirrored diverse shifts between a more liberal outlook on social rights and federal power, and more conservative phases of decentralized power and more traditional understandings of the text. This essay will explore how the Constitution is a living and dynamic

document that can undergo significant change over time through Supreme Court interpretations, rather than solely through formal, on paper amendments. It will also highlight how this results in shifts between periods of liberalization and conservative retrenchments and how, despite previous waves of liberalization, there is now a noticeable shift toward more conservative decisions.

The first, more liberal phase of constitutional interpretation

After the Constitution was enacted, it was the Marshall Court that helped establish the Supreme Court's role as the final arbiter on constitutional interpretation and allowed the solidification of the principles of judicial review. Most scholars agree the Marshall Court's rulings were highly influential to the earlier history of the country.² *Marbury v Madison* first established the power of judicial review and has since become the cornerstone of judicial supremacy.³ Since then, the Supreme Court has had a pivotal role in shaping the Constitution's interpretation and influencing its impact on society over time. The Marshall Court interpreted the document in a way that restricted states' powers while emphasizing the scope of federal authority.⁴ During this time, the country was marked by political

² Michael J. Klarman, "How Great Were the 'Great' Marshall Court Decisions?", *Virginia Law Review* Vol. 87, No. 6 (October 2001), 1111-1184.

³ J. A. C. Grant, "Marbury v. Madison Today," *The American Political Science Review* Vol. 23, No. 3 (1929), 667.

⁴ Alfred L. Brophy, "Let Us Go Back and Stand upon the Constitution: Federal-State Relations in *Scott v. Sandford*," *Columbia Law Review* Vol. 90, No. 1 (1990), 193.

¹ Fiona De Londras, "In defense of Judicial Innovation and Constitutional Evolution," *Politics and the Irish Constitution* (2016), 3.

division over issues such as slavery, as the South was heavily reliant on slave labor while the North was increasingly industrialized.⁵ As such, the Marshall Court increasingly limited the right of states to “decide federal constitutional issues, to regulate federal institutions and to exempt their own state chartered institutions from any outside control.”⁶ *Gibbons v. Ogden* is a court case that was ruled under the Marshall Court that demonstrated the liberalizing wave that the constitutional interpretation was going through. The political need to solidify the country’s economic independence and global standing led the scope of the commerce clause to be addressed in this case.⁷ It deliberated whether it was up to the State of New York or to the Federal Government to grant Ogden monopoly over the privilege of running ferry boats on interstate waters.⁸ The final decision from the Court Justices was that the power to regulate commerce interstate was a power delegated to Congress in the federal government.⁹ This case marked a critical expansion of federal power while delimiting its relationship with states’ powers, which illustrates a more expansive and flexible phase of Constitutional interpreting. As a result, it

becomes clear how, without any formal amendments, the meaning and influence of the constitution on the legal functioning of the state can be considerably altered through judicial interpretation.

The shift towards a more literal reading of the document

However, following the interpretations of the Marshall court, which ruled according to the principle that the federal government derived its authority from the people and could act for the people, the Taney Court initiated a phase of conservative constitutional interpretations that limited social rights and federal authority.¹⁰ Their views contrasted with the previous court as they argued that the states were the main agents that formed the Constitution. Consequently, the growth of state power counterbalanced the previous enhancement of the federal government¹¹. Further from their more conservative interpretation of states’ powers, during this wave, many court rulings strongly impacted social rights. *Plessy v. Ferguson*, in 1896, is infamous for its “separate but equal” principle which endorsed segregation until it was overturned only in 1954.¹² The idea that people of different races could be “separate but equal” was reflected in areas such as transport, facilities and education. The case

⁵ Brophy, “Let Us Go Back and Stand upon the Constitution, Federal-State Relations in Scott v. Sanford,” 193.

⁶ Brophy, “Let Us Go Back and Stand upon the Constitution, Federal-State Relations in Scott v. Sanford,” 196.

⁷ Brophy, “Let Us Go Back and Stand upon the Constitution: Federal-State Relations in Scott v. Sanford,” 196.

⁸ Hugh Evander Willis, “Gibbons v. Ogden Then and Now,” *Kentucky Law Journal* 28, no. 3 (1940), 182.

⁹ Willis, “Gibbons v. Ogden Then and Now,” 189.

¹⁰ Brophy, “Let Us Go Back and Stand upon the Constitution: Federal-State Relations in Scott v. Sanford,” 197.

¹¹ Brophy, “Let Us Go Back and Stand upon the Constitution: Federal-State Relations in Scott v. Sanford,” 197.

¹² Oliver Wendell Holmes, “Plessy v. Ferguson: Conservative Sociological Jurisprudence,” *The Common Law*, 196.

was deliberated around Homer Plessy, a Creole man who was arrested in Louisiana for violating the state law on separate accommodation in transports. In this decision, the Supreme Court circumvented the 14th amendment by ruling racial prejudice constitutional and consequently enforcing political inequality.¹³ During the same wave of more conservative legal interpretations, in 1869, the *Bradwell v. Illinois* court ruling reinforced the traditional view of gender roles, limiting the broader protections afforded by the 14th Amendment to women. Myra Bradwell worked at the *Chicago Legal News*, a nationwide law and business publication. Upon passing the Illinois bar examination the Supreme Court of Illinois denied Bradwell admission to the Bar. The reason behind this rejection was Bradwell's gender as there was no provision in the constitution that allowed women access to the practice of law.¹⁴ Justice Bradley further justified his decision by stating that "the natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life [...] [this] is the law of the creator."¹⁵ This decision emphasized a narrow and more literal reading of constitutional provisions rather than a broader understanding of the document. These rulings illustrate how crucial the interpretation of the Constitution is as it can strongly impact rights of individuals

depending on the view that is adopted by the Court Justices.

The third and more progressive phase of interpretation

Accompanying societal changes and evolutions such as the Civil Rights Movement and the feminist movement, the constitutional landscape began to shift in the 20th century initiating a wave of liberalizing rulings by the Courts.¹⁶ As the country became more industrialized and economically prosperous, the Warren and Burger courts gained particular prominence functioning as political responses to societal demands for equality. They intervened on behalf of civil rights, setting the tone for a period of reordering of American law, allowing for greater federal intervention and the expansion of civil rights and liberties. Chief Justice Earl Warren was a prominent figure during this period who led the notable *Brown v. Board of Education* case that symbolized the first case in which the Courts prioritized individual rights over numerous state laws.¹⁷ This case overturned *Plessy v. Ferguson* and the "separate but equal" policies, marking the start of the big societal changes that put an end to the system of segregation that was so present in the South.¹⁸ By declaring that separate educational facilities were inherently unequal, the court initiated an important reinterpretation of the Equal Protection

¹³ Holmes, "Plessy v. Ferguson: Conservative Sociological Jurisprudence," 201.

¹⁴ Aynes, "Bradwell v. Illinois: Chief Justice Chase's Dissent and the Sphere of Women's Work," 525.

¹⁵ Aynes, "Bradwell v. Illinois: Chief Justice Chase's Dissent and the Sphere of Women's Work," 526.

¹⁶ Nelson, "Brown v. Board of Education and the Jurisprudence of Legal Realism," 800.

¹⁷ Nelson, "Brown v. Board of Education and the Jurisprudence of Legal Realism," 797.

¹⁸ Nelson, "Brown v. Board of Education and the Jurisprudence of Legal Realism," 795.

Clause that indicated a constitutional shift in how civil rights were understood by the Courts.¹⁹ Accordingly, later movements fighting for racial justice, such as the National Association for the Advancement of Colored People (NAACP) or the Black Lives Matter movement, did so in an informed way of how the Court interprets the 14th amendment today.²⁰ This illustrates how shifts in the interpretation of the Constitution can, even without formal changes, deeply transform American life by reflecting evolving mindsets through the reversal of previously constitutional rulings. Many court decisions followed the same pattern of liberalization with cases regarding race, voting, free speech and right to privacy. *Roe v. Wade* was a cornerstone ruling in which the Supreme Court held it unconstitutional for state legislation to prohibit abortions.²¹ The 14th amendment was understood to recognize a woman's right to choose an abortion as her constitutional right to privacy. This tradition of constitutional interpretation, one that values individual's right and liberties, showed a progressive era that emphasized a view of the Constitution as a living and dynamic document, responsive to changes in societal values.

The recent conservative retrenchment of constitutional interpretation

In spite of many instances of

broadening of social rights and federal power, the latest trend in Constitutional interpretation leans toward a conservative retrenchment. Particularly under the influence of conservative judges and the growing political polarization of the population, public opinion and legal interpretation have been impacted. Indeed, this trend reflects a response to the concern that a "living constitution" leads to uncertainty because of its malleable nature.²² The Supreme Court's constitutional interpretation reflects a shift towards more originalist approaches that improve stability and reliance on the Constitution's original meaning. The views of Donald J. Trump reflect a vision of the Constitution as a document that should be interpreted according to how it was understood by the Founding Fathers rather than with an evolving perspective.²³ This more conservative approach towards the interpretation of the document has impacted areas such as gun rights, abortion and religious freedom, which ignited many modern debates regarding the safeguarding of individual rights. *New York State Rifle & Pistol Association v. Bruen* in 2022, was a shift away from previous decisions that permitted stricter state regulations on firearms. In this case, the Court Justices ruled that the second amendment protected the right of individuals to carry firearms, emphasizing the idea of tradition and the

¹⁹ Nelson, "Brown v. Board of Education and the Jurisprudence of Legal Realism," 795.

²⁰ Nelson, "Brown v. Board of Education and the Jurisprudence of Legal Realism," 796.

²¹ Dorothy E. Patton, "Roe v. Wade: Its Impact on Rights of Choice in Human Reproduction," *Columbia Human Rights Law Review* 5, no. 2 (1973), 798.

²² Stephen B. Presser, "Evaluating President Obama's Appointments of Judges from a Conservative Perspective: What Did the Election of Donald Trump Mean for Popular Sovereignty," *Howard Law Journal* 60, no. 3 (2017), 668.

²³ Presser, "Evaluating President Obama's Appointments of Judges from a Conservative Perspective: What Did the Election of Donald Trump Mean for Popular Sovereignty," 668.

text's intent in the right to owning guns.²⁴ A strict textual approach was taken to deliberate the case. Bruen insisted that the right to keep and bear arms was codified and pre-existing in the constitution. This highlights the Supreme Court's interpretations as directly influencing the effectiveness of modern laws and debates on gun control.²⁵ The issue of privacy rights was also revisited with the overturn of *Roe v. Wade* in 2022, another critical point in the right-wing wave of legal analysis. The power to regulate abortion as a reproductive right was given to states individually based on the ruling that there is no constitutional right to abortion.²⁶ This decision signals a departure from the protection of rights that are not explicitly present in the Constitution while reigniting debates over the right to have an abortion, which was previously a matter of Constitutional interpretation. The overturn of a previously ruled constitutional law embodies the idea that the Constitution is a dynamic document whose interpretation is constantly changing.

Conclusion

The Constitution is a living text, subject to many shifts over time, that functions as the basic framework of the American Government. Although it can be formally revised through amendments, its interpretative nature requires judicial intervention of the Supreme Court to

adequately rule according to their understanding of the document. As a result, and as the composition of the Supreme Court changes over time alongside an evolving mentality of society, Constitutional interpretations have undergone substantial shifts since the document was first enacted. Experiencing diverse waves of liberalizing rulings followed by more conservative decisions, the scope of the federal power and individual rights and liberties have been interpreted differently throughout the years. Although the Marshall Court, in the early 19th century, imposed some restrictions on state power, the following years were characterized by more conservative decision-making that had a tendency to reverse this process while putting restrictions on individual rights. This notable shift illustrates the changing character of a text that is constantly being re-evaluated. In contrast, the 20th century saw a wave of more liberal court rulings that overturned previous decisions. Cases that embodied segregational policies such as *Plessy v. Ferguson* were overturned during this time. The act of overturning previous Court decisions emphasizes the argument that the interpretation of the constitution creates a continuously transforming text that accompanies social changes. In spite of previous liberalizing tendencies, the latest trend of constitutional interpretation subscribes to a more conservative retrenchment that has been ruling according to a more literal reading of the document. Accordingly, the Constitution of the United States has indeed an evolving and dynamic nature that ensures it remains both relevant and responsive to the changing needs of

²⁴ T. C. Lisle II Whitman, "New York State Rifle & Pistol Association v. Bruen," *Tennessee Law Review* 90, no. 22 (2023): 456.

²⁵ Whitman, "New York State Rifle & Pistol Association v. Bruen," 460.

²⁶ Mary Ziegler, "The End of *Roe v. Wade*," *The American Journal of Bioethics* (2022), 1.

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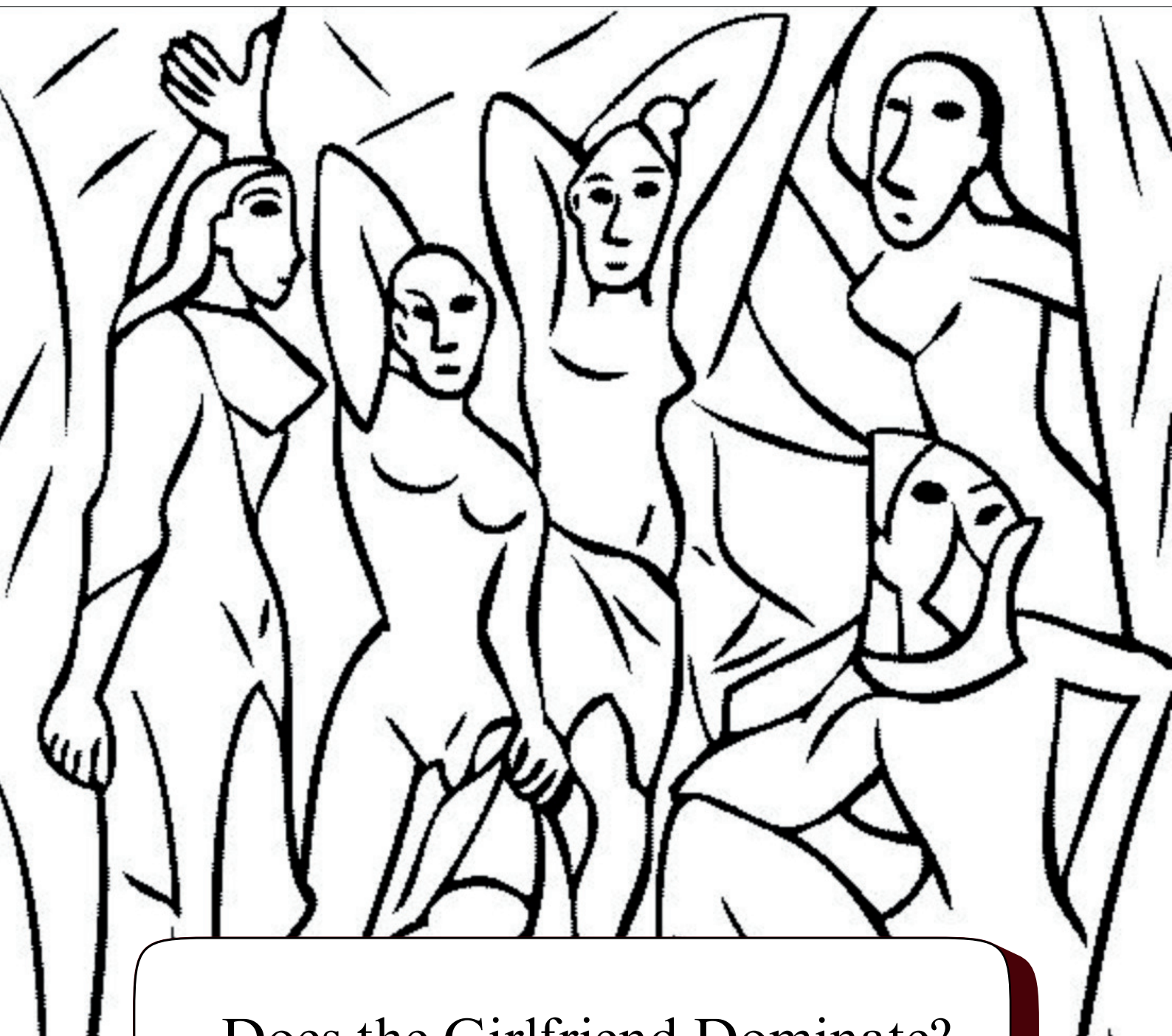
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Does the Girlfriend Dominate?

Jessica Bakar

Edited by Margaux Zani

Imagine you, a woman, are in a long-term relationship with another woman.¹ Your name is A, and your partner is B. Imagine a context in which it's appropriate for B to ask if you want to have sex. Assume everything about this situation—B's body language and demeanor—is unimposing and uncoercive. Nonetheless, you're conflicted—you don't want to have sex because you're tired, but you don't want to displease B. You hesitate. B sees your hesitation and clarifies, "It's totally alright if you don't want to. You can say *no*."

Rationally, you understand that you can say *no*—you even know that B won't be upset if you do—but you're still afraid of displeasing your partner. Although you don't articulate this explicitly, you believe patriarchal norms that claim your partner is entitled to sex. Your internalization and generalization of these norms lead you to believe it's your job as a woman in a relationship to please your partner, even if your partner is not a man.

You don't want to have sex, but you say *yes* anyway, so you have sex². *Who, if*

*anyone, dominates?*³

Although Pettit qualifies direct forms of structural domination as freedom-limiting, his strict definitional premises create a conceptual dilemma incapable of accounting for domination without identifiable external dominators. In this paper, I will briefly reconstruct Pettit's theory. Then, I will provide Pettit's plausible response to Situation AB to explain how his inability to declare A's dominated status creates a conceptual dilemma. Next, I will entertain Gadeke's response to the conceptual dilemma and analyze why her response is insufficient for Pettit. Finally, I will provide an alternative analysis of Situation AB faithful to Pettit's definitional premises, introducing the concept of self-domination as accommodation to systemic power to overcome the conceptual dilemma.

In *Republicanism* and *On the People's Terms*, Pettit establishes his neorepublican thesis of freedom as nondomination, asserting that one is free so long as nobody has the arbitrary or uncontrolled power to interfere with them in a way that fails to track their interests (2014, 7, 58; 1997, 22, 272).⁴ To further clarify his concept of domination, Pettit differentiates between two hindrances. Unlike vitiators, which merely condition one's freedom and do not impose another's will on you, "domination is sufficient and necessary for

¹Assume lesbianism isn't an accommodation to power within the context of the patriarchy.

²Assume A and B live in a state with laws against rape. Assume these laws apply to all relationships, including same-sex ones. Assume A and B have rights to political participation, so they have a say in the laws governing them, including those against rape. Assume, despite these laws, patriarchal norms and practices are socially institutionalized in that women are systemically denied equal status, which includes denial of sexual agency. Assume these norms do not extend systemically to same-sex relationships, so both A and B have the reasonable expectation of equal status in this relationship given the background conditions. As such, assume A has objective access to the social, personal, and natural resources to say *no*. Assume A has objective and cognitive access to the social, personal, and natural resources to leave her relationship if she chooses. Assume this situation makes A worse off.

³From now on, I refer to this thought experiment as "Situation AB".

⁴I am not concerned with differentiating between Pettit's commitments in *Republicanism* and *On the People's Terms*. Neither work provides a complete framework to address Situation AB. As such, I present this synthesized thesis.

the invasive reduction of freedom” (2014, 50). To Pettit, invaders are substantively freedom-reducing; they are triggered by and specific to one’s attempt to satisfy their will (2014, 38). Thus, Pettit’s premises imply that naming domination requires identifying the respective wills of the potentially dominating and dominated parties and that these wills satisfy the two conditions above. Together, I call these requirements the Will Specification Conditions. With this understanding of Pettit’s theory and premises, we can continue to assess Situation AB.

In first analyzing Situation AB, Pettit must deny A’s domination due to the lack of identifiable invaders. As specified in the assumptions of the thought experiment, the legal background conditions ensure that B is obliged, forced to track A’s interests against forced sexual contact. Moreover, although B may appear to be in a position of interactional power, B indicates personal commitment to preserving the width of A’s option set and supporting A in satisfying A’s will by stating, “It’s totally alright if you don’t want to. You can say *no*.” Therefore, because B makes no attempt to interfere with A’s specific will, nor does B exercise arbitrary power to do so, B does not dominate A by Pettit’s standards. However, despite Pettit’s inability to identify any invaders in this situation, A still fails Pettit’s test of nondomination—the eyeball test. Although B does not give A reason to, A’s subversion of her own will out of fear of displeasing B suggests that A cannot “look [B] in the eye without reason for fear or deference” (2014, 47). Thus, A experiences domination and deprivation of normative

authority without any specific or identifiable dominators. Consequently, Situation AB presents a conceptual dilemma in that Pettit’s definitional premises contradict the eyeball test’s results, indicating A’s domination without an identifiable dominator. As such, it appears we must either (1) challenge the results of the eyeball test and deny the possibility of A’s domination without a specific invader external to A or (2) accept the results of the eyeball test and acknowledge A’s domination despite failing to identify specific invaders external to A. Because Pettit’s theory concerns itself with free status, I do not aim to disqualify the results of the eyeball test. Instead, I accept A’s denial of free status as a premise and aim to sufficiently prove Option (2) in the remainder of this paper.

While Gadeke’s theory defends choosing Option (2), her response is insufficient for its incompatibility with Pettit’s definitional premises. As Gadeke restricts domination to the “structurally constituted capacity to interfere (arbitrarily),” which can take robust (interpersonal) and non-robust (systemic) forms, she forthrightly acknowledges that domination does not require a specific external dominator (2019, 200, 205, 210). In fact, Situation AB appears to be a *prima facie* example of Gadeke’s systemic domination in which A is dominated not by a specific person but by social norms and practices denying women sexual agency. However, this response is unsatisfying to Pettit because systemic domination does not meet his Will Specification Conditions. In the context of Situation AB, patriarchal

norms persistently hinder A's freedom—regardless of her will to have sex or not—and this hindrance is unspecific, as these norms likely hinder A beyond sexual contexts. As such, this systemic domination is not necessarily triggered by or specific to A's attempt to satisfy her will. Therefore, Pettit must qualify these norms as vitiators, not invaders, and as such, he does not recognize non-robust systemic domination as true domination. Ultimately, although Gadeke provides reasoning to support Option (2), it's necessary to construct an alternative justification more harmonious with Pettit's definitional premises if he is to plausibly accept A's domination.

To adequately explain A's deprivation of normative authority despite no external dominator, and to do so in a way that is satisfactory to Pettit, I propose the concept of self-domination as accommodation to systemic power. I define self-domination as the subversion of one's true will as a reaction to the expected denial of one's free status due to systemic disempowerment.⁵ I argue that this definition adequately accounts for A's experience in Situation AB, and although Pettit does not recognize A to be dominated, Pettit's theory, with one modification, contains the conceptual groundwork to recognize A's self-domination.⁶ According to Pettit,

personal, social, and natural resources are required to make a choice, and the availability of these resources can be evaluated along objective and cognitive dimensions (2014, 36). In Situation AB, A objectively has all the resources to choose between having and abstaining from sex. However, A lacks cognitive access to the social resources to say *no*.⁷ Against patriarchal background conditions in which A is continuously disempowered by a system of norms and practices that deny her status as a woman and sexual agent, the aggregate consequences of peripheral agents have usurped control over her choice. As such, *no* is misrepresented in A's option set, and these aggregate consequences have established limits on the extent to which A can select an option according to her own preference. So far, from Pettit's perspective, these circumstances are vitiators—not invaders—and merely condition A's freedom. However, due to these vitiators, A is self-dominated because her revealed will no longer tracks her real will. In Situation AB, note that A does not want to have sex—this is A's real will. However, in saying *yes* to sex, A's revealed will betrays her real will, accommodating her expressed

choose Option (2), he could do so in one of two ways: he can abandon the Will Specification Conditions and accept Gadeke's justification of Option (2), or he can commit to separating revealed and real wills so that he can qualify instances self-domination by the Will Specification Conditions. I argue that Pettit would plausibly commit to the latter, as this modification is much less intrusive to his original theory, and he already acknowledges the possibility of disharmony between the real and revealed will in his mature work.

⁷ As specified in the assumptions of the thought experiment, A has objective access to these resources, but her internalization and generalization of these norms hinders her perception of access to these resources.

⁵ To my knowledge, nobody within the republican/neorepublican tradition has proposed such a concept or definition.

⁶ The one modification needed to Pettit's theory is a concrete commitment to distinguishing revealed and real wills. Pettit even acknowledges that one's expressed will may not carry one's authority, but he brackets the possibility of self-domination in stating his "concern is with your freedom of revealed will, not with whether the will that you reveal counts as your true or real will" (2014, 49). If Pettit is to

preferences to a perceived lack of choice against a background of norms of forces sexual contact. Therefore, although no external agent, including B, subjects A to interpersonal domination, A experiences robust domination. A becomes her own dominator, facilitating the disempowering effect of sexual norms against herself and reinforcing the denial of her free status. In doing so, A's self-domination meets Pettit's Will Specification Conditions in that A's subversion of her real will is (1) directly triggered by her attempt to satisfy her will not to have sex and (2) is specific to her will not to have sex. Therefore, by his definitional premises, Pettit could plausibly agree that A experiences domination. With this account of A's self-domination, we return to the conceptual dilemma of Situation AB having defended Option (2) within Pettit's definitional premises. We can finally accept the results of the eyeball test and acknowledge A's dominated status without identifying specific external invaders.

Although Pettit does not explicitly name self-domination as an accommodation to systemic power, his theory provides the basic framework to explain such domination without identifiable external dominators. While self-domination does not readily address non-robust forms of structural domination, self-domination wields significant importance, as it works to harmonize Pettit's and Gadeke's theories. As such, self-domination warrants further conceptual development.

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Religious Symbols in Public Institutions and Public Spaces

A Comparative Analysis of France and England

Soane Ricard

Edited by Tom M. Duault and Margaux Zani

In an era of growing multiculturalism, the relationship between religion and the public sphere has become a contentious battleground, challenging the boundaries of secularism. Since the 1980s, scholars like José Casanova have argued for the "de-privatization of religion" as a rebuttal to the secularization thesis.¹ This suggests that religion is reclaiming a presence in the public sphere, particularly in multicultural and pluralistic societies. These dynamics challenge secular models, raising questions about how different nations accommodate religious expression in public spaces.

This essay compares the contrasting approaches to secularism in France and England. As John Bowen explains in *Why the French Don't Like Headscarves*, France's *laïcité*, rooted in universalist republican ideals, restricts religious symbols to protect neutrality, national cohesion, and gender equality. In contrast, England's open secularism prioritizes individual rights and accommodates public displays of religious symbols. However, I argue that Cécile Laborde's critical republicanism offers a superior model by bridging these two approaches. Her theory updates the universal principles behind *laïcité* to address the realities of pluralistic societies.

Part I explores Laborde's theory, demonstrating how it preserves individual freedom without renouncing universal

principles. Part II analyzes the French state's rationale for banning religious symbols in public institutions and the broader implications of *laïcité*. Part III examines England's accommodations of religious symbols, identifying key points of divergence with France. Part IV assesses the justifications of both states, concluding that while each reflects legitimate concerns, neither provides a truly neutral or equitable framework for managing diversity.

I. Critical Republicanism

Laborde's critical republicanism seeks to "rehabilitate the inclusive ideal of citizenship" by refining the principles of *laïcité* to make them more inclusive and better aligned with the complexities of pluralistic societies. Her theory serves as a bridge between French and English secularism by reconciling the universalist ideals of *laïcité* with the need to embrace cultural and religious diversity. It refines the abstract principles of *laïcité*—liberty, equality, and fraternity—into what Laborde calls "equality as secular impartiality, liberty as non-domination, and fraternity as trans-ethnic integration."² By doing so, it upholds the vision of a genuinely neutral public space, one that fosters inclusivity while preserving the cohesive and universalist underpinnings of the French republican tradition.

While Laborde envisions *laïcité* as a principle that promotes inclusivity, the 2004 ban on religious symbols in schools

¹ James Sampere Peacock. *From Pluralisation to Cohesion: Islam and State-Secondary Education about Religions in England and France*. (PhD diss., University of East Anglia, School of Politics, Philosophy, Language and Communication Studies, August 25, 2022), 5.

² Cécile Laborde, *Critical Republicanism: The Hijab Controversy and Political Philosophy*. (Oxford; New York: Oxford University Press 2008), 256.

illustrates its politicized distortion. Laborde criticizes such restrictive legislation as a betrayal of the principle's original intent, arguing that the ban infringes on the autonomy of religious minorities and undermines their participation in public life. By seeking to secularize society rather than maintain state neutrality, the ban reflects a narrow and exclusionary interpretation of *laïcité*. As Laborde emphasizes, true neutrality involves fostering a public sphere that is "less Christian-biased" and accommodating of all religious expressions.³

Central to critical republicanism is its effort to preserve the unifying notion of citizenship and egalitarian principles without succumbing to excessive individualism. It envisions a public sphere that fosters a shared civic identity, akin to Rousseau's concept of the general will. This framework demonstrates that it is possible to uphold the principles of *laïcité*—neutrality, equality, and solidarity—without enacting restrictive legislation such as the headscarf ban. This nuanced framework allows societies to "continuously reinvent their imagined (fictitious yet potent) sense of collective identity" in a way that respects diversity while promoting unity.⁴ By rejecting exclusionary interpretations of *laïcité* and integrating liberal notions of individual autonomy with republican ideals of solidarity, critical republicanism offers a vision of citizenship that is both universalist and inclusive, ensuring no group is marginalized in the shared civic

space.

II. The French Ban of the Headscarf in the Public School Behind *Laïcité*

Bowen compellingly highlights the enduring influence of republican ideals in French society, arguing that moderate political factions on both the Left and Right, along with the media and successive governments, consistently invoke republican values to justify their policies.⁵

This steadfast commitment to republicanism highlights *laïcité* as essential to the common good, deeply rooted in Rousseau's conception of freedom and equality as articulated in *The Social Contract*. Rousseau's philosophy underpins the French understanding of citizenship as the abstraction from one's particular identities and the incorporation into a shared civic community governed by the general will.⁶ In this framework, freedom is not simply the ability to act as one desires but rather the deliberate choice to align oneself with the general will, thereby surrendering certain individual freedoms to attain civic liberty. This Rousseauian notion of freedom directly informs the principles of *laïcité* and shaped the Stasi Commission's justification for the 2004 ban on religious symbols. The Commission framed the ban as a means to preserve the "neutrality of the public school", fight against communalism, and "protect women", reflecting a vision of

³ Laborde, *Critical Republicanism*, 256.

⁴ Laborde, *Critical Republicanism*, 255.

⁵ John R. Bowen, *Why the French Don't Like Headscarves: Islam, the State, and Public Space* (Princeton, NJ: Princeton University Press, 2007), 11.

⁶ Bowen, *Why the French Don't Like Headscarves*, 14.

laïcité that prioritizes the cohesion and equality of the civic body over individual expressions of identity.⁷

Justifications for the Ban

A central justification for banning religious symbols in public schools is the preservation of these institutions as neutral spaces that foster individual autonomy, free from external pressures, including religious influence. In French society, public schools embody a “liberating ambition,” providing students with the opportunity to “free themselves from social, cultural, ethnic or gendered determinism”. Religious symbols, particularly the headscarf, are perceived as antithetical to this principle, as their visibility risks reinforcing communal or familial pressures.⁸ The French state positions public education as a vehicle for producing autonomous citizens, yet this strict neutrality raises questions about whether the ban achieves liberation or imposes conformity to a singular republican ideal.

Furthermore, the French state justifies the ban on religious symbols as essential to safeguarding national cohesion and preventing the fragmentation of society into distinct religious or cultural enclaves. As early as 1994, education minister François Bayrou issued a directive banning “ostentatious” religious signs in schools, arguing that such symbols contradicted the *laïcité*-based expectation that all students conform to the “rules for living together”.

⁷ Bowen, *Why the French Don't Like Headscarves*, 83; 208.

⁸ Bowen, *Why the French Don't Like Headscarves*, 86.

This policy underscores the state's determination to regulate religious expression in the public sphere to preempt the rise of communalism. However, many critics of the law defend the idea that it infringes on the freedom and agency of individuals, such as in the Grenoble case, when Sherezade, a young Muslim woman, who chose to wear the veil at school as part of her independent journey towards Islam was forbidden from doing so by the new law.⁹

Another key justification for the ban is its framing as a measure to protect gender equality, with the Islamic headscarf often portrayed as a symbol of female subjugation. Prominent feminist intellectuals like Elisabeth Badinter argue that banning the headscarf is essential to advancing women's rights, aligning *laïcité* with the broader feminist struggle for emancipation in France. Badinter and her contemporaries, who championed reproductive rights in the 1960s, reject the notion of an “Islamist feminism,” viewing the veil as inherently incompatible with women's liberation.¹⁰ Similarly, Gisèle Halimi, a feminist lawyer of Tunisian origin and defender of FLN militants during the Algerian war, strongly supported the ban. This reveals the complex dynamic wherein individuals of North African heritage, often deeply critical of the headscarf, lend additional legitimacy to the policy.¹¹ Yet,

⁹ Bowen, *Why the French Don't Like Headscarves*, 89; 88.

¹⁰ Elisabeth Badinter, “La laïcité, un enjeu pour les femmes.” In *Matériaux pour l'histoire de notre temps*, no. 78, (2005), 53.

¹¹ Bowen, *Why the French Don't Like Headscarves*, 85.

framing the headscarf solely as a marker of oppression risks silencing the agency of Muslim women, many of whom, like Sherezade in Grenoble, view wearing the veil as a personal and liberating choice.

Laïcité and National Identity

Bowen's analysis suggests that for French elites, *laïcité* is not merely a legal framework but a cornerstone of national identity. Ines Brulard similarly argues that "the principle of *laïcité* is in fact at the heart of French identity".¹² Interviews with political philosophers like Blandine Kriegel and Vianney Sevaistre reveal that *laïcité* holds a near-sacred place in French society and is always explained through its history. This aligns with Émile Durkheim's concept of civil religion, in which secular institutions take on a spiritual and unifying role. As Bowen also illustrates, in the minds of politicians, "one finds liberty and order only through the intervention of the state".¹³ This aligns with the notion of a "République enseignante," championed by figures like Auguste Comte which reflects a strong political current in France's history aimed at shaping and secularizing social life through the promotion of a collective civic identity defined by *laïcité*. However, as Baubérot reminds us, while the state is secular, society is not.¹⁴

As Bowen illustrates, the French

headscarf ban, and similar policies cannot be simply understood as matters of neutrality or equality. He argues that these laws are often viewed not just as efforts to maintain secularism, but as instruments of social control, enforcing a particular vision of national secular identity. Bowen also emphasizes that the motivations behind the 2004 law were primarily social and political. The rise of the far-right during the 2002 presidential election, along with fears of rising communalism and violence in the name of religion, fueled by global events such as 9/11 and Islamist terrorism in the Middle East and Africa, led to the law being framed as a "necessary response to dangers facing France".¹⁵ This challenges the idea that such policies are entirely neutral, revealing how they may reinforce a dominant cultural narrative and marginalize those whose religious practices do not conform.

Finally, while Bowen also critiques the ambiguous and, we might call it, multivocal nature of *laïcité*, arguing that it allows politicians and journalists to construct ad hoc justifications for policies like the headscarf ban, his analysis overlooks *laïcité's* theoretical underpinnings as a legitimate framework for secularism and state-religion relations.¹⁶ Bowen focuses on the practical applications of *laïcité* in policy rather than fully engaging with its philosophical foundations. His dismissal of *laïcité* as merely a tool for state control risks

¹² Inès Brulard, "Laïcité and Islam," in *Aspects of Contemporary France*, 1st ed., ed. Sheila Perry (London: Routledge, 1997), 1.

¹³ Bowen, *Why the French Don't Like Headscarves*, 18–19.

¹⁴ Jean-Yves Pranchère, "Libéralisme et laïcité," *The Tocqueville Review/La revue Tocqueville* 44, no. 2 (2023): 132–33.

¹⁵ Bowen, *Why the French Don't Like Headscarves*, 99.

¹⁶ Bowen, *Why the French Don't Like Headscarves*, 33.

oversimplifying its role within French republicanism. As Laborde notes, Anglo-American interpretations often mischaracterize *laïcité* as state-imposed control over religion, failing to recognize its appeal as a model for collective citizenship and social cohesion.¹⁷

III. Comparison with England on the Public Place of Religious Symbols

The Liberal Tradition and Individualism

England's approach to religious symbols stands in stark contrast to France's generally restrictive stance. Despite comparable living standards, geographical and cultural proximity and shared colonial pasts, their distinct attitudes towards secularism shape how they accommodate religious symbols in public spaces. While France imposes limitations on visible religious symbols in many public spheres (e.g., schools, government offices), England has taken a more inclusive approach, integrating religious expression into its public life, especially within public institutions like schools and the workplace. This fundamental difference arises from distinct philosophical traditions regarding freedom and equality. The Anglo-Saxon tradition, influenced by Locke, views freedom as the protection of natural rights—life, liberty, and property—by a limited government. This individualistic conception has fostered identity politics in England and the broader Anglophone world, striving for equality through

“positive inclusion”.¹⁸ Conversely, France's collective understanding of freedom, rooted in Rousseau's philosophy, prioritizes citizenship as a shared, equal status for all, rejecting distinctions based on individual identities. Dominique Schnapper qualifies this concept as a “transcendence by citizenship,” emphasizing the importance of the ideal of collective identity over individual differentiation.¹⁹ These philosophical underpinnings underscore the profound divide between England's inclusive secularism and France's rigidly universalist *laïcité*.

Public Policy and Education

In the past ten years, France has enacted major laws restricting the presence of religious symbols in the public sphere, including the 2010 law banning full-face coverings (such as the niqab and burka) in public spaces, the 2021 separatism law that, while not directly restricting religious signs, imposed measures such as homeschooling restrictions and tighter scrutiny of religious organizations, indirectly impacting public visibility of religion. More recently, in 2023, the abaya was forbidden in public schools. Contrary to this trend, England has adopted major laws promoting the respect for religious minorities in schools and workplaces and reducing religion-based discrimination.

One of the central legal frameworks

¹⁸ Tariq Modood, “Muslims, Religious Equality and Secularism,” in *Contesting Secularism*, 1st ed., ed. Anders Berg-Sørensen, (London: Routledge, 2013), 75.

¹⁹ Élisabeth Schnapper, *Community of Citizens*. 1st ed. (London: Routledge 1998), 91.

¹⁷ Laborde, *Critical Republicanism*, 254.

protecting religious expression in England is the Human Rights Act of 1998, which incorporated Article 9 of the European Convention on Human Rights, granting individuals the right to “freedom of thought, conscience, and religion”. This was further reinforced by the Equality Act of 2010, which implements a “duty upon employers to take steps to promote equality of opportunity.”²⁰ This legislation proactively accommodates religious minorities, allowing the public wearing of religious symbols, unless it can be demonstrated that such accommodations would significantly harm health, safety, security, or the functionality of the institution.

For example, Nadia Eweida, a British Airways employee, fought for the right to wear a cross necklace at work. While English courts initially ruled against her, the European Court of Human Rights (ECHR) found that her freedom of religion had been infringed. This ruling strengthened protections for religious symbols in the workplace under the Equality Act 2010, affirming that reasonable accommodations should be made for religious expression, provided it does not disrupt the functioning of the institution.²¹ These new pieces of legislation demonstrate England’s commitment to affirmatively including religious groups and expressions in the public sphere.

England’s approach to secularism is further illustrated by its funding of faith

schools, which contrasts sharply with the model in France, where only private schools can incorporate religious teachings in their curricula. In 2004, approximately 7,000 state-maintained faith schools accounted for 36% of primary schools and 17% of secondary schools in England, with the vast majority being Christian.²² This demonstrates a pragmatic understanding of secularism that accommodates religious diversity rather than excluding it. By aligning public funding with the preferences of parents and pupils, England rejects the notion that such support inherently breaches the separation of state and religion, embracing a model that integrates faith into education without compromising institutional neutrality.

Contrasting Approaches to Secularism

While the French history with religion has been one of struggle and attempts to relegate its influence to the private sphere since 1789, in Britain, state and religion coexist alongside each other as “partners in promoting social cohesion”.²³ While France seeks to organize and monitor the activities of recognized religions in the public sphere, emphasizing their confinement to private settings, it also guarantees religious freedom within this limited context. This model of “freedom of cult” permits religions to practice within

²⁰ Modood, “Muslims, Religious Equality and Secularism,” 74.

²¹ *Equality Act* 2010, c. 15, <https://www.legislation.gov.uk/ukpga/2010/15/content> s.

²² Linda Woodhead, “Neither Religious nor Secular: The British Situation and Its Implications for Religion-State Relations.” In *Contesting Secularism*, edited by Anders Berg-Sørensen, 1st ed. (London: Routledge 2013), 149.

²³ Woodhead, “Neither Religious nor Secular,” 149.

prescribed boundaries, typically confined to their places of worship.²⁴

Additionally, there is a difference in the nature of secularism in France and England which underpins their diverging stance towards religious symbols in the public space. Unlike France, which has a constitutional commitment to *laïcité*, England's secularism is historically more pragmatic. Secularism in England is primarily about separating religion from the executive government, rather than excluding religion from the public sphere altogether. England's long standing ties to the Church of England, have allowed for a more flexible approach to religious expression in the public sphere. The monarch's role as the Supreme Governor of the Church of England highlights the continued link between state and religion in England. This historical continuity normalizes the display of religious symbols in public life. In contrast, France's strict secularism, which aims to eliminate religion from public institutions, has led to laws like the 2004 headscarf ban, reflecting a commitment to uniformity and neutrality. Ultimately, secularism in England differs significantly from the French approach, as it does not function as part of a national identity or seek to promote a common set of shared values. Woodhead argues that with the decline of Christianity as a central ordering principle in England, no collective ideology has replaced it; instead, people now enjoy a "greater choice of

self-definition".²⁵ In contrast, *laïcité* in France has become a "social ideology," reinforcing republican values and serving as a cornerstone of French national identity.²⁶ This difference is crucial in explaining the divergent approaches to multiculturalism and religious expression in the two countries. France, with its emphasis on national identity as a set of republican values, seeks social cohesion but often fails to respect the rights of religious minorities. On the other hand, England's lack of a unifying national identity allows for greater accommodation of religious minorities but risks reducing individuals to their cultural or religious identities without elevating them to a common and equal status as citizens.

IV. Assessing the Justifications of both States

Attempts to organize and regulate religion by the state and the headscarf ban have undeniably infringed on the individual liberties of religious minorities. More specifically, the ban clearly excludes young Muslim girls who wear the veil from the symbolic ideals of the republic as well as the physical arena of the public school. Thus, the principle of equality is not upheld. By banning visible religious symbols in schools, the French government aims to protect the secular nature of public institutions, prevent communal fragmentation, and foster gender equality. However, the policy's critique lies in its

²⁴ Bowen, *Why the French Don't Like Headscarves*, 18.

²⁵ Woodhead, "Neither Religious nor Secular," 152.

²⁶ Laborde, *Critical Republicanism*, 255.

exclusionary impact, particularly on Muslim women, whose agency in choosing to wear the veil is disregarded. Critics like Bowen and Laborde argue that the implementation of *laïcité* in this restrictive manner fails to embody true neutrality and risks alienating religious minorities, thus undermining the very principles of freedom and equality it seeks to uphold. In essence, France sacrifices individual freedom of expression in favor of national cohesion through its strict interpretation of *laïcité*.

In contrast, England justifies the accommodation of religious symbols through the primacy of individual rights, framing it as a fight against discrimination. However, this approach also fails to uphold true equality. The 2001 Census, which recorded the religious affiliations of its population, reflects what Modood describes as a “move from equality as sameness to equality as difference” emphasizing group identities over broader civic solidarity.²⁷ While England champions individual freedom and religious expression, it struggles to create a sense of common citizenship that transcends these particularistic identities. Thus, by focusing on individual rights, England sacrifices national cohesion and the shared values that might unite its diverse population. It is these pitfalls that critical republicanism seeks to correct.

Neither approach offers a fully neutral or equitable solution. France’s model, although ideologically coherent in its commitment to secularism and republican values, often fails in practice to

foster inclusion and equality of treatment for religious minorities. England’s model, on the other hand, succeeds in promoting individual autonomy but struggles to prevent the fragmentation of public life into disparate identity-based groups. Each system’s weaknesses point to the challenges of balancing secularism with the realities of a multicultural society, suggesting that an inclusive, flexible approach to secularism, as outlined by Laborde’s critical republicanism, could offer a more effective path forward for both nations.

Conclusion

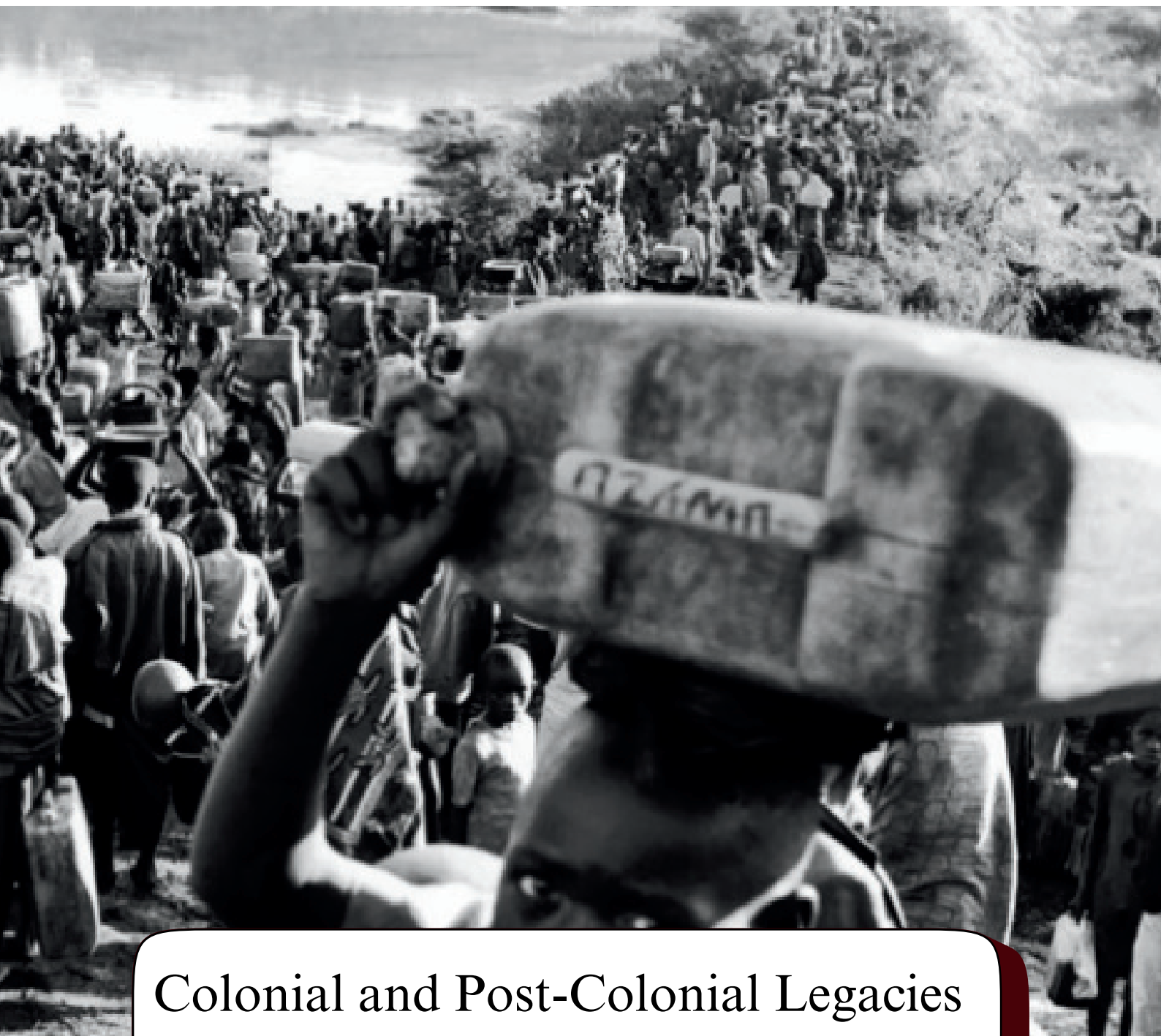
In conclusion, the contrasting approaches to religion in public life in France and England reveal the complexities of balancing individual rights and societal unity. France’s emphasis on a neutral public sphere and citizenship aims to uphold equality but often results in the marginalization of minority groups, particularly Muslims. On the other hand, England’s accommodation of religious symbols seeks to embrace diversity, yet it may inadvertently erode national cohesion by failing to promote integration and cross-community dialogue. In light of these unintended consequences, Cécile Laborde’s framework of critical republicanism offers a more balanced and nuanced approach, advocating for fewer restrictions on religious expression while upholding the universal republican values of liberty, equality, and solidarity. This model provides a more inclusive vision, one that fosters both individual freedoms

²⁷ Modood, “Muslims, Religious Equality and Secularism,” 77.

and a cohesive, pluralistic society united by shared abstract values that uphold equality through citizenship.

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- Religious symbols image created by Kathleen Odenthal, Owlcation, November 2023.



Colonial and Post-Colonial Legacies in the Rwandan Genocide

The Institutionalization and Instrumentalization of Ethnicity

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Edited by Catriona Hayes Morris

The 1994 Rwandan genocide arose from a complex interplay of factors, including a severe economic crisis, a prolonged civil war between President Juvénal Habyarimana's government and the Tutsi-dominated Rwandan Patriotic Front (RPF), and regional instability marked by ethnic tensions. Domestically, corruption and the dominance of Habyarimana's Akazu clique fueled public grievances, while the 1993 Arusha Accords, intended to foster peace, instead heightened political polarization between moderates and Hutu hardliners. Following Habyarimana's assassination on April 6, 1994, Hutu extremist forces launched a meticulously planned campaign of mass murder targeting the Tutsi population and moderate Hutus. Over the next 100 days, an estimated 800,000 to 1 million people were killed in an unprecedented display of organized brutality.¹

This paper argues that the institutionalization of ethnicity during the colonial period is central to understanding the genocide. While various factors (economic, psychological and external) shaped the conditions for mass violence, the colonial administration's rigid categorization of ethnic identities and its creation of racial hierarchies fostered enduring ethnic divisions. Post independence regimes later weaponized these divisions to legitimize power, amplifying fear and resentment amid economic insecurity.

Part I examines the place of ethnicity

in pre-colonial Rwandan society, emphasizing the fluidity of identities. Part II will explore the colonial period, detailing how Belgian administrators institutionalized ethnicity, rigidifying previously flexible categories and embedding these divisions in political and social structures. Part III analyzes the post-independence period, showing how ethnicity was further politicized by the Rwandan regime to exclude certain groups, exacerbate historical grievances and ultimately organize and justify the 1994 genocide. Together, these sections demonstrate the centrality of ethnicity as a constructed and weaponized force in Rwanda's tragic history.

The Place of Ethnicity in Pre-Colonial Rwanda

Ethnic Fluidity in Pre-Colonial Rwanda

Before colonial rule, Rwanda was a centralized monarchy governed by a king (*mwami*) and a Tutsi aristocracy. The population was divided into three main categories: Tutsi, Hutu, and Twa. The Tutsi, about 14% of the population, were associated with cattle herding (even if the agriculturalist and pastoralist distinction is now heavily contested) and held dominant political and economic power.² The Hutu, representing 85%, were primarily agriculturalists, while the Twa, a marginalized 1%, were hunter-gatherers

¹ Roméo Dallaire, *J'ai Serré la Main du Diable: La Faillite de l'Humanité au Rwanda* (Libre Expression, 2003), (cover page).

² Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton University Press, 2001), 51;99.

excluded from political influence.³ Rwandan mythology reinforced this stratification by linking it to divine origins. The myth of Kigwa, the first king on earth, and his three sons—Gatutsi, Gathutu, and Gatwa—provided a sacred narrative to justify Tutsi dominance. This myth perpetuated social inequality by framing it as divinely ordained, granting the Tutsi a sacred legitimacy to rule.⁴ Despite this stratification, ethnic identities were fluid and tied more to "occupational" roles than rigid, racial categories.⁵ Moreover, social mobility was possible, as Hutu individuals could attain Tutsi status through economic success or royal favor. This suggests that ethnicity reflected more a socio-economic status rather than a fixed racial identity.⁶

It is important to note that the existence of distinct ethnic groups in Rwanda is contested by various scholars, who highlight the widespread practice of intermarriage between Tutsi and Hutu before and during the colonial period. In addition, a shared culture, language, and spiritual beliefs united Rwandans into an integrated society.⁷ This supports the argument that ethnicity in pre-colonial Rwanda was more closely tied to socio-economic status than to any inherent differences. Despite existing inequalities,

pre-colonial Rwanda was a relatively integrated society. It was the colonial institutionalization of ethnicity that introduced the concept of "otherness" and laid the foundation for the ethnic conflicts that would later erupt.

The Introduction of the Hamitic hypothesis

The introduction of the Hamitic hypothesis by European missionaries and colonial administrators marked a significant turning point in Rwandan society. This pseudo-scientific theory argued that the Tutsi were descendants of a "Hamitic" race from Ethiopia or the Near East, inherently superior in intellect and leadership capabilities compared to the "indigenous" Hutu and Twa. This theory not only promoted Tutsi superiority based on their purported foreign origin but also reinforced a deeply racist framework that justified the domination of one group over the others.⁸ Colonial figures such as Father Léon Classe, head of the Catholic Church in Rwanda, described the Tutsi as "superb humans," while François Ménard referred to them as "Europeans under a black skin".⁹ By presenting the Tutsi as naturally superior and more capable of leadership, the Hamitic hypothesis offered colonial powers a convenient and racially charged justification for favoring the Tutsi minority, thereby facilitating indirect rule and further entrenching ethnic divisions.

Following Germany's defeat in World War I, Belgium was appointed to

³ Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*, 99-100.

⁴ Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*, 79-80.

⁵ Peter Uvin, "Prejudice, Crisis, and the Genocide in Rwanda," *African Studies Review* 40, no. 2 (1997), 92.

⁶ Peter Uvin, "Prejudice, Crisis, and the Genocide in Rwanda," 92.

⁷ Peter Uvin, "Prejudice, Crisis, and the Genocide in Rwanda," 92.

⁸ Mamdani, *When Victims Become Killers*, 80.

⁹ Mamdani, *When Victims Become Killers*, 87.

administer Rwanda under a League of Nations mandate. Belgian rule in concomitance with the Catholic Church institutionalized the Hamitic hypothesis into policy, embedding ethnic divisions into the fabric of Rwandan society. The Belgian power effectively “turned Hamitic racial supremacy from an ideology into an institutional fact”.¹⁰ Colonial rule dismantled the ethnic fluidity of the pre-colonial period, recasting ethnic identities as immutable and pseudo “biological” categories.¹¹ The Hamitic hypothesis thus redefined Tutsi dominance as a racial entitlement, fostering resentment among the Hutu majority and intensifying divisions that had previously been socio-political rather than “racial”.¹²

In summary, while pre-colonial Rwanda was marked by socio-economic stratification, its ethnic categories remained fluid, allowing mobility among Tutsi, Hutu, and Twa groups. The myth of Kigwa and his sons offered a divine rationale for Tutsi dominance without codifying rigid boundaries. This flexibility was dismantled with the arrival of European colonial powers. By introducing the Hamitic hypothesis and implementing racialized policies, colonial authorities transformed fluid social roles into immutable ethnic hierarchies.

The Institutionalization of Ethnicity

¹⁰ Mamdani, *When Victims Become Killers*, 88.

¹¹ Catharine Newbury, “Ethnicity and the Politics of History in Rwanda,” *Africa Today* 45, no. 1 (1998), 11.

¹² René Lemarchand, *Rwanda and Burundi* (Praeger, 1966); Newbury, “Ethnicity and the Politics of History in Rwanda,”; Mamdani, *When Victims Become Killers*.

During Colonial Administration

Ethnic Categorization and Identity Cards

Germany first colonized Rwanda in 1884 during the Scramble for Africa, officially incorporating it into German East Africa following the Berlin Conference. Under German rule, the existing socio-political hierarchy in Rwanda remained largely intact, as the Germans relied on indirect rule through the Tutsi monarchy and aristocracy to maintain stability. This system entrenched the political supremacy of the Tutsi, while systematically excluding the Hutu and Twa from governance.¹³ However, while indirect rule was also prevalent under the Belgian colonial administration, a radical shift occurred: ethnicity was institutionalized as the central axis of Rwandan political, economic, and legal structures. Following the 1923–1924 census, the most notable tool of this institutionalization of ethnicity was the introduction of identity cards. These cards officially designated individuals as Hutu, Tutsi, or Twa, rendering ethnicity immutable and inextricably tied to an “individual’s chances in life”.¹⁴ Whereas pre-colonial Rwanda allowed for social mobility and fluidity in identity, these reforms eradicated any such possibilities, effectively freezing ethnic distinctions.

Some scholars argue that economic instability and geopolitical factors or

¹³ Uvin, “Prejudice, Crisis, and the Genocide in Rwanda,” 95; “Historical Background.” United Nations Prevent Genocide: Rwanda. November 25, 2024.

<https://www.un.org/en/preventgenocide/rwanda/historical-background.shtml>.

¹⁴ Newbury, “Ethnicity and the Politics of History in Rwanda,” 11.

psychocultural traits (propensity for obedience), rather than ethnic tensions, were the primary drivers of the Rwandan genocide. They highlight the economic crisis of the early 1990s, which exacerbated inequality and competition for resources, framing the genocide as the outcome of a Malthusian rationale. While these factors played a role, they fail to fully account for the deeply entrenched ethnic divisions rooted in colonial policies, which laid the groundwork for violence and the scapegoating of a specific ethnic group amidst worsening living conditions. The economic crisis, for instance, can be seen more as a catalyst that exacerbated existing tensions, rather than the primary cause of genocide.

Educational and Economic Policies

The introduction of identity cards had profound and far-reaching consequences. By codifying ethnicity, the Belgians facilitated the institutionalization of discriminatory practices, systematically favoring the Tutsi minority while marginalizing the Hutu majority. For instance, policies excluding Hutus from higher education and administrative roles reinforced a rigid hierarchy that disproportionately benefited the Tutsi. Another striking example was the segregation of education, managed primarily by the Catholic Church in close collaboration with the colonial administration. Tutsi children received a supposedly superior education in French, reflecting a broader assimilationist policy aimed at cultivating an elite class of Tutsi collaborators to serve in high-ranking

administrative roles. By contrast, Hutu children were either excluded from schooling entirely or relegated to an inferior curriculum taught in Kiswahili. This curriculum deliberately limited their prospects, aligning with a separatist policy that sought to entrench Hutu subordination rather than integrate them into the colonial framework as full participants.¹⁵ Such policies not only exacerbated disparities but also institutionalized ethnic hierarchies, ensuring that Tutsis occupied positions of power while Hutus were systematically excluded and forced into labor and manual work.

Economic policies further reinforced this divide. Tutsis were exempted from certain taxes, such as the *ubureetwa*—formerly forced labor (*corvée*), it became a tax imposed exclusively on Hutus. This exemption extended privileges even to impoverished Tutsis, demonstrating how the colonial administration transformed ethnicity into a racialized marker of privilege. Even "small Tutsis" benefited from systemic advantages, fostering resentment and deepening the divide between Hutus and Tutsis.¹⁶ The long-term implications of these colonial policies were profound. By privileging Tutsis and racializing ethnicity, the Belgian administration eroded traditional Rwandan institutions such as the monarchy, which had historically mediated power among clans and ethnic groups. The colonial system replaced these structures with a "self-conscious racialized elitism" that fractured

¹⁵ Mamdani, *When Victims Become Killers*, 89–90.

¹⁶ Mamdani, *When Victims Become Killers*, 101.

Rwanda's social fabric and deepened tensions between Hutus and Tutsis.¹⁷ These divisions were not merely socio-economic but became deeply political, as the Tutsi elite, aligned with the colonial administration, came to be seen as the oppressor of the Hutu majority.

In sum, the Belgian colonial administration's policies institutionalized ethnicity in ways that destroyed Rwanda's traditional socio-political structures and entrenched "racial" hierarchies. This legacy of indirect rule created an enduring system of inequality that mediated tensions between colonizers and the colonized by fostering divisions within the Rwandan population. Additionally, while economic and geopolitical factors are often cited as contributing factors to the Rwandan genocide, the historical legacies of colonialism and the politicization of ethnicity remain the most significant factors in understanding how the violence unfolded. By racializing identities, colonial rule laid the groundwork for long-term instability and ethnic conflicts.

Post-Independence Instrumentalization of Ethnicity and the 1994 Genocide

Post Independence Hutu Dominance

While Rwanda's colonial history laid the foundation for the socio-political divisions that would later contribute to the genocide, the post-independence era saw these divisions exacerbated within the new

framework of an independent state. Despite the formal end of colonial rule in 1962, the legacies of institutionalized racism implemented by the Belgian authorities deeply influenced the rise of an extremist Hutu one-party state. As Rwanda moved from colonial governance to self-rule, the political elites and the population inherited these deeply entrenched divisions, which were increasingly manipulated by the newly empowered Hutu leadership. This leadership, eager to solidify its power and address perceived injustices from the colonial period, sought to elevate the Hutu majority by marginalizing the Tutsi minority. The result was a political and social climate where ethnic identity became the primary lens through which power, citizenship, and loyalty were defined. This divisive framework fostered a culture of exclusion and violence that would culminate in the Rwandan genocide decades later.

The 1959 Rwandan Revolution, hailed by its proponents as a movement for equality, instead entrenched a binary opposition between Hutu and Tutsi. What began as a struggle to dismantle Tutsi dominance in political and economic spheres escalated into violent confrontations that claimed the lives of thousands of Tutsis and forced many more into exile. The Hutu Manifesto of 1957 exemplifies this. Advocating for democratization, greater Hutu rights and an end to the Tutsi dominated monarchy, the manifesto became the emblem of increased ethnic opposition. While justly fighting for equal rights, it framed its rhetoric in the racial terms of the time, portraying Tutsis as an existential threat to Hutu identity and survival, thus

¹⁷ Mamdani, *When Victims Become Killers*, 89.

providing ideological justification for their exclusion and persecution.¹⁸ By the time Rwanda achieved independence in 1962, the manifesto had become a cornerstone of Hutu power ideology, legitimizing systemic discrimination and violent repression of Tutsis. In other terms, “the struggle for independence became also an ethnic struggle”.¹⁹

Ethnic Manipulation and State Power

Grégoire Kayibanda, the first president of Rwanda, embodied this ideological trend. Under his administration, the marginalization of Tutsis became state policy. Efforts by Tutsi refugees to return from exile were met with violent resistance, resulting in further massacres that claimed an estimated 20,000 Tutsi lives during the 1960s. Kayibanda's government reinforced the divisions institutionalized during colonial rule, entrenching ethnicity as a central organizing principle in Rwanda's political and social structures. The 1973 coup by Juvénal Habyarimana did little to change this dynamic. While framed as a bid to restore order amidst political instability and economic challenges, his regime doubled down on the marginalization of Tutsis. After trying to dampen ethnic tensions, hardliners in Habyarimana's government succeeded in weaponizing historical narratives, portraying Tutsis as oppressors to justify exclusionary policies and discrimination such as the introduction of ethnic quotas in higher education and

government jobs.²⁰

The instrumentalization of ethnicity, initially introduced during colonial rule, persisted into the post-independence era. As Mamdani observes, colonial racial theories—particularly the Hamitic hypothesis—cemented the idea of Tutsis as a “racialized minority”,²¹ a notion extensively diffused in Rwanda that purported the idea that ethnic groups in Rwanda were “racially, culturally and historically different” from one another.²² This understanding of ethnicity homogenized both Hutu and Tutsi identities, distorting social realities and reducing them to rigid, antagonistic categories. This highlights how portraying ethnicity as a monolithic concept ignored the fluid and dynamic nature of ethnic and social identities in pre-colonial Rwanda, replacing them with artificial constructs tailored to political agendas. Additionally, while the elite's manipulation of ethnicity was central to orchestrating the genocide, widespread participation by the general population required the prevalence of this idea of racial opposition within Rwandan society. This underscores the psychocultural factors driving the genocide while highlighting how the institutionalization of ethnicity continually reinforced these notions, keeping them alive in the collective imagination and individual consciousness. Indeed, a “century of myths ... had created the ideology that was to underlie the

¹⁸ Newbury, “Ethnicity and the Politics of History in Rwanda,” 12.

¹⁹ Uvin, “Prejudice, Crisis, and the Genocide in Rwanda,” 104.

²⁰ Newbury, “Ethnicity and the Politics of History in Rwanda,” 18-19.

²¹ Mamdani, *When Victims Become Killers*, 87.

²² Newbury “Ethnicity and the Politics of History in Rwanda,” 11.

post-independence instability”.²³

The Road to Genocide

Following independence, ethnic divisions became a tool of political manipulation as Hutu elites vied for control. Leaders like Grégoire Kayibanda and later Juvénal Habyarimana capitalized on these tensions, using anti-Tutsi rhetoric and policies to rally the Hutu majority around their rule. As Newbury argues, from 1990 onwards, “systematic harassment of Tutsi” became characteristic of the Habyarimana regime.²⁴

By portraying Tutsis as enemies of the state, these leaders not only secured political power but also deepened the divide between Hutus and Tutsis, turning ethnicity into a weapon for maintaining dominance. The state-controlled media and political discourse repeatedly painted Tutsis as threats, creating a climate of fear and resentment that would escalate in the years leading up to the genocide. Amid economic pressures—including a collapse in coffee prices, famine, and unequal land distribution—the regime used violence as a mechanism to maintain its authority. By the early 1990s, preparations for genocide were well underway. The regime recruited and armed militias, training them in “hunt and destroy” tactics as soon as 1992.²⁵ Moreover, propaganda played a central role in this strategy, with Radio Télévisée Libre

des Mille Collines (RTL) set up by the Hutu-Power and of which President Habyarimana was one of the strongest backers, broadcasting hateful and racist messages towards Tutsis.²⁶ The station broadcast messages often allowed officials labeling Tutsis as “*inyenzi*” (cockroaches), thus dehumanizing Tutsis and showing that the government would not protect them.²⁷ Such rhetoric not only mobilized fear but also created a climate of moral justification for extermination. These broadcasts, combined with the distribution of death lists by government officials, left little doubt about the regime's intentions. Evidence of careful planning emerged in death lists uncovered by the United Nations Assistance Mission for Rwanda (UNAMIR), which demonstrated the regime's intent to execute a coordinated campaign of extermination.²⁸

As such, the Rwandan genocide cannot be attributed to so-called “ancient hatreds” thesis between Hutu and Tutsi but must instead be understood as a calculated political strategy born of previous institutionalization of ethnicity. The racialization of ethnicity under colonial rule, its instrumentalization in post-independence politics, and the regime's instrumental use of violence reveal the central role of the state in driving Rwanda

²³ Uvin, “Prejudice, Crisis, and the Genocide in Rwanda,” 104.

²⁴ Newbury, “Ethnicity and the Politics of History in Rwanda,” 15.

²⁵ Helen Hintjens, “Explaining the 1994 Rwandan Genocide,” *The Journal of Modern African Studies* 37, no. 2 (1999), 247.

²⁶ Alison Des Forges, “Call to Genocide: Radio in Rwanda, 1994,” in *The Media and the Rwandan Genocide*, ed. Allan Thompson (London: Pluto Press, 2007), 44.

²⁷ D. Yanagizawa-Drott, “Propaganda and Conflict: Evidence from the Rwandan Genocide,” *The Quarterly Journal of Economics* 129, no. 4 (2014), 1954.

²⁸ Dallaire, *J'ai Serré la Main du Diable*; Gregory H. Stanton, “Could the Rwandan Genocide Have Been Prevented?” *Journal of Genocide Research* 6, no. 2 (2004), 212.

toward genocide. The 1994 genocide was not the inevitable result of deep-seated animosity but the culmination of decades of ethnic manipulation for political gain.

Conclusion

The Rwandan genocide of 1994 was not an isolated eruption of violence but the result of a complex interplay between entrenched colonial legacies and the deliberate politicization of ethnicity by post-colonial regimes. The Hamitic hypothesis, introduced by colonial powers, racialized social divisions, while Belgian policies such as the institutionalization of ethnic identity through identity cards entrenched inequality and resentment in Rwanda's social fabric.

In the post-independence era, political leaders exploited these divisions, framing Tutsis as scapegoats for national struggles, fueling cycles of violence and retribution and dehumanizing a group in the population. Far from being the outcome of "ancient hatreds," the genocide exemplified the devastating consequences of institutionalized exclusion and state-orchestrated violence. Propaganda, the manipulation of economic crises, and the mobilization of fear played central roles in transforming existing tensions into mass violence. The international community's failure to intervene further highlights the global ramifications of ignoring the structural legacies of colonialism and the instrumentalization of identity politics.

Rwanda's tragic history underscores the dangers of politicizing identity and normalizing exclusion. It also underscores

the importance of addressing the structural legacies of colonialism to prevent the recurrence of such atrocities. The Rwandan case serves as a stark reminder that systems of exclusion, when institutionalized and left unchecked, have devastating human costs.

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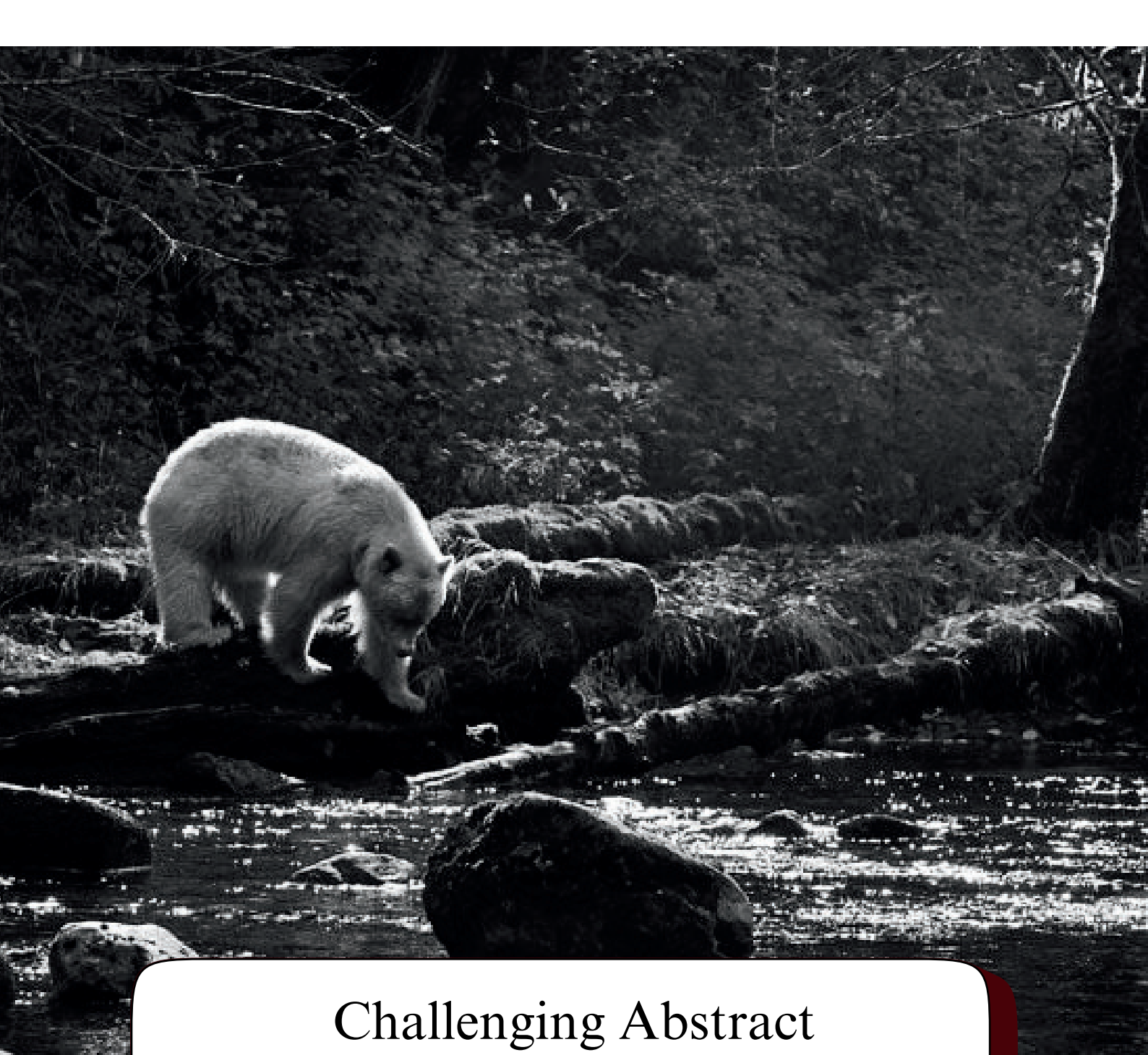
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Photograph obtained through BBC, photographed by Gilles Peress, *Magnum Photos*.



Challenging Abstract Multiculturalism

Asserting Indigenous Authority Within a Decolonial
Conservation Management Framework

Sophia Brohman
Edited by Tom M. Duault

This essay explores how Indigenous views on nature can encourage new political behaviour around representations of multiculturalism in favour of true decoloniality.

Indigenous nature-based advocacy challenges political theory's tendency to focus on culture while avoiding discussions of decolonization. Nature conservation frameworks allow Indigenous peoples to turn expressions of culture into assertions of authority, breaking through barriers where states often stop at cultural recognition. This framework integrates culture into the conversation in a way that does not subvert authority or sovereignty seen in many discussions of multiculturalism, but instead demonstrates that the caretaking of the environment by Indigenous peoples is a resurgence of political authority, on their own terms, based on their own traditions. Nature, in its tangibility, allows for a differentiation between more abstract claims of cultural recognition, towards a concrete direction for Indigenous activists who recognize cultural recognition as integral, but more importantly recognize that the survival of Indigenous peoples depends on their assertions of sovereignty on their traditional lands. There must be a reformulation of dominant behaviour regarding Indigenous self-determination, not simply as a recognition of culture, but in a framework where land claims and nature-based advocacy can be used as the blueprint for decolonization. This could look like the emergence of traditional ways of governance, resource management, and economic self-sufficiency. This essay draws

on works by Dale Turner, Glen Coulthard as well as a case study on grizzly bear management in British Columbia's Great Bear Rainforest to demonstrate how aspects of decoloniality are being used in practice through bottom-up management systems of Indigenous land.

Dale Turner: 'Word Warriors' in Environmental Conservation

For Dale Turner, the key problem of Indigenous governance is a lack of participation in the state system.

The dominant focus on multiculturalism in political theory is limiting, maybe even intentionally abstracting, as a colonial tool of the state to hide behind false legitimations of Indigenous recognition. Turner sees a limitation to the notion of multiculturalism, a strategy which allows for diverse groups to express their identities, however often serving the colonial state's mission to relegate claims of sovereignty and autonomy to a field of cultural expression. Indeed, this approach allows colonial powers to superficially integrate indigenous groups into the liberal state without truly recognizing their world views, "embedded in completely different normative frameworks." (Turner 2006, 81). True decoloniality involves changing the terms of the conversation, whilst multiculturalism only engages with its content. Nature advocacy can help achieve this. Turner's concept of word warriors, a community of indigenous intellectuals who can engage seriously with the state, carries an important bearing for Indigenous activists hoping to

establish land advocacy within a Western legal system (Turner 2006, 74). Word warriors in an environmental conservation context could be thought of as activists in bottom-up practices in nature conservation management – the preservation, protection and restoration of vulnerable species and/or ecosystems – that are familiar with local conservation practices and culture while also understanding Western nature conservation science. Turner outlines how “Aboriginal intellectuals must reconsider how Aboriginal ways of thinking about the world ought to be brought to the negotiation table, to the Supreme Court, and into university classrooms.” (Turner 2006, 86). Nature conservation management practices by Indigenous peoples can be thought of as a political embodiment of their fight for normative change, land sovereignty and distinct philosophical identity.

Glen Coulthard: Radical Sustainability and Self-Sufficiency as Viable Governance Systems

Contrastingly, In *Red Skin, White Masks*, Coulthard challenges that colonial relationships can be reconciled simply via a liberal “politics of recognition”.

He argues true Indigenous resurgence as building “our national liberation efforts on the revitalization of “traditional” political values and practices.” (Coulthard 2014, 154). One of Coulthard’s theses links Indigenous sustainability to decoloniality, emphasizing necessary destruction of capitalist worldviews and a return to traditional Indigenous governance systems to curtail negative environmental

effects, such as a revitalization of a bush mode of production (Coulthard 2014, 171). The author emphasizes radical sustainability and breaking from a capitalist dependent market by cultivating self-sufficiency through local production in harmony with the environment. Coulthard here takes traditional Indigenous land and nature principles and applies them more broadly to assert indigenous sovereignty as an alternative to the capitalist system. He does not argue that Indigenous economic systems are important because they are cultural symbols, but rather that Indigenous autonomy depends on the death of the capitalist system and its settler colonial dynamics (Coulthard 2014, 171). Indigenous methods of nature management are not mere cultural practices, but necessarily lend themselves to an assertion of Indigenous political authority. Examples Coulthard provides such as hunting, fishing, and trapping are representations of Indigenous ownership over the land and therefore instances of their deeply unique perspective of what living on the land looks like. Western endeavours to represent them as simply cultural claims ignore and disavow the validity of their potential as alternative governance systems.

Decolonial Nature Conservation in the Great Bear Rainforest

In the case of The Great Bear Rainforest, K.A. Artelle and coauthors present a decolonial model of nature conservation that emphasizes Indigenous-led and community-driven conservation (Artelle et al 2021, 286).

For Nations in the region, grizzly bears are considered as relatives, treated with respect tantamount to that felt by settler cultures towards other humans (Artelle et al 2021, 295). The necessity of protecting grizzlies and their habitat has led to significant mechanisms for Indigenous sovereignty, specifically the Haíłzaqv Nation's approach to forestry. Requirements that forestry companies need to meet with the Haíłzaqv Nation before approaching provincial agencies when proposing new logging are a true instance of Indigenous sovereignty. As such, the only proposals considered are those that have gone through the Haíłzaqv review process and deemed acceptable by the Nation's forestry and referrals department. (Artelle et al 2021, 299). Additionally, fishing limits are imposed in the area to ensure sustainability and a sufficient amount of salmon for grizzly and local needs. Only after those are taken care of are commercial fisheries given allotments (Artelle et al 2021, 300). These restrictions are stringent examples of Indigenous sovereignty being enacted through nature conservation and sustainability.

Other instances of Indigenous sovereignty in this area include the integration of tourism into the Great Bear Rainforest economy ultimately supporting Indigenous self sustainability, the collaboration around grizzly bear protection between different Nations. This represents a departure from typical colonial management, and local values' being codification in documents such as the Haíłzaqv's Nation's Integrated Resource Management Department's Wildlife Policy.

All of these aspects ensure Indigenous communities' direct participation in the governance process, as they guide wildlife stewardship approaches (Artelle et al 2021, 309).

Indigenous communities who have the autonomy to make resource management decisions and are also able to communicate with the state in a way that is productive reconciles Turner's problem that decoloniality should be guided by Indigenous philosophies but enacted by those who are trained in Western worldviews. Environmental management in the Great Bear Rainforest and its institutions is changing the dominant colonial framework. Indigenous people are controlling the resources within their own territories, protecting the land they see as relative, and enacting economic and governance systems that reflect their unique perspective of the interconnectedness of our world. This is decoloniality as Turner and Coulthard outline it, as these systems are not framed as simply cultural claims, rather as legitimate alternative ways of knowing and living that can be enacted on the ground by Indigenous communities. This case challenges multiculturalism by acknowledging that while grizzly bears are culturally important to Nations, that is not all they are. The way Indigenous peoples culturally view the land therefore necessarily involves their right to assert a traditional governance system as the alternative to Western frameworks that sees nature as commodity.

The example of the Great Bear Rainforest is not without its flaws, and Artelle and their co-authors acknowledge

that such models are nascent. There is a problematic need to ‘prove’ Indigenous governance through academic scholarship when Indigenous knowledge holders have been advocating for it for decades (Artelle et al 2021, 312). Such are the consequences of the deep entrenchment that forms of recognition - like multiculturalism - have for the perceived validity of Indigenous governance, systems, and participation. However, this case bears weight for other communities that wish to assert traditional Indigenous governance systems. Indeed, it highlights the necessity of context specific governance, the respect of traditional Indigenous knowledge, and the need for decolonial environmental management. Although this framework may be criticized for placing too much faith in nature as a decolonial tool, or the reliance on governments to enact Indigenous governance systems, nature advocacy provides a starting point for an eventual larger scaled assertion of Indigenous authority. Nature advocacy issues a way for Indigenous peoples to assert their authority by engaging with the existing State system. This connects to Turner’s perspective that Indigenous peoples’ survival depends on making claims of authority in a language the state can understand (Turner 2006, 74). Since colonial powers have long devalued nature, land claims and governance sovereignty through nature advocacy could possibly offer Indigenous communities a way to begin asserting their authority without being dismissed by the state as being too “extreme” or “threatening”. Although tensions with Indigenous authority and a colonial state system will always be

present, enacting traditional governance systems in cases of nature advocacy may provide a way into the liberal state system for Indigenous peoples to expand their authority in other areas.

To conclude, political conduct that treats multicultural recognition as sufficient for Indigenous self-determination is challenged by nature advocacy seen in cases like the Great Bear rainforest. These can enact aspects of decoloniality as outlined by authors like Turner and Coulthard, specifically Indigenous participation and the creation of institutions that align with their own systems of governance, most specifically around land use and economic sustainability. Although not a complete framework and not without limitations, it presents a meaningful forward path for Indigenous activists seeking to assert their traditional way of governance, not just as cultural recognition, but also challenging the colonial management of resources as asserted by the Western liberal State system.

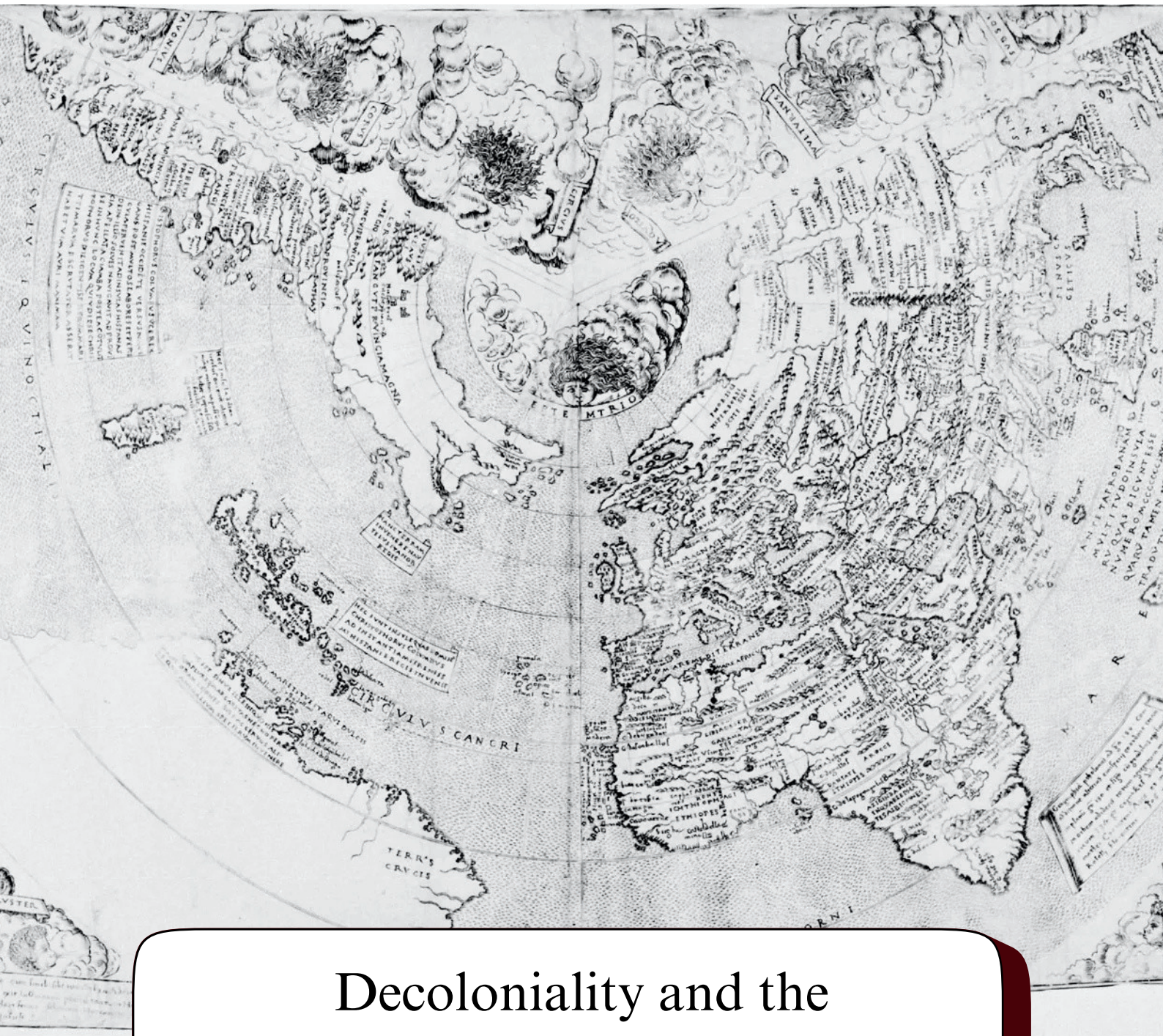
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Polar Bear in a pond, photographed by Stephen
Harrington, Great Bear RainForest, 2019.



Decoloniality and the Hierarchization of Knowledge

Understanding the Legacy of Colonialism

Margaux Zani

Edited by Tom M. Duault

In this essay, I aim to critically assess the theoretical value of decoloniality. I will first outline the key premises as defended by decolonial theorists. This will allow me to defend its comprehensive framework to address colonialism's legacy, theoretical relevance, and novelty. Secondly, I will engage with counter arguments touching on the theory's relativist aspect and decoloniality's limitations regarding its approach to settler colonialism, allowing me to determine if decoloniality effectively confronts the enduring effects of colonialism in modern politics. By doing so, I aim to defend that decoloniality offers novel and critical ways to understand the structures of political systems and knowledge and offers an understanding of colonialism and its permeation that would not be possible without it.

1. An Argument For Decoloniality

1.1 The Premises

(P1) Colonialism is a structural system that organizes racial classification and controls resources, shaping social hierarchies and global power dynamics.

Decoloniality is a critical political theory that aims to structure and confront colonialism's permeating legacies. Anibal Quijano's concept of the Colonial Matrix of Power (CMP) frames colonialism not just as exploitation but as a system that reshaped global order around racial hierarchies and economic dependency (Quijano, 2000, 533). Indeed, Colonialism still structures contemporary systems as it remains

embedded in capitalism (Quijano, 2000, 574).

The persisting exploitation of labour in the Global South for the benefit of Western economies still reflects colonial patterns of resource extraction (Quijano, 2000, 561). Hence, decoloniality describes how capitalism – a cultural, political, and economic structure – today continues to standardize property exchanges and moderate globalization. It is directly tied to colonialism and perpetuates global inequalities.

(P2) Coloniality and Modernity are inseparable; modernity's concepts of progress, rationality, and civilization were forged alongside and through colonial domination.

Building on the idea that colonialism establishes an enduring system of racial and resource-based hierarchies, decoloniality scholars conceptualize a unitary link between Modernity and Coloniality to link this hierarchical system of exploitation to one of knowledge systems (Mignolo & Walsh, 2018, 141). Decoloniality ties critiques of colonialism to critiques of modernity's dualism¹ and its "deathly logic" (Shepherd, 2020, 317). This claim is supported by the idea that Modernity came to be grounded in Western epistemology during a colonial moment at which European ideals truly embedded themselves as universal and came to enunciate existing entities (Mignolo, 2011, 275).²

¹ Of the West and the Rest.

² What I mean more specifically is that, during colonization, positivism gained traction in Western rationality, and legitimized the idea of a

Therefore, Modernity as a universal concept of development stems from the imperial and universalizing aspirations of Western ideals, shaping Western local knowledge systems, principles, and norms into universal ones (Mignolo & Walsh, 2018, 140). This process effectively erased the diversity of knowledge systems and legitimized European dominance under the rhetoric of rationality, progress, and civilization, hiding exploitation behind the narrative of universal human development (Mignolo & Walsh, 2018, 140). This makes coloniality integral to establishing modernity as a function of colonialism, not only as a utilitarian way to organize global relations, thereby revealing how modernity repressed alternative ontologies, which became central to maintaining colonial power structures.

(P3) Colonialism structures knowledge systems by imposing Western Epistemology and Ontology as universal, marginalizing non-Western ways of knowing and being.

Quijano argues that coloniality also entrenched itself in the production of “perspectives, images (...) over the resources, patterns, and instruments of formalized and objective expression, intellectual or visual.” (Quijano, 2007, 169). Coloniality thus imposed a framework for defining what things should be and what they are. This is further supported by Sylvia Wynter (2003), who notes that the West,

system and reality grounded in objective scientific statements. This largely helped the expansion of Western Ideals as universal, because grounded in an empirical knowledge and utilitarian ethical framework. This positivism, I touch on again later.

during colonization, aspired to create a “politics of truth” that privileged positivist perspectives over other ways of knowing. According to them, the dominance of Western epistemologies has universalized a Western statement of reality (Wynter, 2003, 280) by imposing a positivist framework of knowledge, aiming to frame the latter as an “objective set of facts,” thereby marginalizing other epistemologies rooted in subjective lived experience (Wynter, 2003, 274).

Therefore, Western epistemology imposed itself as the only truth. Hence, this demonstrates how coloniality imposed itself as a universal system of knowledge, granting the West the ability to maintain power over knowledge systems and to marginalize other ways of knowing.

1.2 The Conclusion

Decoloniality offers a comprehensive framework for understanding and challenging colonialism's enduring legacy. It critiques both colonial power structures and the knowledge systems they imposed.

As defended by its premises, decoloniality emerges as a critical framework dismantling the binary logic of Western modernity – such as the idea of “West and the rest” – and offers the solution of “pluriversality,” validating the coexistence of multiple epistemologies rooted in diverse lived experiences (Burocco, 2018, 114). By critiquing both the material and epistemological legacies of colonialism, decoloniality fosters a space for alternative approaches to understanding

political structures, offering ways of intellectual agency and truth without relying on the West's positivist framework.

Decoloniality's critique of colonialism transforms the latter into the CMP, delineating the different dimensions of colonialism. It demonstrates global power hierarchies by successfully challenging how Western ideals have been presented as objective facts instead of subjective truths. Consequently, decoloniality manages to unveil the establishment of colonialism and its legacy thoroughly.

1.3 Decoloniality's Theoretical Relevance

Decoloniality differentiates itself from other anti/de-colonial theories because it rejects the idea of a universal paradigm and emphasizes the value of knowledge systems that emerge from subjective experiences, aiming to make them as relevant as Western epistemology. Unlike other theories, decoloniality also aims to criticize colonialism as a cognitive framework.

In contrast to postcolonial theory, decoloniality focuses on epistemology and the hierarchy of organizational and knowledge systems, challenging the foundations of Western knowledge systems (Shepherd, 2020, 311). Indeed, decoloniality explicitly rejects the notion of a new universal paradigm, unlike postmodernism, which still operates within Western theoretical boundaries (Shepherd, 2020, 316). By favouring subjective experiences as the truth(s), decoloniality provides new ideas of knowledge, epistemology, and ontology, all enunciated as

phenomenological experiences and detaches itself from truth and reality as a positivist and empirical universal. As such, as argued by Veeran Naicker, decoloniality challenges the Western monopoly on epistemology by revealing the colonial entanglement of knowledge production (Naicker, 2023, 229).

Because decoloniality emphasizes the dynamic between epistemic, ontological, and knowledge production, it presents a very distinct idea of how knowledge, embedded in the geopolitics of knowing that depends on people(s)' attitudes and positionality (Mignolo & Walsh, 2018; Wynter, 2003). By emphasizing how positionality shapes knowledge, decoloniality dismantles the presumed neutrality of Western epistemology. This existential emphasis on truth as the reflection of the lived, relational, and embodied makes decoloniality a framework that goes beyond other anti/de-colonial theories. Tying critiques of colonialism to modernity and rationality as universalizing frameworks for knowledge production, decoloniality offers the broadest approach to understand the foundations and legacy of global colonial inequalities and an adaptable solution for all lived experiences to be regarded as truth. This successfully dismantles the idea of a universalizing positivist framework as the model of truth, making this theory most adaptable to being enriched by more perspectives.

2. Addressing the Limits of Decoloniality, a Hyper-philosophizing and Exclusionary Framework?

2.1 Relativism, a tool against Hierarchical Truths?

To challenge the CMP – which enforces hierarchical power dynamics through modernity/coloniality (MC) and makes eurocentric ideals universal truth while marginalizing alternative epistemologies (Mignolo & Walsh, 2018, 135) – the theory seeks to establish a more relativist approach that does not allow for universalization. Naicker reinforces this by stating that the West claims to be the “only epistemic tradition capable of attaining truth or objective/universal knowledge.” (Naicker, 2023, 221).

George Hull criticizes this relativist aim, claiming it undermines Decoloniality’s theoretical coherence, as its relativist stance against the universalization of MC is the result of “drastically undermotivated, hyper-philosophising inferences from empirical premises” undermining its theoretical coherence (Hull, 2021, 63). This critique gives traction to Naicker’s argument that “decolonial scholars have presented all knowledge as relativistic, [yet] its practitioners have agreed on a unitary, factual or objective account of colonial reality” (Naicker, 2023, 235). However, this dismisses the nuance of decolonial theory’s relativism: relativism does not seek to assert one account of colonial reality but defends it as “an option” among others (Naicker, 2023, 235). Hence, while Hull argues that relativism risks undermining theoretical coherence, Naicker contends it is a strategic stance against epistemic domination (Naicker, 2023, 235).

Nevertheless, Hull defends that

rejecting the possibility of universal truth by embracing relativism fails to support the theory’s claim that Western statements about development are false (Hull, 2021, 68). This critique misinterprets relativism as defended by decoloniality; the theory does not reject the notion that claims can be assessed as true or false. Rather, it questions the authority that determines what is considered knowledge and empirical facts. As such, these beliefs “about trade, industrialization, or human biology” (68) can be considered true/false; but it is necessary we recognize their truth-value depends on their empirical verification, contingent upon the epistemic framework that constructs them as “facts”. Therefore, relativism in decoloniality does not deny truth – it critiques the assumption of neutrality in the truth-making processes.

Yet, because of this foundation, Naicker argues that decolonial theory blurs the distinction between faith and knowledge (Naicker, 2023, 223), seemingly agreeing with Hull’s contention that true/false claims “form a hierarchy: they are not all equal. Some are true (...) others are false, or not supported by evidence” (Hull, 2021, 71). However, inequality among claims does not necessitate a hierarchical organization. Claims can be unequal without being hierarchically organized – for instance, in a binary system, 1 represents one set of premises, and 0 represents another, without implying that $1 > 0$, delinking them from their continual organization.

As such, relativism can also uphold the distinction between knowledge systems and beliefs; more accurately, it can do so because it challenges the hierarchical placement of believing a knowledge system

is superior to another because empirical facts support it, challenging the assumption of neutrality in assessing empirical truths. This resolves further criticism regarding the problem of Western positionality when criticizing coloniality (Naicker, 2023, 232). Indeed, as the “locus of enunciation” is taken into consideration, the cognitive attitudes influenced by the locality of where scholars’ knowledge stems from is disclosed in one’s enunciations, therefore not preventing Western decoloniality scholars from enunciating valid statements regarding colonialism, despite rejecting a positivist universalizing framework and yet being geopolitically positioned in the West.

This rejection of hierarchy aligns with Wynter’s critique of Western epistemology, particularly its tendency to universalize Eurocentric perspectives and dismiss non-Western frameworks as “subjective” or “irrational” (Wynter, 2003, 270). Relativism, in this context, is a strategic critique of the universalizing tendencies of Eurocentric epistemologies. As Mignolo emphasizes, decoloniality seeks to equalize knowledge systems to challenge the coloniality of power that privileges some truths over others (Mignolo & Walsh, 2018, 177).

2.2 Decoloniality, an Exclusionary Framework? Decoloniality and Settler Colonialism.

Because decoloniality critiques coloniality broadly, Doerthe Rosenow argues that decoloniality’s focus on the colonial matrix of power (CMP) often overlooks specific forms of oppression –

such as settler colonialism – and critiques Quijano’s framework for failing to account for the structural persistence that pertains explicitly to settler colonialism (Rosenow, 2023). They argue that decoloniality’s framework prioritizes racism as the primary mode of domination, thereby sidelining the dispossession of land and systemic erasure of Indigenous identities (Rosenow, 2023, 178). Specifically, Rosenow regrets Quijano’s statement that “Indigenous peoples were excluded from the Anglo-American colonial system and considered foreigners,” as it excludes Indigenous peoples from being considered colonized before the imposition of extractive labour and racial relations (Rosenow, 2023, 176). However, one could argue that this is a limitation of Quijano’s framework and not of decoloniality theory as a whole. Indeed, building on other contributions, such as Wynter’s, makes the imposition of capitalism already an argument as to why, even when treated as foreigners, Indigenous peoples still faced the imposition of MC and were still subjected to the CMP.

In addition, Rosenow argues that the violence of settler colonialism, as a material imposition and dispossession, cannot be fully encompassed within decoloniality theory. As such, she contends that decoloniality cannot grasp the violence better illuminated by settler colonial theory, which touches on the structural realization and permeation of Indigenous dispossession (Rosenow, 2023, 183). Hence, they contend that “processes of Indigenous elimination were driven by the capitalist enterprise rather than the settler state,” intertwining

land dispossession with systemic labour exploitation, but criticize it has remained under-theorized by Decoloniality theory (Rosenow, 2023, 191). Hence, these critiques highlight the limitations of decoloniality in Quijano's framework. Yet, undoubtedly, decoloniality can expand its scope to include these settler colonial critiques and its under-theorization as part of the CMP, just as Maria Lugones did when she argued to include gender as a structural pillar of the CMP (Lugones, 2010).

Decoloniality faces valid critiques regarding its limited engagement with settler colonialism and Indigenous dispossession. However, adopting a pluriversal approach and incorporating settler-colonial perspectives addresses these gaps and offers a more comprehensive framework as to why settler colonialism and Indigenous peoples were directly affected by the material, epistemic, and ontological impositions and dispossessions by the CMP and the MC narrative, and why settler colonialism played an intricate part in establishing them. This expansion reinforces its transformative potential, bridging epistemic and material dimensions while challenging entrenched structures of power and knowledge.

Conclusion

This political theory framework offered by decoloniality offers a new critique of the enduring structures of colonialism. New, because it emphasizes the Western epistemic hegemony, and relevant because it forefronts a relativist idea that defends the multiplicity and quality of knowledge systems. Its strength lies in its

revelation of modern colonial hierarchies and epistemic hegemony. However, decoloniality theory still faces limitations. Its relativist stance is strategic to dismantling the ordinalization of truths, but its rejection of universal truth could undermine its relevance to some. In addition, the theory does have areas for improvement, as demonstrated by Rosenow's argument on settler colonialism. Nevertheless, decoloniality remains a necessary approach to rethink colonialism's legacies and to envision another, more inclusive political future.

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Map created by Giovanni Matteo Contarini, 1506.



The Anarchy of the Deal

The Sudden Downfall of two-Level Game Theory from
Camp David to ‘The Deal of the Century’

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Edited by Tom M. Duault and Margaux Zani

In the present political climate, the topic of a potential Israeli-Palestinian (IP) peace agreement is met with political jadedness from the general population and the educated spheres. Peace agreements between Israel and Palestine, however, were not always this elusive. While it is difficult to imagine now, the 1990s and 2000s flourished with hope and a mutual desire by the general population for peace. Unfortunately, the 2000 Camp David Summit is now known to be the last even-handed deal in IP history. While this plan was not without flaws – as will be elaborated upon later in this paper – it acknowledged significant issues on both sides and put forth a substantial blueprint for a two-state solution. The plan was ultimately rejected and was followed by the second Intifada. This subsequent period of violence entrenched more militant, reactionary forces in both the Palestinian and Israeli political camps, effectively extinguishing the prospects for non-partisan peace agreements.

Two decades later, as the Trump administration unveiled the “Deal of the Century” (DofC), it significantly diverged from prior agreements. It proposed an intense demilitarization program of Palestine and a highway system that would connect Gaza with a small portion of the West Bank. This proposal neglected the lessons learned from their predecessors and did not reflect contemporary Palestinian concerns. Instead, it primarily focused on economic interests and a semi-state strategy, reflective of popular Zionist sentiments and failed to reflect Palestinian concerns. This proposal was only put forth

to fit into broader Arab relations and was therefore taken as an insult to Palestinian nationalism, a proposal so unappealing the Palestinian Authority (PA) refused to join the table.

The failure of these later peace offers can be explained through the absence of tensions necessary for successful agreements, as described in Two-Level Game Theory in negotiation. On level one are the political leaders and elite representatives who are situated at the forefront of the negotiation process, propagating their own ideas and agenda. They are constrained by the second level, which encompasses the economic and cultural concerns of the domestic population. Fear of collapse is the driving force for compromise, as the domestic repercussions of being unsuccessful push the elites to settle for deals that only partially align with their original objective.¹

This paper will begin by examining the changing motivations and significant differences between the Camp David Summit and the “Deal of the Century,” as well as the reasons for their failings. It will then explain how the collapse of Camp David and subsequent events in the 2000s-2010s fostered a climate of distrust, unsupportive leadership, and public skepticism regarding potential peace resolutions. Finally, this paper will present its overarching argument that the departure from the domestic and international forces highlighted in Two-Level Game Theory created an environment where negotiators

¹ Robert D. Putnam, “Diplomacy and Domestic Politics: The Logic of Two-Level Games.” *International Organization* 42, no. (1988), 427–60.

do not fear failure but rather view it as inevitable, hindering the potential for a successful peace settlement.

Camp David Summit: The End of the Road

The 2000 Camp David Summit was one of the last Israeli-Palestinian agreements that had both international and domestic alignment. Leaders Yassir Arafat, Bill Clinton, and Ehud Barak each had their own respective incentives to ensure that the Camp David Summit amounted to positive outcomes. Expectations were high, with its potential underscored by Saudi Prince Bandar's admonition to Arafat, stating, "If we lose this opportunity, it is not to be a tragedy; this is going to be a crime."² The Oslo Accords had set the stage for a final agreement, yet people were unsure when the subsequent agreement would come. By 2000, Bill Clinton and Ehud Barak were each nearing the end of their respective terms and desperate for an agreement to solidify their presidential legacies. Clinton deemed the summit a "hail mary pass," a dire last-ditch effort to resolve the conflict once and for all.³ Barak had far more at stake with this agreement; not only was there an election coming up in 2001, but Barak was also being investigated for illegal campaign financing and was eager for a positive outcome.⁴ The leader of the

Palestinian Liberation Organization (PLO), Yassir Arafat, was also in a unique position; he needed to regain his diminished public influence after he and the PLO had been recently exiled to Tunisia. Moreover, 75% of Palestinians were reported as wanting a proper peace agreement, and as the main source of Palestinian representation, Arafat was in a place to fulfill this.⁵ On the Israeli side, 79% were optimistic about peace being achieved soon.⁶ Both of these actors could gain diplomatic prominence and favour from the domestic population if they succeeded. As domestic interest groups agreed, the preconditions needed for active negotiations were set. In Two-Level Game Theory, successful international negotiations hinge upon leaders simultaneously satisfying domestic constituencies and international counterparts. The preconditions in the 2000s were set, making the environment highly conducive for active negotiation.

The summit was short-lived, lasting from July 11-25th, but managed to cover essential topics. The negotiations considered a moving group of win-sets,⁷ as demonstrated by the many adjustments to the plan over the course of the talks. The proposed agreement entailed the creation of a Palestinian state in Gaza, and forfeiting approximately 82–88% of the West Bank, later increased to around 92% of the West

² Elsa Walsh, "The Prince," *The New Yorker*, March 17, 2003.

³ John F. Harris, "Two Decades Ago, Bill Clinton Threw a Hail Mary for Middle East Peace," *Washington Post*, (July 4, 2023).

⁴ Lee Hockstader, "Barak Bloc Implicated in Scandal", *The Washington Post*, (January 27, 2000).

⁵ Alan Dowty, "Impact of the Aqsa Intifada on the Israeli-Palestinian Conflict." *Israel Studies Forum* 19, no. 2 (2004), 9–28.

⁶ "Joint Palestinian-Israeli Public Opinion Poll", *Palestinian Center for Policy and Survey Research*, July 2000.

⁷ Win-sets refer to the range of outcomes acceptable to both parties involved, where each perceives a satisfactory level of gain relative to their initial preferences.

Bank.⁸ Israel largely acknowledged the pre-1967 borders, with exceptions made for the parts of Jerusalem containing Jewish holy sites, aqueducts, and Jewish settlements. Notably, the majority of existing water aquifers that fell within the remaining 6–8% of the West Bank would be annexed by Israel.⁹

Additionally, Israeli forces would maintain control over the borders of Palestine, and a Palestinian plan to demilitarize would be required. Regarding the refugee issue, the Barak administration refused to assume full responsibility for all the displaced Palestinians. Instead, Barak proposed a family reunification program, aimed to allow approximately 10,000 refugees to return to Israel.¹⁰ In summary, the Camp David Summit demonstrated that reasonable concessions from both sides could yield a framework addressing Israel's security and heritage concerns while granting Palestinians the right to self-determination in an independent state, highlighting the potential for balanced and mutually beneficial outcomes.

Why it Failed

Despite the compromises made, Arafat decided to withdraw, ultimately rejecting the final proposal and refusing to continue negotiations. Arafat gave minimal leeway in many areas of contention during

the summit, including issues of the Right of Return, Jerusalem and land governance. For instance, at the time of the negotiations, millions of Palestinians had been displaced, yet only a fraction had settled permanently in other countries and received full citizenship elsewhere. A primary Palestinian demand was the Right of Return for all those presently living in refugee camps and elsewhere. Granting this privilege to only 3% of the population was thus seen by Arafat as unacceptable, as it would be abandoning and betraying his fellow Palestinians.¹¹ Regarding the issues of water, displacement of Arab-Israelis, and the partitioning of Jerusalem, Arafat did not trust the other parties were giving him a deal that would allow Palestine to succeed long-term.¹² The demilitarization of Palestine would leave parts of the West Bank surrounded by Israeli military and disconnected from East Jerusalem.¹³ Individuals defending Arafat's decision to walk from the deal argue the PLO was a simple David working with the Goliath—the Israeli-American alliance that favoured Israel. Critics of Arafat, however, claim his decision not to engage in the Summit set the tone for the conference, deviating from the established give-and-take negotiation framework, and ultimately preventing an equitable compromise. Clinton would later describe Arafat as having “said no to

⁸ Jerome Slater, “What Went Wrong? The Collapse of the Israeli-Palestinian Peace Process.”, 171–99.

⁹ Slater, “What Went Wrong? The Collapse of the Israeli-Palestinian Peace Process.”, 171–99.

¹⁰ Slater, “What Went Wrong? The Collapse of the Israeli-Palestinian Peace Process.”, 171–99.

¹¹ Slater, “What Went Wrong? The Collapse of the Israeli-Palestinian Peace Process.”, 182.

¹² Slater, “What Went Wrong? The Collapse of the Israeli-Palestinian Peace Process.”, 182.

¹³ Karen Rasler, “Shocks, Expectancy Revision, and the De-Escalation of Protracted Conflicts: The Israeli-Palestinian Case.” *Journal of Peace Research* 37, no. 6 (2000) 705.

everything.”¹⁴ While the agreement did not fulfill all of the Palestinian demands, Arafat walking away from the table was generally seen as a tremendous mistake that irreparably worsened the Palestinian condition and warded off negotiations in the future.

Consequences of the Camp David Failure: The Second Intifada

Whether or not Arafat's decision was well supported, we now know that his refusal to pursue negotiations and his subsequent abandonment of the deal marked a turning point in the dynamics of the 2000s. The second Intifada, which broke out in 2000 after Camp David failed, calcified the issues further for a peace agreement from both political leaders and the general populace. Unlike its predecessor nearly a century before, this Intifada failed to achieve the same level of global acclaim but nevertheless managed to deal a severe blow to any prospects of peace. The first Intifada's focus on boycott, divestment, and protest was successful in swaying international and national opinion. Even for Israelis, the percentage of those willing to return territories increased from 43 percent in 1986 to 60 percent in 1993.¹⁵ In addition, the PLO gained mass international support, which paved the way for the Oslo Accords. It is not completely unrealistic for the PLO to assume a second

Intifada could create long-lasting change. Ironically, peace negotiations lost much of their former significance, contributing to a loss of legitimacy and effectiveness in Two-Level Game Theory strategies.

Arafat's support for the Second Intifada should not be misinterpreted as evidence that he intended to abandon peace talks altogether. As Alan Dowty argues, the PA needed a strategy to redirect public anger and frustration away from itself toward a more politically expedient outlet, particularly since the PLO, while exiled in Tunisia, had become disconnected from Palestinian daily life.¹⁶ This resulted in the explosion of the Second Intifada. Unlike the first Intifada of 1987, the targets of the second were indiscriminate, as violent attacks occurred in buses, pizza parlours, and malls, killing mostly civilians.¹⁷ The economic and social repercussions were hard on Israel and devastating for the Palestinians. Israel's response of harsher checkpoints, collective punishment, and house demolition inflicted considerable restraint on the Palestinian economy. Already grappling with widespread poverty, the Palestinians unemployment plummet by close to 30 percent in the aftermath of the conflict.¹⁸ Per capita GDP experienced a staggering decline of nearly 40 percent by 2002.¹⁹ Most importantly for our focus, it dealt a severe, if not fatal, blow to any

¹⁴ Hussein Agha et al., "Camp David: An Exchange," *The New York Review of Books*, (November 21, 2015).

¹⁵ James F. Miskel, "The Palestinian Intifada: An Effective Strategy?" *World Policy Journal* 21, no. 4 (2004), 50.

¹⁶ James F. Miskel, "The Palestinian Intifada: An Effective Strategy?," 51.

¹⁷ Alan Dowty, "Impact of the Aqsa Intifada on the Israeli-Palestinian Conflict," 14-28.

¹⁸ Sara Roy, "De-development Revisited: Palestinian Economy and Society Since Oslo", *Journal of Palestine Studies*, Vol 8, (1999), 64-82

¹⁹ Roy, "De-development Revisited: Palestinian Economy and Society Since Oslo", 64-82.

prospect of peace as the domestic population was deeply resentful of Israel and its elites, maiming the second level of Game Theory. These uproars inextricably altered the political landscape. The overwhelming force employed by Israel fragmented the once-unified Palestinian authorities²⁰, leading to a shift towards more localized governance structures.²¹ Furthermore, Gaza becoming a distinct entity presented new challenges for the envisioned two-state solution, as two separate governments would now need to be dealt with. The interconnected nature of the territories raised questions on how to build and implement an effective solution, particularly given the internal divisions within the Palestinian leadership. Additionally, the PA and Fatah leadership were perceived as corrupt and no longer the correct representatives for a large portion of the population. More religious ideological groups such as Hamas and the Palestinian Islamic Jihad, who promoted violence as a way to defend Palestinian interests against Israel – and opposed to any long-term settlements – grew in popularity.²²

In Israel, the military's aggressive stance resonated with Israeli voters, paving the way for the expansion of a right-wing ideology that has permeated the Knesset. This led to the election of right-wing leaders such as Ariel Sharon, who secured

an overwhelming 62.4 percent of the vote in the 2001 race against Ehud Barak, despite Sharon being seen as too far-right to win a few months before.²³ In essence, the Intifada was a scapegoat to shift the Overton window to right-wing religious expansionism. These electoral victories in the Knesset laid the groundwork for future leaders – including current Prime Minister Benjamin Netanyahu – to prioritize aggressive security policies at the expense of meaningful peace negotiations, embedding a pessimistic outlook into Israel's political mainstream. These new government coalition partners also added 'religious rights' into their justifications for the continued building of settlements in the West Bank, settler vigilantism, and harsh military checkpoints.²⁴ There were no longer government representatives who could push forth an ambitious vision of peace that included a viable Palestinian State. Neither was there a will or a belief among the populace that they could securely offer concessions to the Palestinians. The absence of win-sets – acceptable outcomes for both domestic and international audiences – meant that negotiators lacked the leverage and incentives needed to foster cooperation. Without these key components, the framework of the Two-Level Game Theory ceased to function, creating a deadlock in Israeli-Palestinian relations.

Kicking What is Already Down: The

²⁰ The PLO, once the unequivocal international representative, was split into Gaza and West-Bank Factions that now required new issues to address. The PA took its place only for Hamas to win the 2005 Gazan election.

²¹ A direct reason for why it is so hard to create a cohesive Palestinian government today.

²² Alan Dowty, "Impact of the Aqsa Intifada on the Israeli-Palestinian Conflict.", 15.

²³ Dowty, "Impact of the Aqsa Intifada on the Israeli-Palestinian Conflict.", 24.

²⁴ "Stemming Israeli Settler Violence at its Root", *International Crisis Group*, Report 246, (September 2024).

Trump Plans

The Trump Administration proposed two plans regarding Israeli affairs, marking a new era for IP negotiations while simultaneously demonstrating why they had been close to non-existent in the past two decades. The first deal, the DoFC, attempted to create a “realistic Two-State Solution that [resolved] the risk of Palestinian statehood to Israel’s security.”²⁵ This deal, however, did not acknowledge the 1967 borders, did not address the Right of Return for Palestinians, and did not allow for a substantial and immediate Palestinian state. Instead, it offered Palestinian statehood only in small pockets of the West Bank and Gaza, with Israeli military control and oversight during the transition. Moreover, Israel made the grant of a \$50 billion dollars investment - toward infrastructure and Palestinian enterprises - conditional to its assessment of the PA’s governance stability.²⁶ Unsurprisingly, both the PA and Hamas swiftly rejected this deal and refused to engage in negotiations. Three years later came the second proposal of the Trump administration: the Abraham Accords. These accords came to fruition through the expansion of Israeli-Arab relations, specifically with Bahrain, the United Arab Emirates, Morocco, and

Sudan.²⁷ These accords aimed to normalize diplomatic, economic, and cultural relations between Israel and its Arab neighbours, marking a significant shift in the geopolitical landscape of the Middle East, as Palestine was not acknowledged in the agreement.²⁸ The accords were bolstered as a breakthrough for peace and stability in the region, supporting cooperation and collaboration on various fronts, such as trade, tourism, and technology.²⁹ Essentially, these two deals edged backward the Palestinian question on two fronts: by giving them a poor deal with the underlying premise that ‘this is the best they will get’ and through the establishment of relations with Arab countries who once refused to negotiate with Israel due to its displacement and oppression of Palestinians.³⁰ These plans and their subsequent failures marked an important turning point in diplomacy.

A Theoretical Lens: The Two-Level Game Theory

The Two-Level Game Theory understands negotiations as a selection of win-sets that change as negotiations

²⁵ “Trump says his Mideast Peace Plan Provides a ‘Realistic Two State Solution’”, *NPR*, (28 January 2020), <https://www.npr.org/2020/01/28/800296507/white-ho-use-to-unveil-mideast-peace-plan-despite-palestinian-rejection>.

²⁶ Kari Robinson, “What is US Policy on the Israeli-Palestinian Conflict?”, *Council on Foreign Relations*, (July 2023).

²⁷Michael A. Calvo, “The Deal of the Century in a Wider Context.” *Jewish Political Studies Review* 31, no. 3/4 (2021), 7–17.

²⁸ There were more factors at play when considering these two deals, such as Arab countries that already have good relations with Israel, Iran and even the American Zionist push that was a big factor for the deal existing as it does.

²⁹ Amos Yaldin, “The Trump Plan: What’s Next?” *Institute for National Security Studies*, (2020), 2.

³⁰ Yaldin, “The Trump Plan: What’s Next?”, 3–4.

continue.³¹ The theory highlights the interdependence of domestic and international levels of decision-making. Indeed, leaders must manage the interplay between domestic constraints and international opportunities, as the two necessarily impact one another. Just as international relations are influenced by domestic politics, such events also impart change to the domestic realm. Domestic politics can influence a state's bargaining position in international negotiations, while international agreements or conflicts can shape domestic political dynamics.³² Therefore, leaders act rationally, making cost-benefit calculations, taking into consideration domestic and international interests, to synthesize what the balance of competition requires them to do in order to defend their best interests. However, as these deals failed, both the Israeli and Palestinian population no longer trust their leaders, nor do they trust each other. On the international scale, the PA leader, Mahmoud Abbas, was not invited to the negotiation table during the Abraham Accords because there was already the assumption that he would not accept any plan.

Even if he had been, Abbas did not benefit from the same public unity and support Arafat did, far from that. 2020 polls found that nearly 80% of Palestinians

wanted Abbas to resign.³³ Had he agreed to a deal – and assuming Hamas would comply with it – the Palestinian people likely would not have granted it any legitimacy. Similarly, Israeli leader Mr. Netanyahu faces numerous fraud and corruption charges, and nevertheless remains in power, devoid of democratic legitimacy, he relies on the support of governmental coalitions.³⁴ It seems as though the leader of Israel would rather remain in power by his support of far-right ideologies and expansionist Zionist views than through public legitimacy. Presently, 73% of Israelis want Netanyahu to resign either now or after the Gazan war.³⁵ Most importantly, the domestic population has been slowly desensitized to failing negotiations with Palestine, so there needs to be a pivot to Israeli-Arab negotiations. With international negotiations falling to pieces and domestic interest groups no longer carrying the legitimacy of their leaders, the necessary conditions for a rational plan and decision-making – taking both into consideration to revive the prospects of a long-lasting peace – seem further away than ever.

Conclusion

Every aspect needed for the flow of

³¹ Harry Noone, "TWO-LEVEL GAMES AND THE POLICY PROCESS: Assessing Domestic-Foreign Policy Linkage Theory." *World Affairs* 182, no. 2 (2019), 165–86.

³² Robert D Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games." *International Organization* 42, no. 3 (1988), 427–60.

³³ "Press Release: Public Opinion Poll No (90)", *Palestinian Center for Policy and Survey Research*, (December 2023).

³⁴ The Israeli PM, despite allegations of corruption dating back to 2019, with Israeli prosecutors formally submitting a list of charges on the same day that he stood alongside Trump in the White House announcing the DoF.

³⁵ Yair Rosenberg, "Why 70% of Israelis want Netanyahu to Resign", *The Atlantic*, (13 March 2025).

Game Theory has therefore crumbled. The international imbalance between leaders, the domestic repudiation of their legitimacy and greater than ever ideological cleavages, have made cooperation impossible. The Israeli and Palestinian people have been weaned off hope for a solution. Since Camp David, every domestic leader has loosely – and haphazardly – tried to make some point of peace. However, nothing has been remotely close to the agreements of the 90s and 2000s. Today, the lack of Palestinian trust in the American process has increased to 84%.³⁶ As of 2023, only 7% of Israelis believe that terrorism will cease with a two-state solution, and only 25% of Israelis support an independent Palestine.³⁷ 24% of Palestinians support a two-state solution.³⁸ Accepting failure acts as a self-fulfilling prophecy. There is no more shame in ultimate failure, and the group that is affected most by this is the Palestinians. The conditions of Palestinians in the West Bank and Gaza have never been worse, with no formal channels to air their grievances. As the more vulnerable group, they are stuck in this cycle of poverty, annexation, and repression. Within their own leadership – here the PA –, the desensitization to corruption has reduced Palestinians to the mercy of their governments. Anarchy now seems to lead

the conflict. The strategy of partition, which had been seen as the way out of this conflict for years, has failed – not only in the domestic sphere but in the international one as well. There is an old fable when people talk about the Middle East; The Scorpion and the Fox fable tells the story of a scorpion who asks a fox to carry him across a river. Midway through the river, the scorpion stings the fox, dooming them both. The failed deals between the two parties doomed each other away from formal levers of peace. When looking at the present-day conditions of the conflict, one begs to wonder what might have happened if those levers had been used before it was too late.

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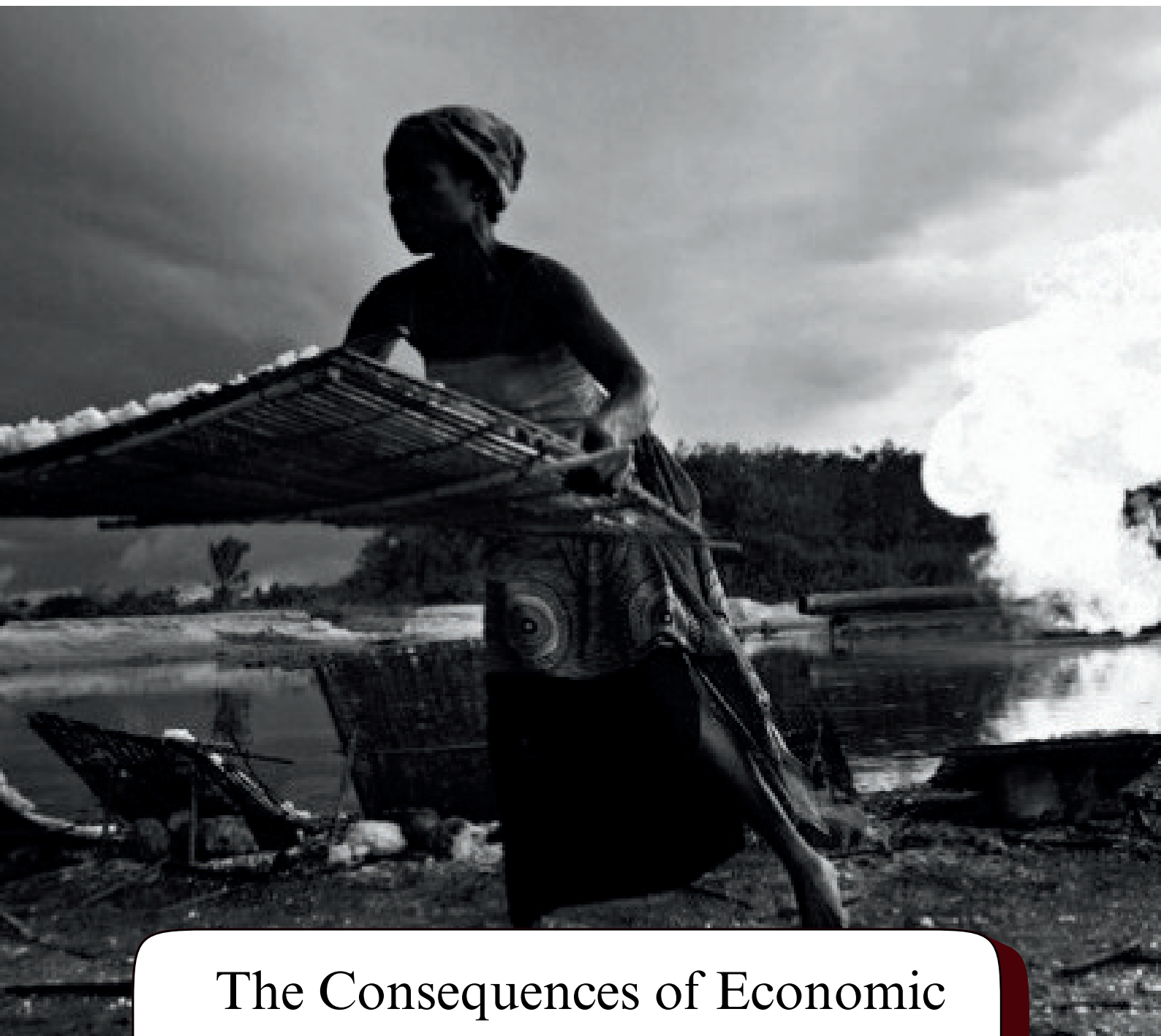
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³⁷ "Israeli Polls Regarding Peace With the Palestinians and a Palestinian State," Jewish Virtual Library, 2024.

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The Consequences of Economic Reliance

The Case of Nigeria's Reliance on Oil

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Edited by Margaux Zani

Despite its abundance of natural resources, why has Nigeria continuously been plagued by political instability? Nigeria is referred to as having the largest and fastest-growing economy on the African continent, but ironically, the majority of the population remains multidimensionally poor, meaning individuals are deprived along three dimensions: finances, education and infrastructure.¹ Nigeria's oil wealth has proven to be a curse due to weak state institutions that do not have the capacity to manage the resource's vast revenue. Although the country has been producing oil since the late 1950s, it has not been able to fight the corruption and greed that come with oil's generated income.² Only a selected few of the population have benefited from trade while poverty growth has steadily increased from 40.1% in 2018 to 47% in 2024 caused by regional disparities.³ Government corruption, public disapproval and militia campaigns for independence have swept the nation, resulting in heightened tensions between citizens and the state. The Niger Delta, for example, is where most of Nigeria's oil reserves are located and is a key region for oil disputes. As a result, the area has seen an escalation in ethnic insurgencies and government-sanctioned violence against locals, most notably through state repression against the Ijaw people who are advocating for a share in oil wealth and regional

sovereignty.⁴ Moreover, oil wealth has also led to the concentration of power, giving rise to authoritative regimes such as the military dictatorship of Sani Abacha who diverted an immense amount of state resources to his personal accounts.⁵ Simultaneously, Nigeria's economic reliance on oil has left it financially vulnerable to price fluctuations and production because the resource accounts for around 90% of the nation's exports.⁶ The country disproportionately invests in fuel subsidies instead of investing in public sectors such as education, healthcare and sustainable infrastructure,⁷ curbing development and increasing the gap in class inequality. This essay argues that Nigeria's dependence on oil has shaped the socio-political dynamics within the state by exacerbating ethnic rebellions and government corruption, and ultimately slowing economic development due to the political elites' pursuit of personal wealth creation from oil revenue. This can be demonstrated in the specific case of the Niger Delta conflict, the embezzlement of state funds by government elites, and neglectful practices toward economic

¹ The World Bank, "Macro Poverty Outlook: Country-by-country Analysis and Projections for the Developing World." *World Bank*, (2024) 52, thedocs.worldbank.org/en/doc/bae48ff2fefc5a86954p0-sa.pdf

² Toyin Falola and Matthew M. Heaton, "A History of Nigeria." *Cambridge University Press*, Cambridge UP, (2008) 11.

³ World Bank, "Macro Poverty," 68.

⁴ Cyril Obi, "Nigeria's Niger Delta: Understanding the Complex Drivers of Violent Oil-related Conflict." *Council for the Development of Social Science Research in Africa*, vol. 34, no. 2, (2008) 119.

⁵ Peter Louis, "From Prebendalism to Predation: The Political Economy of Decline in Nigeria on JSTOR." *The Journal of Modern African Studies*, vol. 34, no. 1, (1996) 101.

⁶ "Nigeria - Market Overview." *International Trade Administration | Trade.gov*, (5 June 2023), www.trade.gov/country-commercial-guides/nigeria-market-overview.

⁷ Tunde Ajia, "Infrastructure's Influence – an Investment Perspective on Nigeria's Economy — Oxford Urbanists." *Oxford Urbanists*, (19 May 2020), www.oxfordurbanists.com/magazine/iv2hl1c5itxcdke1g1k.

diversification.

Social Implications and Transnational Oil Companies

The impact of Western exploitation and transnational oil companies on state agents is crucial in understanding the origins of Nigeria's resource dependency and how it has delayed social development. In reality, Western imperialism is complex and deeply entrenched in Nigeria's political systems, leading to an interdependent relationship between oil companies and the government. Nigeria heavily relies on transnational oil companies ("TNOCs") for national earnings, often enacting policies to absolve these companies of any blame. Western natural resource companies use the oil-rich lands to cultivate and generate their own wealth, giving these actors autonomy and robust power in the country's political and economic sphere. Western intervention is partially to blame for political instability as its method of extraction results in environmental degradation and the depletion of local economic opportunities.⁸ On the other hand, one cannot alleviate blame from the Nigerian government which allows these operations to persevere by legislating policies such as the *Land Use Act* of 1978 to continue the exploitation of inhabitants to generate resource wealth. Dr Kenneth Omeje, a researcher in African conflict and peace, notes the effects of this policy in his research, where he writes, "The principal objective of the Land Use Act (1978), from

the government perspective, was to neutralise all traditional impediments to land acquisition under customary laws and thus free land for oil activities."⁹ The legislature directly empowers political elites to act on behalf of the interests of TNOCs to continue their endeavours at the risk of further deteriorating the health of locals and the land. Furthermore, the policy delegitimizes the right to occupancy of local tribes – specifically those residing in the Niger Delta, a region which has seen incessant oil conflicts and militancy. Oil corporations, namely Shell and Chevron, have been under international scrutiny for their complicity in crimes committed by the Nigerian government, and yet, the corporations continue their practices because of protection provided by the state.¹⁰ The Land Use Act grants TNOCs sweeping control over indigenous land and exemplifies the concentration on corporate interests. Interestingly, in a quote by Kayode Soremekun, a Nigerian academic and author, he says, "The Nigerian state is a shell, and Shell [the Anglo-Dutch oil giant] is the Nigerian state."¹¹ Soremekun highlights how Nigeria's government is controlled by TNOCs and cannot be bifurcated as a separate entity from oil companies. Furthermore, historical Western imperialism has played a crucial role in turning Nigeria into a natural resource provider which will

⁸ Abdulazez Arisekola Abdulquadir et al, "Effect of Western Influence on Africa's Development: A Conceptual Analysis." *Journal Old Political Discourse*, vol. 2, no. 3, (Sept. 2024) 160.

⁹ Kenneth Omeje, "Oil Conflict in Nigeria: Contending Issues and Perspectives of the Local Niger Delta People." *New Political Economy*, vol. 10, no. 3, (Sept. 2005) 324.

¹⁰ Amnesty International. "Investigate Shell for Complicity in Murder, Rape and Torture." *Amnesty International*, (8 Aug. 2022), www.amnesty.org/en/latest/press-release/2017/shell-for-complicity-and-torture.

¹¹ Amnesty, "Investigate Shell".

cause economic instability for years to come. The dominance of the oil industry has also resulted in catastrophic consequences to the environment, agriculture, and health of the tribes' people. Climate and anti-government protests have erupted in the country, particularly in the rural areas which were most affected by oil spills and fossil fuel pollutants, to which the Nigerian military and Shell have responded with extreme force.¹² The unequal allocation of resources and the neglect of property rights in the Niger Delta has led to political resistance by many ethnic groups towards the government, for example, the Ijaw insurgencies.

Outcome 1

The Emergence of Armed Groups in the Niger Delta

The Ijaw (or Ijo) are one of the largest ethnic groups living in the Niger Delta and have been directly impacted by the presence of the oil industry. In the early 2000s, many Ijaw insurgencies emerged as a direct result of grievances and repression from the government in the 1990s. The exploration of oil in the Niger Delta region has inflated tensions between local tribes and oil companies backed by the state military. The hanging of nine Ogoni men, which included the death of Ken Saro-Wiwa, a globally acclaimed environmental activist for protesting against Shell's exploits and the government, sparked fierce debates across the country about the influence TNOCs play in Nigeria's environment, social, and political landscape.¹³ As Judith Asuni

comments in her paper for the Council of Foreign Relations, "While ethnic cleavages are intense in the Niger Delta, its inhabitants are united by a sense of grievance about the exploitation and neglect of their region."¹⁴ In fact, the Ijaw and Ogoni represent groups frustrated with the government's inaction and the refusal to stand up to big oil companies who take advantage of the Delta's resources. This led to the formation of the Ijaw Youth Council ("IYC") in December of 1998 and the *Kaiama Declaration* which emphasises that all natural resources located on Ijaw territory rightfully belong to the Ijaw community.¹⁵ In Article D of the Doctrine, the IYC highlighted, "That the quality of life of Ijaw people is deteriorating as a result of utter neglect, suppression and marginalisation visited on Ijaws by the alliance of the Nigerian state and transnational oil companies."¹⁶ The statement is a monument to the Ijaw's path to autonomous sovereignty was intended to be interpreted as a peaceful struggle but was met with hostility and interventionist procedures procured by the state. Violence worsened when the military retaliated against the Ogoni people after an armed gang, believed to be linked to Ogoni protests for greater oil resource control killed 12 policemen.¹⁷ Unfortunately, this intervention

¹⁴ Judith Burdin Asuni, "Understanding the Armed Groups of the Niger Delta." *Council on Foreign Relations*, (Sept. 2009) 6.

¹⁵ Human Rights Watch. "Nigeria: Crackdown in the Niger Delta." *Human Rights Watch*, (May 1999), www.hrw.org/reports/1999/nigeria2/Ngria993-02.htm#P89_14646.

¹⁶ United Ijaw, *Kaiama Declaration*. (11 Dec. 1998), www.unitedijaw.com/kaiama.htm.

¹⁷ Human Rights Watch, "Update on Human Rights Violations in the Niger Delta" 14 Dec. 2000,

¹² Amnesty, "Investigate Shell".

¹³ Amnesty, "Investigate Shell".

led to the Odi massacre of 1999, which is believed to have killed up to 2,000 civilians and displaced thousands.¹⁸ These atrocities, motivated by the goal of protecting state interests in oil, led to the political mobilisation and militarisation of the Niger Delta. In his paper on peacebuilding in Nigeria, Joseph Adebayo notes, “In so many ways, militancy in the Niger Delta region stems from age-long frustrations from the people of the region regarding [perceived] marginalization, gross underdevelopment and human right abuses meted on the region by successive governments in Nigeria.”¹⁹ The oil conflict and militancy of the Ijaw in the Niger Delta proved to successfully uproot economic and political stability in Nigeria, most notoriously through the efforts of the Movement for the Emancipation of the Niger Delta (“MEND”). MEND’s methods were extreme, with the group abducting Western oil workers, committing a series of attacks on oil facilities, and most famously oil bunkering – an umbrella term to describe any act of oil theft – sending shocks of fear to the oil industry and global partners, which ultimately plummeted oil prices.²⁰ MEND’s continuous attacks and expatriate abductions appeared to be effective; in the summer of 2008 oil prices reportedly spiked to \$147.50 a barrel and crude oil production was down

by a quarter.²¹ At its core, the Niger Delta conflict and the rise of armed forces is a power struggle for greater resource control. Nigerian elites’ reliance on oil companies for personal wealth, coupled with their unwillingness to seize its power have allowed frustrations and ethnic grievances to manifest. The crisis, bolstered by the state’s repression of the Ijaw peoples’ complaints, has proliferated into the formation of forceful militant groups and perpetuated endless political volatility seen in the country.

Outcome 2

A Rise in Structural Corruption

Nigeria’s economic reliance on oil and weak state management have also allowed political elites to exploit the country’s generated wealth for personal enrichment and enhanced structural corruption. This is primarily achieved through the embezzlement of public funds and upholding of a patronage system. Political spending, primarily funded by oil revenue, demonstrates the buying and selling power of elites for political gain. Dr Omeje comments on state corruption via rent embezzlements, emphasising that because elites are distracted by their will to maximise oil rents and exchange personal favours, “...the state is hardly concerned in any serious way by issues of sustainable development and environmental justice.”²² This overreliance on oil revenues promotes a

www.hrw.org/legacy/background/africa/nigeriabkg1214.htm.

¹⁸ Human Rights Watch, “Update on Niger Delta”.

¹⁹ Joseph Olusegun Adebayo and Trust Matsilele, “Nigerian Experience with Post-Conflict Peacebuilding: Examining Operation Safe Corridors and the Niger Delta Amnesty Programme,” *Journal of African Union Studies* 8, no. 3, (2019), 139.

²⁰ Asuni, “Understanding Armed”, 3.

²¹ “Oil Sets Record High 147 Dollars, Aluminium Rockets to New Peak.” *The Economic Times*, (11 July 2008).

²² Omeje, “Oil Conflict,” 332.

sense of competition between elites for state resources, intensifying corruptive practices and disrupting the systems placed to benefit citizens. In actuality, because oil extraction and exportation are so opaque and complex, this makes it easier for corruption to go unnoticed or checked.²³ Political elites play this to their advantage by mismanaging funds to give preferential treatment to their clientele for political and financial gain. As a consequence, corruption leads to the delegitimisation of power and public dissatisfaction with the government. In a recent study conducted by Action Aid, 56% of participants responded that the Nigerian government has handled corruption “very badly” and 76% disagree with the statement that corruption has declined since returning to civil rule in 1999.²⁴ The government’s paradoxical attempt to fight corruption internally, while maintaining its neo-patrimonial rule remains one of the key factors as to why the state has not seen adequate institutional development. Neopatrimonial rule coexists within the modern legal-rational system where patrons manipulate state resources to secure clients’ loyalty in exchange for political power.²⁵ To further assess the extent of Nigeria’s endemic corruption, it is important to define how the state manifests its fraudulence. A practice of corruption commonly used is the embezzlement of public funds in collusion

with the misappropriation of oil revenues.²⁶ It is estimated that \$217.7 billion US dollars could have been stolen from the Nigerian treasury since the beginning of oil exportation.²⁷ The Nigerian National Petroleum Corporation (“NNPC”), whose role is to oversee the regulation of petroleum production is delicately positioned at the intersection of governmental and corporate interest in oil revenue. The NNPC is supposed to ensure all commerce is conducted transparently. In contrast, the corporation has not completed its tasks efficiently or acted in the interests of the nation – many of its incentives are for the private benefit of its patronage such as concentrating on oil marketing or downstream functions, instead of expanding labour opportunities to locals.²⁸ The competition for oil wealth has long been embedded into the Nigerian political system, leading to state officials being more focused on private interests instead of promoting the general well-being of its inhabitants. This normalisation and unchecked corruption have slowed Nigeria’s attainment of becoming an effective governing institution trusted by the public. To make matters worse, dishonest elites have been able to evade charges against them due to a doctrine of immunity clause in the constitution. The

²³ Action Aid Nigeria. “Corruption and Poverty in Nigeria.” *Action Aid*, (2015) 42, nigeria.actionaid.org/sites/nigeria/files/pc_report_content.pdf.

²⁴ Action, “Corruption and Poverty”, 42.

²⁵ Michael Bratton and Nicolas Van de Walle “Democratic Experiments in Africa: Regime Transitions in Comparative Perspective”. Cambridge University Press, (1997), 62.

²⁶ Olusola Joshua Olujobi, “Nigeria’s Upstream Petroleum Industry Anti-corruption Legal Framework: The Necessity for Overhauling and Enrichment.” *Journal of Money Laundering Control*, vol. 26, no. 7, (May 2021) 9.

²⁷ Elwerfelli, Ali, and James Benhin. “Oil a Blessing or Curse: A Comparative Assessment of Nigeria, Norway and the United Arab Emirates.” *Theoretical Economics Letters*, vol. 08, no. 05, (Jan. 2018) 1143.

²⁸ Thurber, Mark C, et al. “NNPC and Nigeria’s Oil Patronage Ecosystem.” *FSI*, (Sept. 2010) 1.

clause states that the president, vice-president, governors and deputy governors are exempted from legal persecution while holding office.²⁹ Viable anti-corruption initiatives fall short of their objectives to ensure socio-economic growth and the eradication of poverty.³⁰ Conversely, there is no political will to fight corruption as it benefits top officials who also serve as lead investigators on anti-corruption cases, a clear conflict of interest. In Olusola Joshua Olujobi's study of Nigeria's upstream petroleum industry, he ironically notes, "Feeble implementations of anti-corruption legislation by anti-corruption organisations due to corruption and bribery have caused the loss of oil revenues to the government."³¹ In short, efforts to mend Nigeria's corruption have been executed by a few, and have yielded minimal influence towards improving the situation. Strong state institutions and high economic growth are correlated to human development and the eradication of poverty – crises that Nigeria has been unable to deal with in an effective manner for decades. Good governance, anti-corruption policies and effective regulations are linked to heightened economic growth, therefore Nigeria must commit itself to transparent practices to fight corruption within its institutions.³²

Outcome 3

Weak Institutional and Human

²⁹ GN Okeke and CE Okeke, "An Appraisal of the Functional Necessity of the Immunity Clause in the Political Governance of Nigeria." *Journal of African Law*, vol. 59, no. 1, (2015) 1.

³⁰ Olujobi, "Nigeria's Upstream," 2.

³¹ Olujobi, "Nigeria's Upstream," 1.

³² Elwerfelli and Benhin, "Oil a Blessing," 1145.

Development

Western influences have given the country *Dutch disease* which is attributed to slow economic growth due to a centralisation of natural resources and the neglect of investment in agriculture and manufacturing sectors resulting in a decline in the competitiveness of agricultural goods in the trade market. This also defines Nigeria as a rentier state – a country that relies over 40% of its revenue on exports.³³ Rentier state theory emerged as a logical explanation for why oil-wealthy countries have yet to transition into successfully driven economies, highlighting potential economic gaps and inadequacies. The accumulation of wealth from crude oil drives the focus away from other viable sectors of Nigeria's economy and has led to an absence of economic diversification. Economic diversification is a practice that broadens the range of economic interests both in importations and exportations and is a causal mechanism in flourishing states' economies.³⁴ Oil rents lead state officials to have a "rentier mentality", thus distorting institutional development and allowing tax subsidies to citizens without accounting for their dependence on the commodity.³⁵ This overreliance on oil as a primary export has also made Nigeria economically vulnerable to world price fluctuations. For example,

³³ Adeoye O Akinola, "The Nigerian Oil Economy and the Rentier State." *The Oxford Handbook of Nigerian History*, (Mar. 2022) 1.

³⁴ Michael Chugozie Anyaehie and Anthony Chukwudi Areji, "Economic Diversification for Sustainable Development in Nigeria." *Open Journal of Political Science*, vol. 05, no. 02, (Jan. 2015) 89.

³⁵ BBC News. "Nigerian Economy Slips Into Recession." *BBC News*, (31 Aug. 2016), www.bbc.com/news/business.

Nigeria's economy in 2016 slipped into a recession due to weaker global prices and a rise in oil imports – with prices plunging from \$112 to \$50 per barrel. Inflation's double-digit numbers have drained the national currency, the naira, causing it to be exorbitantly devalued. As the poverty rate continues to climb, the trickling effect of the 2016 economic crisis can still be seen lingering in communities where local services, most importantly education and health facilities, remain underdeveloped. Elwerfelli and Benhin, researchers for the University of Plymouth, described, "The agricultural sector, which was once productive, is now unable to produce enough food for its domestic market, making the country reliant on food imports."³⁶ Nigeria's commitment to other sectors has oscillated, similarly to anti-corruption incentives, with promises to invest more resources, and yet, most of the population has not seen the fortune that oil provides to the country. While investments in local services and infrastructure are important components of adequate governance, Nigeria's lack of initiative in sectors outside of petroleum showcases weak human development. In turn, reducing the agricultural division has eroded careers and income – oil production has stunted agricultural productivity and fisheries. Communities that are dependent on traditional industries such as the latter have felt the detrimental impact of industrial enterprises and their destruction of farmland and polluted waters.³⁷ Subsequently, the

presence of oil wells has impeded locals' ability to practice their livelihoods, plummeting them into a financial crisis and a cycle of poverty with residents unable to finance basic needs, persistent food insecurity and a lack of affordable healthcare. Despite a universal acknowledgement of oil's detrimental effects, precautions for health safety have yet to be taken to aid the communities affected. Oil production is both environmentally and physically consequential and perdurably contributes to the country's widening wealth gap. For instance, oil spills are catastrophic to a community's drinking water and, while some members of the community can purchase clean bottled water, most find this unaffordable.³⁸ This is detrimental to communities and future generations. It is estimated that there have been over 7,000 oil spills since 1958, translating to 1.5 million tons of crude oil being spilled into the Niger Delta.³⁹ In the face of the country's abundant oil wealth, inadequate budgetary allocation to create affordable healthcare services is an impeding factor in Nigeria's human development. Investments in proper infrastructure and meeting even the most basic needs of its residents can assist in preventing diseases and deaths caused by petroleum production.⁴⁰ The Nigerian government should encourage companies that extract their raw minerals to contribute

³⁶ Elwerfelli and Benhin, "Oil a Blessing," 1140.

³⁷ Augusta C Nkem et al, "'Economic Exclusion and the Health and Wellbeing Impacts of the Oil Industry in the Niger Delta Region: A

Qualitative Study of Ogoni Experiences.'" *Internal Journal of Equity and Health*, vol. 23, no. 1, (Sept. 2024) 6.

³⁸ Nkem, "Economic Exclusion," 8.

³⁹ Best Ordinioha, and Seiyefa Brisibe, "The Human Health Implications of Crude Oil Spills in the Niger Delta, Nigeria: An Interpretation of Published Studies." *Nigerian Medical Journal*, vol. 54, no. 1, (Jan. 2013) 11.

⁴⁰ Nkem, "Economic Exclusion," 9.

more towards the wellness of the communities they exploit, as supported by a recommendation by the International Journal of Medicine which notes, "...public-private initiatives should be sought, where multinational companies extracting resources from Africa might be encouraged to plough some of the profits back into healthcare for the communities providing the workforce for their commercial activities."⁴¹ In summary, a lack of economic diversification due to a hyperfixation of oil revenues deters investments in essential services, hindering economic development. Nigeria's fragile institutional structure and growing wealth gap persistently contribute to its overall regional instability, enabling a rise in frustrations amongst the population.

Conclusion

In conclusion, Nigeria represents a clear case of how overreliance on a natural resource can delay a country's path towards economic and political stability. This paper examined how Nigeria's dependence on oil revenue has shaped its socio-political landscape by deepening motivations for armed resistance, perpetuating government corruption, and stalling economic development. The prioritisation of personal gain by political elites has exacerbated these issues. The Niger Delta crisis, in particular, illustrates how the mismanagement of oil wealth has fueled civil unrest and frustrations – leading to the organisation of armed militia groups. Further, the normalisation of

systemic corruption and the internal refusal of checks and balances have led to the loss of billions of dollars in public funds. As a consequence of government misconduct, locals in oil-abundant areas have been most impacted by these inconsistencies – physically and economically. Similar patterns can be observed in other resource-rich nations, reinforcing the concept of the "resource curse" where centralising abundant natural resources as primary revenue contrastingly impedes sustainable development. Nigeria's experience serves as a cautionary tale for countries with similar economic dependencies of the grip Western transnational companies have on African governments and their natural resources. To promote economic development, Nigeria must listen to the needs of its population by promoting sustainable practices that include recognition of local economies with respect to environmental concerns. Elites must hear the public's frustrations and hold corrupted officials accountable, through transparent anti-corruption practices and political representation for people residing in the Niger Delta.

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Women in front of a tailings pond, photographed by George Osodi, 2015.

ISSN 0835-376X (Print)
ISSN 2291-5648 (Online)

Winter 2025 Edition

