

# JIPP

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Special Issue (March 2021)

## The Evolution of Liberty

The Erosion of Liberty in  
Modern America

*Sarah Moon*

In Conversation: Defending  
International Human Rights

*Ryan Kaminski, Featured Expert*

And more...



# FRONT MATTER

The *Journal of Interdisciplinary Public Policy* is a quarterly, open-access journal for youth. We elevate diverse perspectives in public policy and highlight the need for interdisciplinary thinking to create equitable policy. Whatever your interests or skills, there's a [home for you](#) at JIPP.

Our regular issue on **Healthcare Policy** is coming soon. Be sure to stay connected for beautiful art, poetry, and prose!

We are currently seeking submissions in Education Policy though all policy topics are accepted. Other forthcoming issues are expected to include international relations, immigration, and more. Stay connected with us [here!](#)

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**Maanas Sharma** was an Editor of this publication. Maanas is a member of the International Youth Council and the founder/Editor-in-Chief of the *Journal of Interdisciplinary Public Policy*. He is a competitive policy debater, nationally ranked mathematician, and pianist. At his core, Maanas is passionate about transdisciplinary public policy and bringing historical and social-scientific understandings to data science and quantitative policy solutions.

*The myriad of human rights abuses and the erosion of democracy places our current generation in a pressing moment. In the United States, we witness a level of polarization and toxic rhetoric that renders cooperation between the two political parties impossible. We witness a lack of regulation for violence across the nation that stems from hate and intolerance from our people and leaders. We witness the polarized Court, and its alarming potential to invalidate the Affordable Care Act and also rollback on various inclusive legislations that our people have long fought to achieve.*

*We live in a time where awareness and action are crucial. Across the world, we recognize the transition to dictatorship in Venezuela -- a country once known for its effective and flourishing democracy. We find ourselves observing the various alleged human rights violations in Xinjiang and Tibet, with rising threats to the freedoms of Taiwan. If I may dare say, our international community is currently hosting the greatest humanitarian crises of our generation.*

*In this issue, we offer a variety of global perspectives on the evolution of liberty throughout history.*

*Through our work, we hope to encourage important discussions while generating awareness and mobilization around the most pressing issues of our time.*

*Thank you,*

**Sarah Moon**, *Issue Head*

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# PRO/CON

## The Flourishing of American Liberty

### Nicholas An

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1787 was a pivotal year, shaking not only the foundations of American history but also the history of human democracy. As the Founding Fathers gathered in Philadelphia to write and ratify our nation's constitution, they aimed to lay the groundwork for our burgeoning democracy after witnessing the Articles of Confederation's apparent failures. Thus, America became the cradle of a new age of elected officials and democratic governance within developed nations across the globe. Over the course of the past 234 years, Americans of every generation have furthered the bounds of democracy and freedom, correcting institutional evils such as slavery, misogyny, and discrimination in manners I believe would have made our forefathers proud. The growth of liberty in our nation is most keenly portrayed in the evolution of civil rights, descriptive representation, and political regulation that we have seen over the past centuries. Although our nation, and humanity as a whole, continues to face important battles to protect our freedoms regarding privacy, data, technology, and more, we are well-equipped to defend our cherished freedoms due to the foundations of liberty that were established by the patriots that came before us.

The Constitution was (in)famously silent regarding the civil liberties of women, African-Americans, Native Americans, and the LGBTQ+ community, leading to centuries of strife in America as these communities fought for their rights. Despite the Founding Fathers' verbal denigration of slavery, Washington, Jefferson, and many others were slaveholders too deeply entrenched in the form of labor that churned the harvest-rich economies of the Southern colonies (Ambrose). It was not until over 600,000 American lives were lost in a brutal Civil War that the 13th amendment criminalizing slavery was ratified in 1865 ("Slavery in America"). Even thereafter, black men and women were segregated in the eyes of the law and the eyes of society—leading to the Civil Rights Movement filled with landmark moments of American history such as *Brown v. Board of Education*, the Montgomery bus boycott, Martin Luther King Jr.'s March on Washington, and finally the Civil Rights Acts of 1964 and 1968 as well as the Voting Rights Act of 1965 ("Civil Rights Movement Timeline"). Thousands of Black Americans were killed, tortured, defiled, and persecuted since the ratification of the Constitution to create a

more equitable country for Black America. Yet, the fight is still not over. As we have seen over the course of 2020, police brutality and closeted racism are ever-present in America, and it is the solemn duty of our generation to continue our nation's evolution into a more equitable society.

Nonetheless, our generation's privilege is to fight for these rights while standing on the backs of our forefathers who withstood pain, hatred, and anger over centuries to create a more 'free' America. The female right to vote was ratified in 1920 through the 19th Amendment, breaking a barrier that was more than a century in the making, borne of the activism of trailblazers such as Susan B. Anthony and Alice Paul. Native Americans were not even considered U.S. citizens until 1924 with the passage of the Indian Citizenship Act and not given full civil rights until 1968 when Lyndon B. Johnson passed the Indian Civil Rights Act ("Native American History Timeline"). Homosexuality was medically considered a mental illness until 1973, and same-sex marriages were illegal until just six years ago, when the Supreme Court ruled same-sex marriages legal nationwide in 2015 vis-a-vis *Obergefell v. Hodges* ("Milestones in the American Gay Rights Movement"). None of these communities had any level of civil rights in 1787—those that were truly free upon the nation's birth were the white males represented by our Founding Fathers. We are not perfectly free in 2021; but, to unfavorably compare it to our liberties in 1787 is to spit upon the very soul of our predecessors who made it their generations' work to truly change America into a country 'with liberty and justice for all.'

African-Americans, women, Native Americans, and the LGBTQ+ community were not equally represented in our Constitution upon its ratification in 1787, largely because none of the members of the Constitutional Convention belonged to the aforementioned communities. Descriptive representation plays a significant role in politics because we can only begin to ensure civil liberties for every community if they are accurately represented in the branches of government that create and uphold their liberties. The first female Congresswoman, Jeannette Rankin, was elected in 1916 ("Suffrage Timeline"). The first Black Congressmen, Hiram Revels and Joseph Rainey, were elected in 1870 ("Black Americans in Congress: An Introduction"). The first Hispanic American, Asian American, and Native American were only inducted into Congress in 1928, 1959, and 1907, respectively ("U.S. Senate: Ethnic Diversity in the Senate"). The first openly gay Congressman, Gerry Studds, was elected in 1973 (Cave). America has long had a contentious relationship with the representation of all of its communities and not just the white majority. Variety in congressional representation has never been higher than it is in 2021, with 19.5% of Congress now being female and 17.6% being a minority (Schaeffer). Those figures, albeit being a ways off from the 50.5% of the population that women represent and roughly 40% of the population that minorities represent, symbolize the evolution of liberty and equality in America since 1787, when every single member of that Constitutional Convention was a white male.

As befitting of a capitalist society, present-day America is buttressed by antitrust laws and extensive commercial legislation that protect citizen consumers from inequitable commercial practices such as price-fixing and monopolistic practices. This was not always the case, as we know from historical examples such as the Robber Barons of the 19th century and some of the largest companies of America's Industrial Revolution in U.S Steel and Standard Oil. Present-day America holds business entities to much greater accountability through legislation such as the Sherman Act of 1890, also known as the 'Anti-Trust Act,' the Clayton Act of 1914 that created M&A accountability, and the FTC Act of 1914, which fostered a federal agency to supervise business practices ("Antitrust Laws: A Brief History"). The protection of our economy from inequitable practices has been a necessity that the Founding Fathers understandably failed to foresee in 1787, helping to protect the commercial and economic liberties of our people.

American society in 2021 is far from perfect. We face a plethora of challenges as we grow into a new era where information is more democratized than ever, and the liberties of a citizen are held to much higher standards of accountability. Yet, our nation has always been built to grow. Our Constitution is amendable for a reason, and the branches of government are made to continue churning out new laws and review new cases (albeit oftentimes inefficiently so). To claim that America is less 'free' 234 years since its conception than it was in its infancy is a blasphemous insult to those that gave their lives in war and in peace to continue to foster the liberties that we take for granted today. It may be a popular answer in the communities of intelligentsia to argue such. Still, it is a misguided and frankly impudent argument that spits upon the memory of patriots in days past. In the end, I opine that we are significantly more 'free' in the 21st century due to the firm convictions and actions of the aforementioned patriots.

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# The Erosion of Liberty in Modern America

## Sarah Moon

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The founding of America was a new beginning for its people. It was a blank slate on which the word of the nation could be established, the ideals of its citizens could be manifested, and the concept of 'rights' could be polished. Since 1789, Americans have reached milestones in fulfilling basic civil liberties. Though the Civil Rights Movement, Women's Liberation Movement, and the recent legalization of same-sex marriage have created a civilization in which we are guaranteed protection of our natural rights, I argue that our liberty today is more threatened than ever. A correlation between the idea of 'liberty' and the ideals of economic prosperity, the right to public contestation, and technological advancement is often drawn in highly developed civilizations. I dispute this concept, as 'liberty' is simply the ability to practice free will. Indeed, the obsession with pursuing the aforementioned metrics has plagued the practical applications of our liberties. With over 200 years of precedence, growth in the regulatory legislature, and the rise of government surveillance, I argue that Americans, on balance, are allowed less liberty today than in 1789.

Following the Articles of Confederation's failure, the founding founders faced the monumental tasks of maximizing both collective security and individual liberties within the nation's governing framework. Their efforts to balance federal and state powers are apparent upon examination of the Constitution. The Constitution outlined several effective strategies for combating abuse of centralized control. Credited to Roger Sherman, the Great Compromise negotiated the needs of both large and small states in the newly established nation. Article 1 Section 1 of the Constitution established a bicameral legislature — the Lower House with populous representation, and the Senate with an equal number of votes per state to protect small states from the tyranny of the majority (*United States Constitution*, Art. I, Sec. 1). For the nation's collective security, the Constitution also gave the federal government the power to lay and collect taxes if distributed evenly across the country, regulate currency, deal with patents, and declare war (*United States Constitution*, Art. I, Sec. 8). The Constitution outlines the powers of the executive branch in Article 2 and those of the Supreme Court in Article 3. The division of power between the state/federal governments coupled with the checks and balances system in

the federal government intended to protect citizens from potential abuse of power while maximizing the nation's collective security as a whole.

However, the great debate of whether to ratify this attempt at governance proved the framers' efforts insufficient. While the Federalists favored the Constitution, the anti-Federalists claimed that individual liberties would be threatened under the proposed Constitution. More specifically, many state leaders opposed the Constitution in fear that a more robust federal function would threaten state sovereignty. The ratification debate was proof that the Constitution itself was insufficient. The final compromise was what we know today as the Bill of Rights. The Bill of Rights was groundbreaking in its content, ideals, and implications. Composing the first 10 Amendments to the Constitution, it defined the relationship between the government and its people. The 1st Amendment clearly outlined several fundamental rights, including free speech, press, religion, peaceful assembly (*United States Constitution, Amend I*). The 2nd Amendment outlined the citizens' right to bear arms (*The Bill of Rights, Amend II*). To preserve state sovereignty, the 10th Amendment stated that all powers not delegated to the federal government were reserved for the states or people (*United States Constitution, Amend X*).

Of course, however, the Constitution did not extend these liberties to all. The 14th Amendment is credited as a catalyst of the nation's future expansion of civil liberties. More specifically, Section 1 of the 14th Amendment revolutionized the conception of rights in the United States. The Amendment granted citizenship to all people born or naturalized in the United States citizenship, prohibited the passage of laws that infringed upon their privileges, denied State deprivation of rights without due process, and outlawed the refusal to grant equal protection to minorities (*United States Constitution, Amend XIV*). The 14th Amendment opened the door to incorporation — expanding the security of civil liberties and rights on a federal level. It was not only a crucial step in expanding the realm of constitutional rights for African-Americans but also served the interests of other minority groups.

The examination of the nation's founding documents gives credence to the claim that 'liberty' was the core concept that unified provisions of the Constitution. To present-day America, 'liberty' remains an integral, binding force of all fundamental ideals in the United States. However, it is essential to understand that none of the Constitution, Bill of Rights, nor any legislative mediums are sufficiently dense to encompass all areas of human life. Consequently, our liberties have slowly been stripped away in modern America.

It is indisputable that modern-day America provides an objectively higher standard of living than in 1789. However, 'liberty' in its most natural state is threatened more than ever before. In 1776, the American colonists united under the common goal of independence. The Constitution in 1789 established the identity of American soil with vigor and ambition. The Constitution aimed to divide the federal and state governments' powers while providing

collective security to its people. The Bill of Rights and subsequent expansions promised guaranteed liberties to all. This blank slate allowed for the expansion of rights, amends to its legislature, and unbiased interpretation of scenarios on a case-by-case basis. Despite all that, modern-day America sits on a different soil.

Claiming the erosion of liberties in the present-day does not seek to discredit the expansion of civil liberties in American political history: through the Civil Rights Movement, the Women's Liberation Movement, and the ruling of *Obergefell v. Hodges*, the American people have seen huge advancements in its demographic inclusivity of 'liberty.' However, as a civilized society, the inclusion of all citizens in its civil guaranteed rights should not be an arbiter in judging the scope of liberties in our nation. Rather, we must examine both the nature and breadth of the rights enjoyed by contemporary American citizens. America was founded 200 years ago under the ideals of freedom, justice, and liberty. In the present day, the government alone determines the framework of American 'liberty'. Under this perception, I argue that Americans are controlled by government functions, social pressures, and segregation more than ever before.

With the exponential rise of technology, privacy has become an increasing concern of the American people. Although the right to privacy is not explicitly stated in the Constitution, first through allusion in the Fourth Amendment and furthered through landmark court cases such as *Griswold v. Connecticut*, Americans have found their rights to privacy via "the penumbras" of the Constitution. The Fourth Amendment outlines that all persons hold the right to be secure from unreasonable searches and seizures (*United States Constitution*, Amend IV). In modern America, however, advancements in technology and surveillance methods have acted as agents of privacy infringement for decades, in the hands of both private and state actors. We now live in a generation where companies can track consumer activity via cookies and sell this personal data for profit. The government and private surveillance that Americans apathetically face is disconcerting, to say the least. An excellent exhibit of such is *United States v. Valle*, often referred to as the NY Cannibal Cop Case. In this case, Gilberto Valle, a former police officer, was arrested for discussing his fantasies of kidnapping and abducting women in Internet chat rooms (*United States v. Valle*). Valle argued that, since he did not commit any true crime, he could not be tried for the crime. The Supreme Court upheld the officer's innocence, stating that no overt act was committed that posed a danger to potential victims (*United States v. Valle*). However, the focal point of the case was the infringement of liberty showcased through digital surveillance.

The case raises concerns on the thin line of criminality — when does a thought become a crime? Perhaps we now all live in a perpetual state of panic that even the most subconscious, discreet of our thoughts may be criminalized. This fear of surveillance is apparent in the increased filtering of our speech and actions to avoid repercussion. The exponential polarization in government has trickled into the daily lives of its citizens. One particular exhibit is the rise of

so-called alternative-left and alternative-right groups, including but not limited to Antifa and the Proud Boys. With the nation as a whole becoming increasingly polarized, we plunge into a state of censorship and fear. This fear of speech not only stems from potential legal consequences but also physical or psychological violence that may rise in return. Modern America stands more divided, more fearful, and less autonomous in its liberties than ever before.

The growth of federal power has also eaten away at the liberty of Americans. Since 1789, approximately thousands of new statutes have been added to federal legislation. The content of mass media that Americans have access to is regulated by the federal government: the Federal Communications Commission “regulates interstate and international communications by radio, television, wire, satellite and cable in all 50 states.”. In simpler terms, the content we are exposed to has undergone initial filtering by federal institutions. Our ability to formulate decisions and opinions is largely dependent on the information that we are provided access to. Thus, federal media regulations hampers the democratization of data and, by extension, limits our ability to foster distinct perspectives and ideologies. Additionally, the implications of current drug regulations, including but not limited to the federal alcohol and tobacco consumption age, speak volumes on the limitations of liberties in this country. The protection of liberty to take conscious risks separates adults from children, the autonomous from the coerced, and the educated from the stunted. Some argue that regulations and limitations based on age are precautionary national efforts related to the safety of its citizens. However, the process in which safety in America is achieved must first be fulfilling one’s constitutional rights — the very liberties that the country was founded upon. The core argument I make is the erosion of liberty that derives from rising institutional involvement. In premise, liberty must not be the ability to practice free will under specific, regulated conditions, but the ability to unconditionally take self-decided risks and make decisions based solely on personal conscience.

To preserve the ideals of this nation, we must consciously treat liberty independent from subjective, moral implications. Examination of the United States’ current incarceration rates speaks volumes on the increased regulations, surveillance, and governmental functions that seek to excessively moralize the concept of liberty and strip away our people of their autonomy. The American Civil Liberties Union states that the United States currently has a level of mass incarceration reaching 25% of the world’s incarceration population. Of those incarcerated, the number of felonies is disproportionate to its counterparts of infractions and misdemeanors. Additionally, despite popular belief, the criminal justice system continues to fail in protecting minorities. Through the Civil Rights Movement, Americans ended *de jure segregation* of African-Americans. However, *de facto* segregation is apparent upon examination of overpowering racial disparities in federal imprisonment rates. Moreover, even post-incarceration, people are controlled through parole systems, monitoring and surveillance, and the stripping of felons’ right to vote. According to the Federal Bureau of Justice Statistics,

there were about 1.68 million African-Americans under the supervision of state and federal criminal justice systems. The institutional racism and interpersonal discrimination in modern America continue to limit the liberties of marginalized groups in this country.

Over the past 200 years, the United States has expanded its guarantee of natural rights to increasingly broader parts of the populace. However, with the growing surveillance of governmental functions, the rise of federal control, and the failure of the criminal justice system, the nation stands more polarized and regulated more than ever before. All things considered, do our present-day liberties reflect higher levels of autonomy than in 1987? I argue not.

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# COMMENTARY

## Feminism through the Ages

**Renuka Bhat**

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Feminism, as a social movement, has a unique fluidity to it. Born as a natural antithesis to a manmade society, it has an almost divine quality: a testament to the Olympian bravery against the Titans. And in typical Olympian fashion, the movement has a rather convoluted ancestry full of ties white and black.

These ties matter today, perhaps, more than ever. Being a feminist is no longer the be-all-end-all of the point. In a web of subreddits and Twitter threads, these ties serve a higher purpose than just one's broad perspective. Not just constrained to feminism, each strand of an ideology distinguishes itself in its differing emphases. Understanding and presenting one's stance, the values one espouses, and the company online one associates with has become a matter of self-expression which translates into self-identification. Consequently, it has become increasingly critical to acquaint oneself with how one's domain of interest has evolved epistemologically. This is why a scrutiny of the evolution of the feminist movement is so crucial.

While "feminism" as a term has been credited to the 19th-century utopian socialist [Charles Fourier](#), the belief has prevailed long before the terminology. Feminist figures have blessed mythos and history globally, sometimes indistinguishably. From Eurydice to St Joan of Arc, the popular heroines were revered for their selflessness in defending their husbands and countrymen. Their heroism, their divinity lies in their selfless virtues. Like Penelope, who remained chaste till her husband, Odysseus, returned or Rani Padmini, who would rather immolate herself than become the wife of the enemy emperor — their status is associated with their courage and devotion to the men in their lives. I confess, my argument may be generously prone to essentialism, but you do not have to take my word for it.

The First Wave of Feminism, roughly spanning from the late 1880s to the 1920s (depending on the respective countries), was the first consolidated movement for equal rights for women in Europe and the United States. The most famous of these, the Women's Suffrage Movement, was the struggle for voting rights for women. Virtually spanning across the globe, the movement of

Universal Suffrage incarnated itself distinctly based on which women each government perceived to actually deserve voting rights. For example, in [South Africa](#), voting rights were initially reserved for white women over the age of 21 in 1930, whereas in [Norway](#) and the Isle of Man, voting rights were reformed to be contingent on women's property ownership or membership in a male tax-paying household. In 1893, [New Zealand](#) became the first instance of equal voting rights for women, and by the mid-20<sup>th</sup> century, most of the world caught up as well.

Professor Judith Lorber's "[Gender Inequality: Feminist Theories and Politics](#)" is a seminal work on the major developments in feminist theory over the 20<sup>th</sup> and 21<sup>st</sup> centuries. She highlights the crucial distinction in the Second Wave of Feminism movements in the 1960s and '70s. These decades saw the rise of Liberal Feminism, an ideology that believes in the equality of men and women as human beings. It questioned the gender norms set in stone that dictated the employment alternatives as well as the healthcare and education available to men and women. While promoting abortion rights and women's entry into traditionally male-dominated fields, the movement also focused on easing the barriers to entry for men into teaching, hospitality, and care-work.

One of the major criticisms of the First Wave was its exclusivity to middle-class, white women. Two variants of Liberal Feminism – Socialist and Development feminisms – aimed to make feminism accessible to women irrespective of their classes, ethnicities, nationalities, and religions. These were also the first instances of introducing the much-needed intersectionality in feminist movements across the globe.

Marxist & Socialist Feminism scrutinized the role of women's labor in the capitalist society. It theorizes that the fact that women deal with domestic work is an aspect of bourgeoisie privilege, enabling the capitalists to work more efficiently. However, regardless of class, this domestic work was not considered as economically productive labor. Women's status was ascribed to literal baby-makers when it was all hunky-dory and "reserve labor" when the economy was in the dumps. Moreover, the so-called "market-determined" wages, more often than not, were heavily influenced by gender and ethnic discrimination. A lower pay to women justified their role as secondary workers, creating a feedback loop of gender oppression. The questions raised more than 60 years ago still remain relevant and largely unsolved today.

Taking it up a notch, Development Feminism studied the economic exploitation of women in a post-colonial world. In developing countries ravaged by foreign rule for decades, there was naturally a dearth of access to resources to the natives. Women could be seen as doubly oppressed under the colonial as well as patriarchal frameworks. The only way to get oneself heard was access to the proverbial conch – control over economic resources. Primarily, women's control over essential resources and activities like food production earned them a

position in the community, giving them the bargaining power to demand equal rights. However, these ideas did not go uncontested. When adopting the feminist model in a post-colonial setting, many argued that it is crucial to “epistemologically decolonize” one’s theory. Simply put, inquire why women demand certain rights — is it based on combating cultural injustice in the community, or is it stemming from aping the West to seek cultural validation?

While the movements of the 1960s were introspective and optimistic about affecting change, this sentiment was lost in its successive decade. In part fuelled by the era’s dismal politics, feminism in the 1970s was all about Gender-Resistant or Radical Feminism. This faction of feminism was built upon the idea that women have no place in universal fraternity: it is pointless for a woman to attempt to squeeze into a space that was never meant for her. Radical Feminism took a stronger stance on the incumbent socio-political inequalities. It focused on the dark side of the patriarchy—including how male aggression and violence lead to a systemic objectification and sexual exploitation of women. It, quite commendably, explored themes then considered taboo like sexual abuse, domestic violence, prostitution, and pornography. The movement expanded beyond political rights to the societal perception of gender in general.

Its variant, Cultural Feminism, laid the foundations for critiquing heteronormativity and the dangerous dichotomy in gendered social behaviors (think, men=violence and women=delicateness). However, it has been criticized for the very same reasons, for propagating this toxic narrative while glossing over the real classist and ethnic nuances. Consequently, it only distanced male and socially marginalized allies, which in turn, did not bode well for the movement altogether.

Lesbian Feminism was Radical and Cultural feminisms on crack. On the extremely, well, extreme end of the spectrum, lesbian feminism is what a drunken rom-com cliché sounds like: who needs men at all? In all seriousness, it was one of the most remarkable instances of LGBTQIA+ inclusion in feminist dialogue. But that is where the praise ends. Born out of resistance to the male side of the “gender dichotomy,” lesbian feminism perceived bisexual women as a threat to their ideas.

The 1980s and ‘90s can be seen as a movement consisting of a collation of all the pluses of its predecessors. For instance, Revolutionary Feminism attempted to destabilize the incumbent social values. It involved Multiethnic Feminism, which took into account the cultural and gendered domination of women. Instead of condemning, it platformed women’s cultural products, especially the mundane aspects of their domestic lives. Men’s Feminism investigated the other side of the patriarchy. *Connell’s gender theory* on masculinity and femininity has been pivotal in assessing the social deconstruction of gender. Most notably, the concept of Hegemonic Masculinity, which pertains to white, cis-gendered heterosexual men, helped



recognize the patriarchal dividend of male advantage. It has also been pivotal in understanding stereotypical male behaviors like involvement in the military and sports and their pattern of denigrating fellow men to establish dominance. Homosexual Theory goes further by explaining how the pattern changes while interacting with non-conventional men and how it translates into a male hierarchy that is ultimately still very oppressive towards women.

Early 2000s feminism continued on the tradition of rediscovering and unraveling the previous systems. The Third Wave of Feminism started from scratch in their introspection of the movement, eventually keeping certain aspects of its skeptical predecessors. Social Construction Feminism is built on the idea that gender is a social construct. Inequality is an inseparable component of gender; it is built upon this social difference. This disparity has oft been used as a justification for the unfair treatment of gender and sexual minorities. It made a distinction between the biological sex, gender identity, and sexuality of individuals. The male-female dichotomy has excluded intersex, non-binary, genderfluid, and trans individuals for centuries. However, this additional layer of gender to sex has not been taken well by certain groups of feminists. Postmodern Feminism & Queer Theory go the furthest in challenging the gender dichotomy. It recognizes gender as a social behavior; that is, you belong to the gender you clothe yourself in society. This is termed the Performative Theory of Gender.

However, this idea is not universally popular, even among gender rights activists. Trans-Exclusionary Radical Feminism does not recognize a distinction between gender and biological sex. It believes that such a distinction is just a convenient loophole for “taking advantage of women.” Even within the trans community, differing attitudes and bigotry have strained ties. For instance, transmedicalism advocates that only those individuals who have successfully transitioned into their desired genders are “valid.” Alternatively, it deems transsexuals as “true” transgender individuals, invalidating the identity of others in the community.

This decade also saw extensive progress in gender vocabulary and awareness. The recognition of not just homosexuals and bisexuals but also pansexuals, demisexuals, and asexuals, among others, has helped individuals who have been elbowed out of the conversation till now to meaningfully interpret and relate their lived experiences in feminism. Normalization of these terms and the integration of specific pronouns have vastly improved the inclusion of non-heterosexual and trans individuals into mainstream society.

However, with new debates and terminologies cropping up at light speed, today’s feminism has grown increasingly convoluted. A common critique of left-liberals is this insistence on dissecting and compartmentalizing ideas into an impossible number of categories. With the interplay of political, philosophical, and economic ideologies, different conditions suit people

differently. How much of it would stand the test of time and actually affect change remains to be seen.

But that's a discussion for another time.

# Decolonization and the Materialist Evolution of Liberty

## Haiyue Ma and Ned Lindenmayer

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### Introduction

While freedom is often viewed through the paradigm of social and political rights, it is also inextricably linked to economic conditions. In effect, freedom is primarily governed by the material circumstances in which it exists, with social and political rights being largely contingent on certain economic rights also guaranteed. These exist on two distinct fronts. 'Capabilities,' which refer to the equality of rights and abilities for individuals to acquire particular economic instruments — for example, the right to ownership of property in an individual or collective sense. If a person or community cannot hold property where others can, then their liberties are obviously restricted.

Conversely, 'Capacities' relate to the ability of individuals within a society to be socially mobile — not merely in a theoretical, potential sense, but practically. This concept has its origins in materialist critiques of liberalism, and is in effect a reflection of how the economic class relates to freedom, insofar as both the baron and the beggar have the equal to purchase a bayside mansion under equal economic Capabilities; a Capabilities approach recognizes the positive relationship between wealth and true freedom under market structures.

Colonialism and its aftermath reflect the duality of these different notions of economic freedom, with Capabilities afforded on paper while economic Capacities were limited in practice.

More specifically, colonialism and imperialism formerly served as the primary tool of economic consolidation for global superpowers, producing higher material living standards for Europeans while severely constraining the rights and freedoms of colonized people.

During the early period of colonization in Africa, the European powers used the economic tools of taxation and currency to enforce hegemony over resource ownership within the region, prioritizing an expansion of their international productive capacity. As the alignment between ethnicity and power disintegrated in postcolonial Africa, class became increasingly prominent, with entrenched interests of an elite minority limiting genuine political participation. Decades later and on the other side of the globe, decolonization would coincide with the establishment of Cold-War-era intergovernmental institutions, which in turn defined political self-determination and liberty in postcolonial nations.

### **Imperialism & Material Freedom**

The limitation of economic Capacities imposed by colonial powers also resulted in limitations on the political agency of colonies. Conversely, European powers enforced hegemony and defended their productive capacities by restricting their colonies' political agency. This is most acutely presented in the case study of British imperialism in its western African regions.

When the British arrived on the west coast of Africa (1821-1888), they encountered an immediate issue with their desire to create a vast resource-producing empire: a lack of market systems that would incentivize production. This stemmed from the largely communal economic structures in place that did not necessitate the production of goods and services beyond what was needed, which, through a combination of both economic interest and racial vilification, led the Empire to see the African peoples as 'lazy.' This is in itself deeply ironic given the greater freedoms enjoyed by the Africans under the pre-colonial system, where production matched only what was needed for consumption at the time — a reflection of both Capability and opportunity in economic freedom.

After formulating a justification for intervention, the British devised a plan that coerced the native population into working directly for the Empire. They began creating jobs paid with British pounds and, to force an incentive to work, coupled it with a new "hut tax," requiring that individuals pay a given amount of these pounds or have their hut burnt down by authorities. In addition to this, they began operating markets that only accepted paid British pounds, creating a positive incentive for British monetary acquisition.

By operating this dual system of taxation and barter, the British effectively forced the local population into wage labor without directly threatening violence as the starting point. In

doing so, they placed heavy restrictions on the economic liberty of the colonized Africans, forcing them to adopt capitalist modes of economic production through the implied threat of violence. This system was soon adopted across the German and French colonies, becoming a staple of restrictive economic practice as well as expansion for empires.

As colonial independence movements grew in popularity, the various European nations backed off from direct control over their colonies — often operating legislatures that granted a modicum of representation. However, in all cases, the nations were still bound to the occupying power's currency, meaning that, while on paper they enjoyed political liberties, they were still bound to the interests of their currency-issuer, thus restricting any true freedom in policy-making on both fiscal and monetary fronts. In effect, they became states of the larger European nations, as, say, Ohio in the United States on an administrative level. However, the colonies lacked the cultural hegemony of a federation, and were instead subjected for the material benefit of Europe. By restricting their protectorates' monetary sovereignty, democratic self-determination and freedom in fiscal policy-making were deliberately subverted.

This effect persisted through decolonization and into the postcolonial world. The limitations placed on government policy-making limited the postcolonial populace's political and economic freedoms, which became unable to rely on the State as an investor, thus strengthening the control of foreign powers and corporations over their resources. Even now, many African nations are bound to the CFA Franc, which is in turn pegged to the Euro, predictably producing a similar result as the imposition of European currencies on Africa. This is, in turn, a direct reflection of the theoretical Capabilities and Capacities approaches, wherein native populations are granted the theoretical Capability for independence and freedom, while the practical Capacity to obtain it is restricted.

### **Stratification in Postcolonial Africa**

Conversely, because the limiting of colonial populations' economic Capacities (and thus liberties) persisted post-decolonization, the legacy of colonialism in postcolonial states created conditions conducive to increased inequalities.

In Africa, for instance, high levels of inequality and restrictions on mobility can be understood as resulting from a process of class stratification originating from the formation of economic institutions of the early colonial state. For much of the colonial era, the European bureaucracy found it challenging to recruit functionaries for their colonies; subsequently, European 'public servants' in most African colonies were better paid and less qualified than their metropolitan counterparts. The colonial government thereby recruited individuals whose subpar performance had limited their advancement in the metropole and were attracted by the

greater responsibility and discretionary power they would enjoy in the colonies. In coordination with the absence of any political representation of the African population, this further undermined the responsiveness of states, exacerbating corruption while systematically suppressing demand for greater political liberty.

Upon its departure, a rapid transfer of power was effectuated from the colonial state to a new elite, with only a sparse measure of legitimacy. In public office, top positions were available to a small minority of Africans, with isolated attempts from the late 1920s onwards to include more Africans into the civil service failing. This handful of Africans rose into leading positions, drawing level to, but moreover outranking Europeans, for the first time in the 20th century. This particular segment of the population was often the greatest beneficiary of the colonial era; in West Africa, the state after independence was predominantly staffed by ethnic groups that enjoyed intimate contact with colonial authorities. In the private sector, despite improving attitudes toward local elites by European expatriates, members of the upper echelons of corporations maintained distance from the African employees and the majority of the working population. Overall, the resulting postcolonial society was thus unresponsive to broader African populations, felt little to no incentive to increase popular participation, and was less likely to improve welfare and afford greater liberties to the majority of the populace.

### **Decolonization and the Cold War**

While stratification was a side product of elite formation during decolonization, regaining genuine political liberty in newly decolonized states was also shaped by proxy, non-colonial interests. The waning role of European colonization in the 20th century afforded an opportunity for renewed self-determination of occupied states; at the same time, this coincided with the Cold War between the Soviet Union and the United States, which effectively redirected efforts at national independence towards adherence to intergovernmental institutions.

Through Roosevelt's promotion of the Atlantic Charter, the United States signified the end of the colonial era. Yet, although the US generally supports the concept of national self-determination, it maintained strong ties with its European allies, which continued to maintain imperial holds over their former colonies. Intensifying geopolitical competition with the Soviet Union in the late 1940s and 1950s would only complicate its anti-colonial and anti-imperial position, since American support for decolonization was offset by its concerns about communist expansion and Soviet strategic ambitions in Europe. As the Cold War competition with the Soviet Union became the focus of American foreign policy, the Truman and Eisenhower administrations became increasingly worried that as European powers lost their colonies or granted them independence, the Soviet-backed communist bloc could gain power. In turn, this could tip the international balance of power in the direction of the Soviet

Union and make it more difficult for US allies to maintain control over economic resources. Indonesia's struggle for independence from the Netherlands (1945-50), Vietnam's war against France (1945-54), and nationalism and self-proclaimed socialist acquisitions of Egypt (1952) and Iran (1951) intensified the US's anxiety. Independence and the accompanying uncertainty of alliances became an overwhelming prospect for the American administration, even if the new government did not directly associate itself with the Soviet Union.

As a result, the US encouraged the newly independent countries in the third world to adopt a government allied with the West through a package of assistance, technical assistance, and sometimes military intervention. The Soviet Union adopted a similar strategy to encourage new countries to join the communist bloc and tried to persuade the post-colonial countries that communism was a non-imperialist economic and political ideology.

Ultimately, despite both the US and the Soviet Union proclaiming anti-imperialist agendas, the economic demand for resources, proxy territories, and alliances necessitated their respective interventions into decolonizing states through intergovernmental institutions and authority. The newly independent states that emerged in the 1950s and 1960s became an important factor in changing the balance of power within the United Nations. In 1946, the United Nations had 35 member states. As newly independent countries joined the organization after decolonization, its membership expanded to 127 in 1970.

The development of genuine self-determination in these newly independent states is thus inextricably linked with these intergovernmental institutions' agendas; by extension, we must examine the degree to which genuine liberty was enabled within the scope of these materialist interests.

## **Conclusion**

Colonialism is, at its core, a materialist exercise that sought to strengthen global powers' intercontinental supply chains and resource base at the expense of native rights and liberties. Though formal colonial vestiges collapsed, this practice continued, with stratification and Cold War anxieties shaping the postcolonial nation-states that emerged internationally. So long as the instruments that enforce the denigration of the global south persist, true self-determination and individual freedom for once colonized people will be a difficult, if not unachievable, ideal.

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# In Conversation: Defending International Human Rights

**Ryan Kaminski**, conducted by Sarah Moon

*Ryan Kaminski is a Security Fellow for the Truman National Security Project. Previously, Ryan served as the Human Rights Policy Advisor at the United Nations Foundation. At the United Nations Foundation, Kaminski led Sustainable Development Goals campaigns and facilitated several global corporate partnerships with the United Nations Free & Equal Campaign. Previously working with the Council on Foreign Relations and the Permanent Mission of Papua New Guinea to the UN, Ryan brings unique insight and dedication to advancing human rights across the globe.*

**What human rights violations across the world do you think are the most pressing issues of our time?**

Right now, we have a really serious humanitarian situation around the world. Recently a UN official compared Yemen to “hell” given the famine that is happening in the country. Yemen, Syria, recent developments in Venezuela—these situations create not only various serious issues in those countries but also have a record of metastasizing across the region, leading to a force multiplier for human rights violations and simply violations of human dignity. I think these problems really are the ones that we really need to get together and solve, and hopefully, we have the multilateral institutions, norms, and practices to do it.

**What do you think are some implementations that the international organizations, including the UN, have undertaken to mitigate these abuses and humanitarian issues?**

First, there have definitely been programs established to mitigate harm. The leadership of the World Food Program, UNICEF, and other agencies have supported the Central Emergency Response Fund (CERF) to serve and provide a direct response to alleviate some of the worst impacts and provide direct assistance on the ground.

But, one of the positive areas I've come across is what the United Nations and the international community are doing in response -- installing accountability mechanisms. You have a Commission of Inquiry on Syria that has amassed all kinds of information. It's developed a secret list of entities that are potentially responsible for war crimes. It's shared

evidence and findings that have been effectively used in prosecutions and for accountability. I think that's a real prime example of the international community going forward on accountability and making sure that there's a paper trail and that there is at least some semblance of making sure that perpetrators are held accountable. I think a lot of these Commissions of Inquiry, in their fact-finding missions, have developed groups of experts that have been really useful in that regard—trying to achieve some level of accountability and rectify these situations in terms of the worst of the worst human rights violations.

**In extension, what type of role do you believe that the United States administration should assume in mitigating these abuses?**

Unfortunately, during the past administration, in many ways, the United States was “out to lunch” on these problems. The United States gave up a seat on the Human Rights Council, which creates the mandates for these investigatory mechanisms. Additionally, the United States did not even participate at the Human Rights Council in the previous administration as an observer.

The good news is that we've seen some very positive moves by the new administration—the Biden administration re-engaging in the council, as an observer, and really wanting to come back to the table on personal accountability for these rights violations. Secretary of State Blinken addressed the Human Rights Council discussing some crucial priorities the country wishes to resume looking at, including many very serious humanitarian situations, but also countries like North Korea, which have very problematic human rights records.

I think the record clearly shows that there is a unique role the United States can play when it has a seat at the table. This is not to say that the United States can do it alone. But it can work with international partners and create the diplomatic and political space to advance accountability and keep the spotlight on these atrocities. Just recently, the Security Council had a meeting on food security and humanitarian crises. Some people might not place this in the bucket of human rights, per se. But in my view, it's obviously a human rights issue. What we're witnessing is that prime example of what the United States can help enable when it has a seat at the table—it's exercising leadership.

**How do you believe that we should be able to localize these issues with the American people?**

I think there is too often an information gap. When I was at UNA-USA (UN Association of the USA), one of the things we really tried to raise understanding of was the Commission of Inquiry Report on North Korea that was released by the Human Rights Council. This was the Human Rights Council doing satellite images, bringing survivors to the United Nations, creating space for a Security Council discussion specifically on human rights, and bringing the heads of that Commission to Capitol Hill to make sure that the members of Congress knew what the United Nations was doing in terms of leadership on this front.

I think it's an awareness problem, but I also think it's recognizing that these are bipartisan priorities. Seeking accountability for atrocities abroad isn't a Democratic or Republican issue. It really is a bipartisan issue and part of our values in the United States. If we don't address these issues, they will end up becoming global crises that will always create impacts for Americans and create situations that impact our national security. The situation in Venezuela has unleashed scores of refugees across the region, right in our own backyard, which creates serious implications for the United States. Of course, we should try and resolve the Venezuela crisis on its own end, but we also need to think about how it also is impacting our own interests. It absolutely, certainly does.

**What type of advice do you have for youth leaders and human rights activists across the world? What next steps do you think we need to take as a part of this generation to be advancing human rights?**

I think it's doing exactly what you're doing and recognizing yourself as human rights defenders and partnership builders now, and engaging these issues.

I think when we look at some of the times that the United Nations and international human rights institutions have most been in the news, it's when youth have been at the table—making comments and recommendations. We need to recognize that this is the here and now, and we need this activism now.

We're in such a crisis point; we're all bringing the solutions to the table, and human rights are just as relevant in our own backyards, our own schools, and our own communities. I remember we were hearing from representatives of the Trevor Project once at the United Nations. A lot of them didn't speak the same language, but they were literally talking to

each other using Google Translate. I think one of the advantages of these digital technologies is that they've enabled network building and bridge building like never before, so I would advise to really take advantage of that.

## ART + POETRY

### Now and Then: A Memory of the LGBTQ+ Struggle

#### Jasmine Pandit

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#### 1991, THE 7th OF MARCH.

yesterday my boyfriend died and i thought three things in that order.

*i.* nothing. my heart is shattered  
in a million pieces on colored sheets because  
we couldn't afford white.  
look, mom, there he is,  
didn't you tell me to fight for what i love?  
look, mom. there he is. he's dead. and i am sick—  
not like him, don't worry. worse.  
i felt his fingers unclasp in mine, held his hand as his pain ended.  
but frozen here with a broken mind, broken heart, and broken love,  
mine has just begun.

*ii.* my boyfriend is dead  
and the last thing his mother called him was a faggot.  
my boyfriend is dead, he loves kids, and the last time  
he saw the neighbors' they were being dragged away by the pinky.  
white woman, white knuckles, hoarse whisper,  
*no, honey, we don't go there,* and she looked at him like  
the raccoon that trespasses her yard sometimes.  
my boyfriend is dead and he watched television as he shriveled,  
watched how they stared at "three Southern girls killed today in devastating fire"  
and looked away from "thirty thousand killed this year in devastating ignorance,"  
and my boyfriend is—  
he's gone. just like that.  
and no one gives a fuck.  
let alone 30,000.

*iii. i'm next.*

i have seen the fires of ignorance rage from fist to fist,  
seen it bloom black into the hearts of those meant to love, six years old—  
*no, carlos! don't you ever try to wear her things again, you're not gay*, spat out like poison, ten—  
they're brainwashing their sons to turn me black and blue, sixteen—  
i said it, finally pulled it out of my throat, gasped at the pinch—  
the winds on the street were bitter about something that night.  
i remember because i never went inside again.

i have seen four years of a presidency without a single "aids,"  
ten years of a funeral every week,  
and i do not know why they are so angry.  
i do not know why i have been sick for millennia, but this, this i know:  
i am next.

## **EPILOGUE: 2021, THE 7th OF MARCH.**

today my coworker asked me if i had a wife and i thought three things in that order.

*i. "husband,"*  
i say politely, wielding a cautious smile. i watch his brows  
frown, then shoot up, pull his eyes comically wide. i hear  
his apologies, see it on his face, feel his sincerity.  
wrestle with his awkwardness. i think:  
i am gay.  
this man is not.  
we do not care.

*ii. my ex-boyfriend died thirty years ago today,*  
and thirty years ago today i could have been killed for my answer,  
in the country that threw us away while pulling out chairs to watch—  
but was i ever alive?  
there's no life in the eyes of a man who gets crucified for a smudge of nail polish,  
no flicker in his heart when he gets mysteriously fired from his job. again.  
what is life without love,  
and what is it when yours isn't even enough for a statistic.  
thirty years ago, i bore nothing but the seedlings of pain.  
today i flourish in them.

*iii.* we have come a long way.  
throw a liquor bottle at brick, watch it shatter, call it stonewall; and  
exhale, finally, to let your life begin.  
love is love, we shouted as we flooded through the streets.  
and we will have ours, we whispered to keep ourselves listening.

and oh, how they have stumbled, hearing our pride,  
oh, how red we have had to bleed.  
but somewhere out there, a rainbow still pulses—  
women, hurled out of bathrooms by eyes that remain closed and clouded,  
cakes, swirled into batter because veils are more important than weddings—  
and my boyfriend was killed 30 years ago.

but my husband shines on my ring finger today.