The liberalism of fear

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Abstract

The research compiled is formulated into a critique of a dated yet highly sophisticated political ideology that is perpetuating inequality in the lives of ordinary people, prevailing over the fates of Western citizens, and of those abroad in developing countries. The arguments contained herein target liberal principles via the involuntary acceptance of unrestrained capitalist structures that frame the current Western socioeconomic paradigm. Overall, the current framework of domestic laws in the West is found to be unable to justify liberal democratic interventions in developing nations.

Keywords: liberalism; individual rights; imperialism; security; capitalism; personhood; Maritime Law; collectivism

Introduction

The advent of public international law and the contemporary human rights paradigm has created a rulebook drafted by and still dependent on Western domestic practices of legal jurisprudence. World War II changed the playing field and soon after, the rules shifted such that the major players fell to the demands of intensifying global capital production. In the forthcoming passages, evidence will be presented to demonstrate that a global ambition for profit maximization has committed injustices worldwide. Documents like the Canadian Charter of Rights and Freedoms and the Universal Declaration of Human Rights were intentionally written vaguely for future interpretations. This inherent vagueness will be established as problematic for a legitimate human rights paradigm. The intent of rights documents devolved alongside the advent of technologies and a new era of global interconnectedness caused by the acceleration of globalization after war. This article will show that the advancement of the Western liberal rights tradition across the globe, although initially intended as benevolent, has frustrated the well-being and personal integrity of human beings. In many scenarios the promulgation of liberalism within a capitalist world has taken advantage of rational people and the countries they call home. As a result many states in the developing world have become economically and politically servile, bound to a Western liberal-imperialist hierarchy (Summer & Pritchett, 2003).

Liberalism itself is a political ideology with a strict emphasis on the following criterion: universal equality pertaining to individual freedom of life, liberty, and security of person as the fundamental self-seeking interests of humans. Liberalism influences the life of a citizen from behind a veil of ignorance. John Rawls' "justice of fairness" ensures impartiality of judgment by rendering the citizen

"deprived of their personal characteristics and social and historical circumstances" (Stanford Encyclopedia of Philosophy, 2008). For Rawls, the most rational choice for an equal justice abstracts identity away from the individual. This is justified on principles securing the alleged basic rights and liberties required to secure the fundamental interests for all free and equal citizens, so to pursue a wide range of conceptions of the good (Stanford Encyclopedia of Philosophy, 2008). Rawls' notion of equality will be iterated as a constitutional enshrinement of the civil obligations imposed upon a rationally ignorant populace. This stems from the top down at the state level which is conceived of as the sovereign power authorized by the people. The mutually beneficial obligations rotate under the assumption that every individual wills civil obligations in exchange for the opportunity to thrive as a rational being in society. It will be demonstrated that civil obligations require that liberalism bolsters rights documents via the social contract, so to enforce the mutual obligations between citizen and the sovereign in the name of equal liberty and justice for all. These criteria necessitate a systematic conception of identity for citizens, without which an identity would be unattainable due to the sheer impracticality of upholding these core values for every individual in the state. This article argues that in its contemporary march across the globe, the liberal paradigm is both normatively and structurally inadequate as a beacon of global peace unobstructed by preordained conflict. It will be demonstrated that the social contract on the domestic front is invalidated because citizens do not enter the contract exercising the full extent of their rational capacities, having been conditioned to act on a restless ignorance as to whom their identity refers to as beneficiaries. This claim will be supported by successive expositions on liberal thinkers and

their theoretical roles in the evolution of North American legal jurisprudence qua the contemporary liberal human rights paradigm.

It is imperative that a basis for individual rights is set before moving on to argue against the advancement of the liberal rights tradition. What are individual rights? In a lecture at the University of Guelph titled “The Beneficiaries of Rights: Individual Rights and Collective Rights,” it was argued that individual rights concern the empowerment of a human being’s agency as a function of their own self-interest. Moreover it was cited that since the end of large-scale global war the movers and shakers of the contemporary rights paradigm such as the United Nations (UN) and its subsidiary organizations, forged in war and sharpened by inhumanity, have only just begun to develop a working conceptualization of human rights. This is unsettling considering that it has taken the architects of modern society centuries to develop a language that simply empathizes with the circumstance of other human beings. At present, the concept of individual rights is depicted as a rational endeavour that sets out to counteract human propensities, not exaggerate humans’ moral capacities for hope and good will.

Michael Ignatieff explains in “Human Rights as Idolatry” that counteraction is a paradoxical notion, suggesting that the United Nations’ Universal Declaration of Human Rights acts on our fear. This contemporary notion is nearly identical to that of the classical liberal theorists. Hobbes and Locke both swore that humans covet a sovereign authority out of fearfulness of one another (Ignatieff, 2000). Moreover, contemporary human rights are formulated to prevent the atrocities in mankind’s past from reoccurring. Ignatieff references the collective guilt felt after the Holocaust as painting a picture of the worst humans can do to one another. In turn Ignatieff (2000) uses this image to justify his argument for the “liberalism of fear.” It is important to keep in mind that the liberalism infused within the UN’s rhetoric concerning human rights is inspired by American domestic policies regarding individual rights laid down by philosophers and policymakers alike since the 1770s. It is the assumption in forthcoming arguments that North American liberalism formulated the tenets of major rights documents and the subsequent policy decisions concerning domestic and international security in our cultural hemisphere – the West.

What exactly is the “liberal tradition” and how is it related to capitalism? It is often argued by liberal theorists that liberalism promotes individual freedoms. Optimistically, liberalism claims that this precedent fosters peace both domestically and abroad. Under this lens the paradigm embraces a distinctly moral status when compared to other sociopolitical paradigms. What can generally be observed in the foreign policies of Western countries is an extension of their domestic politics, which is founded on moral claims for securing individual human rights. Here we can assume that there is no distinction between a state’s domestic politics and its behaviour on the international stage. Liberal states promulgate equality before the law, free

speech, civil liberties, private property, elected representation, and are fundamentally against wars (Doyle, 1986). The precedent put on individual freedoms is a necessary condition for liberal states holding irreconcilable differences with violent and oppressive regimes, such that they are incapable of reconciling with authoritarian states. The tradition evolving from these thoughts is often cited as Lockianism. Here an assumed natural propensity for competition and cooperation between self-seeking humans is fostered in a web of free-market principles pertaining to property and the production of capital.

According to some international relations theorists, free trade and commerce form webs of cooperation that in turn produce global security. For example, Stephen G. Brooks (2006) argues that Multinational Corporations (MNCs) reinforce trade links between states which reduces the likelihood of conflict arising. For instance, weapons production and exchanges within the North Atlantic Treaty Organization (NATO) allows member states to be on par with cutting edge military technologies. This form of security would be impossible without the existence of privatized MNCs like Lockheed Martin, which function on Lockian-inspired, capitalist-driven, free-market principles. These corporations are responsible for much of the security citizens of the United States and NATO member states continue to enjoy. Accordingly, liberalism has been and continues to be a paradigm that seeks to encourage human propensities like creativity and cooperation, while simultaneously counteracting those related to jealousy, greed, and fear – human characteristics deriving from self-interest. Liberalism is a management system for regulating human behaviour for a more peaceful world, domestically and abroad. In lieu of this idea it will be argued that capitalism as the dominant economic system on the world stage is brilliantly problematic for the ends (“human rights”) liberalism proclaims to secure both domestically and abroad.

According to political theorist Michael Doyle, the interaction between capitalism and liberal principles is the foundation for what he coins “liberal imperialism.” Use of the term is naturally pejorative towards the liberal paradigm, yet it interestingly draws parallels with Ignatieff’s notion of illiberalism. The relationship between the two words “liberal imperialism” denotes a paradox tucked away in the crypts of the liberal tradition. This results in an irony of sorts and ratchets a competing standard of self-interest on the individuals who comprise the state and the state as an abstract “entity” itself, which is a metaphorical living entity itself a social construct. What effect does this double standard have on rights documents like the Charter or the Bill of Rights? Imperialism denotes a particular set of actions taken by a state to vitalize its interests pertaining to security and expansion, while liberalism is a framework of principles intent on managing the rational self-interest human beings. Although together the words “liberal imperialism” appears structurally incompatible, the terminology depicts a reality that is eerily substantiated by the world we presently live in. For instance, the ongoing legalized invasions by a state or a

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group of states under the precondition of protecting universal rights and freedoms attests to this terminological paradox. Thus, liberal imperialism as a political ideology would consequently require airtight justification for its coercive influence over people and other states. Thus, under the guise that individual rights and freedoms are necessary for warranting international interventions into developing countries, liberal imperialism proceeds across the globe unrestrained. This state-level behaviour elicits the critical question as to whom or to what end individual rights are necessary.

Doyle's realist account of liberalism's strategic underpinnings is rife with references to Machiavelli's philosophical work, *The Prince*, where the philosopher's advice to the sovereign presents a form of liberalism that encourages disunion between the sovereign powers and the common people. Doyle's (1986) conclusions suggest that this disunion stems from the inherent scenarios and circumstances resulting from the natural competitions and compromises between individuals living in a social system. This view is simply a realistic portrayal of human nature, and for Machiavelli the powerful few in the society threaten the rest with tyranny because humans are naturally competitive and seek to dominate one another. Of course the masses demand not to be dominated by the powerful few so a compromise must be coveted. When applying this theoretical basis to contemporary society, current legislation is said to ensure that the democratic veto of the mass public preserves the liberties of those with less power from obstruction by the ruling powers. Without much effort, citizens are contractually subject en masse to sovereign rule without having validly consented, and concurrently hold the belief that this political structure works in their favour. Using the mouthpiece of Machiavelli, Doyle (1986) argues that republics are not pacifist, such that:

Since the people and the rulers have different social characters, the people need to be 'managed' by the few, for their recklessness and fecklessness undermines the security of the state; strength, and then imperial expansion results from the way liberty encourages an overall increased security of population and property. Free citizens equip large armies, providing soldiers for the common good.

Implicit in this Lockianistic argument is the idea that free citizens create wealth. Overall, if a state wishes to be secure and sustain itself, it must embrace from within and then promulgate across the globe liberal principles pertaining to a bifurcated concept of individual freedom as a means for the security of the state's national security. Doyle's interpretation of Machiavelli presents a hard realist attitude about human nature that emphasizes the sovereign managing the self-interested behaviour of humans so as to securitize the state from the people within. A century later, Machiavellian anxiety lingered in the thoughts of Thomas Hobbes and the more optimistic John Locke, both of whom influenced the

future of liberal legal frameworks. The traditional theorists agree that a general fear of others is a crucial function of our rational self-interest, and that self-interest characterizes human nature. Thus, at first glance, liberalism as a means to secure humans from one another appears genuinely self-fulfilling. However, nearing the conclusion of this article it will be demonstrated that paradoxically, the liberalism of fear actually has the effect of increasing national security while reducing human security. Liberal imperialism is alleged to have presented a paradigm founded on debatable assumptions about the nature of the political animal, such that the reasoning behind it enables the owners of production in an international liberal economy to exploit the people.

Envisioning a global liberalism under this lens assumes certain features about human nature that call for a more securitized world, which is exclusively achieved by upholding individual freedoms. Accordingly, the concept of a liberal international economy parallels the Lockian provisions on the domestic front. The "utopian" global counterpart is cited as a Kantian free world where every state is a free and liberal-democratic republic that is theorized to perpetuate a global peace. On a critical note, our notion of liberal imperialism parallels Michael C. Desch's allegation that liberal principles are self-deprecating, and compose a paradigm coined America's "illiberalism." Moreover Desch alleges that Lockianism "contains a deep and unwritten tyrannical compulsion" (Desch, 2007/2008). For example, the Patriot Act of 2002 was enacted in the outright name of liberal freedoms, yet paradoxically permitted the state to violate citizens' civil liberties if federal authorities deemed them a suspected terrorist. Cumulatively, the five strains of "illiberalism" just covered – Ignatieff, Machiavelli, Brooks, Doyle, and Desch – indicate that liberalism qua liberalism and its ends are not necessarily achieved by truly liberal means. Such, the liberal paradox begins with the intent of rights documents, particularly the American Bill of Rights (1791) heavily influenced by the ideas of the English philosopher John Locke.

The Bill of Rights, 1791, and Legal Language

The United States Bill of Rights was spawned at the time America was laying the foundations for sustaining a great economic superpower. On the domestic front it expressed a desire to securitize and expand, while intending to prevent the misconstruction or abuse of its powers. Among the provisions, it was stated that "further declaratory and restrictive clauses should be added so as to extend the public confidence in the government and ensure the beneficent ends of its institution" (Bill of Rights, 1791). The beneficent ends were to act in the people's interest by securing individuals from wrongdoing, "for their carelessness or fecklessness threatens to undermine the state." While the Bill of Rights provides a specific list of rights, the original Framers of the

document included a provision that essentially legislated rights for which there was no explicit law. Alongside amendments such as the right to bear arms, freedom of religion, peace, and the press, there was an enlarged capacity for the courts to interpret the meaning of laws as applicable to the enumerated rights not explicitly written in the document. The Ninth Amendment states that there are rights retained by the people that the federal government cannot deny which are referred to as “enumerated rights” (Farber, 2007).

According to prominent legal historian Dan Farber, the provisions of the amendment are critical for understanding how the Founding Fathers thought. The Ninth Amendment implies that the Bill is essentially incomplete, where the intent of the Framers was to secure citizens from future abuses of the government’s powers. However Farber (2007) alleges that the implications of this mindset bear on modern day issues like abortion, euthanasia, and same-sex marriage. The rights surrounding reproductive autonomy and marriage are presumably among many enumerated rights that heavily influenced the formation of laws in subsequent rights documents, including the highly-regarded Canadian Charter of Rights and Freedoms. This pretence of the Bill of Rights manifests as a judicial and societal division on the interpretation of enumerated rights. Respectively, the contemporary issues listed relate to the questions of when a being has the capacity to benefit from rights and what types of sexual relationships can have legal backing. These questions will be elucidated in forthcoming expositions on the topic of birth certificates. The archaic tradition in which the latter are embedded substantiates the following premise. Under Farber’s (2007) account, the Framers thought that these fundamental rights prescribed by the federal government were embedded in a moral framework bearing the structure of a “law of nations” or an overarching system of international law principles lacking supreme enforceability. Logically, future laws made under these macro provisions would also lack a supreme enforcement agency by which to arbitrate a unified answer to tough social questions like reproductive autonomy and legally valid forms of human relationships. On this premise the illiberal worldview begins to take shape.

Historically, the onset of war was typically preceded or followed by technological achievements that then paved the road for more efficient regulation of the state’s resources. As populations grew and played a role in humans’ abandonment of the barter system, currency and its exchange became the most endeared resource as the fruit of human labour. Analogously, the regulation of the natural resource cotton dictates when its life begins, where it ends, and the significance of its sexual combination with other species of cotton in the natural process of producing more cotton resources. It is a premise of this article that conflating a law of nations with enumerated human rights appears to have subtly conveyed a substantial amount of power unto the federal courts in deciding rights claims directed under

common law, which has consequently shaped the socio-legal landscape of Western society.

It is now pertinent to acknowledge that the axle by which the law turns is the ambiguity surrounding the application of legal language to the specific case at hand. Context-specific questions convey a substantial amount of discretion on past and present policymakers, and pertain to ‘who,’ ‘what,’ ‘where,’ ‘when,’ ‘why,’ and ‘how.’ Lawmakers are key players in structuring society. As colleagues, they have created jargon pertaining to what they work with – legal terminology that has become legitimized in the public discourse through many institutions, including public education. Yet the public remains debased and literally hears “the chatter of birds,” which is the meaning of the term “jargon” in French. Words that make laws are defined according to a multitude of contextual factors and historical conditions that necessarily include *whom* they were intended for. The practice of law set by Western legal jurisprudence is a process of logical reasoning intended to extrapolate rulings case to case according to the precedents set by previous agreed-upon interpretations of language and context in relation to a previous case. This is the crux of “the law,” where this type of language is experienced in everyday interactions with government bodies, the workplace, and people. Furthermore, it is quite apparent when using the Newborn Registration Service. This unique employment of language will be argued to manage and regulate the masses by achieving more sophisticated methods of social control.

Interpreting ambiguity is a fundamental practice for adjudicating legal matters like rights claims made against the state, persons, or corporations (also persons). Max Rodin in “Statutory Interpretation,” explains that the when a statute is interpreted, the “meaning” of it is discovered by consulting the materials, such as the debates in legislature and the reports of commissions alike (Eskridge, 1990). (In regard to the heart of this article, the adoption of commercial maritime law as the quintessence of law and jurisprudence in American domestic policy occurred practically without any debate or substantiating record (Dodd, 1921)). Thus, the ambiguity of legal language coupled with clauses like the Ninth Amendment, permits the courts to apply specific legal terms to scenarios or pockets in society where there is no explicit law, successively creating new laws. Judicial bodies interpret a specific legal meaning supplanted in common words as applying to the present case at hand. This stimulates concerns. Can citizens accept laws and statutory obligations as representing something they are inherently not? Could we accept legal terms and procedures at face value because it is “what we have to do” – for example, owning a SIN card or getting married? Perhaps the liberalism of fear is not empowering people, but compelling citizens to willingly relinquish their agency to a sovereign power (a Hobbesian notion). Speculating on this idea, in the age of MNCs and global security measures, the military industrial complex is driven by a syndicate of resource-based financial interests that typically own a state’s means of capital production, and thus enable its secure expansion. One can then entertain the

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idea that liberal rights documents are currently being applied out of the scope of their initial intent, paradoxically reducing human security.

The Agency Counterargument

Returning to the initial concept of the liberalism of fear, Michael Ignatieff (2000) argues that when individuals have agency, they can for themselves define what they wish to live and die for. Accordingly, it will be elucidated that the Western-inspired liberal rights movement has severely misconstrued Ignatieff's noble definition of agency through a state's secure expansion at the behest of purely capitalistic interests. However, it is important to consider a possible counter-argument to the preceding claims. One could argue that the power to interpret and apply predefined legal language genuinely results in empowering the agency of individuals. This will be coined the "Agency Counterargument." If the Bill of Rights defines the rights and freedoms enshrining an individual from other persons and the state, then it is important to explicate the distinction between rights and freedoms to reject my claim that the Bill of Rights and other documents do not act to empower an individual's agency. This distinction can define rights as claims of a person A being owed a duty by person or something (the state) B. This duty is called a correlative duty. Conversely, a freedom, which can be defined as a civil liberty, states that person A has the right to do, while person or something (the state) B has no right. In a way, a civil liberty could be thought of as inflating the power of the individual to utilize his or her agency, while deflating the power of the state to interfere with that agency. As history shows, the power of the state led to the enslavement and oppression of millions of Africans and African-Americans, and the assimilation of millions of Natives. These are examples of the deprivations that occur when the state or persons infringe on an individual's capacity to act under their own will so as to fulfill their rational self-preservation, a principle of liberalism. It is clear that the agency of individuals can be empowered as a result of numerous provisions and amendments made to liberal documents. Rights and freedoms are upheld in the West. The citizens generally live prosperous lives where justice is served in adjudicating rights claims and civil liberties scenarios. Language such as that contained in Section One of Amendment 13 of the US Bill of Rights: "Neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction," applies notwithstanding (Bill of Rights, 1791). Therefore, this clause provides working examples of liberal benevolence and the integrity of our Western social and legal environment.

This counterargument is strong in that it provides compelling evidence for the deep changes that have been brought about by relying on the practice of interpreting

ambiguous legal language case by case. Moreover, it points out that in everyday life people benefit from the power they have in controlling their agency from seizure by the state and other persons. However in spirit of rebuttal, this argument commits a fallacy because it selects or isolates positive features of American life away from all of the relevant features (i.e., the evidence *au contraire*). Just because it is effortless to cherry-pick examples of the state empowering the people is no indication that this can be attributed to the pure benevolence of our legal bodies applying benign terminology. The Agency Counterargument fails to acknowledge that people can often think they have agency while unknowingly face crippling obstructions to it in relation to their property. The language in Amendment 13 does not reference what the term "parties" refers to; moreover, it does not take into account that time acts on socially acceptable norms which could source the ignorance enjoyed by many people in the West today. It talks past the point of whether an individual can perceive him or herself to have some form of agency and autonomy from oppressive power structures, while he or she is kept in the dark as to the nature of what the law is and what it means for him or her. As legitimate actors, citizens are simply indoctrinated into playing a role. This is evidenced by the pervasiveness of both class and gender relations throughout our society, partially induced by mainstream consumer culture. It is quite clear that all citizens hold the civil liberties to marry and divorce whomever they please, yet as mentioned previously the emphasis on marriage as a natural process in liberal states creates modern social divisions over tough social questions. The process of marriage as a natural process is cited by Aristotle as the basic unit of the polis that integrates humans into a common life and enables them to become useful. In Book One of *The Nichomachean Ethics* titled "The City and The Household," Aristotle argues that the "city is prior by nature to the household," because the whole is necessary before the parts that compose it – individuals and families – "for when the individual is separated from the community, he is not sufficient" (Aristotle, n.d.). It is certain that this view or aspect of human nature (i.e. relationships) was incorporated into modern and oppressive power structures relating to sex, gender, and marriage in liberal democratic republics. What does Aristotle's claim imply for a citizen's utility in contemporary society? Are citizens genuinely empowered by the state, or do they misinterpret the nature of their freedoms if life in the state has been founded on the premise that citizens are insufficient without it?

Are Rights Naturally Human?

The latter questions stimulate speculation on whether civilized rights humanize a person in the state. It would appear that liberal rights documents have enshrined individual rights and freedoms, such as freedom of expression, assembly, fair trials, and marriage, and the right

to own property. However, as far as a uniform recognition of rights goes, the vast majority of people cannot provide a clear definition of what rights actually are. There is a grasping of the mind of sorts to reach out and touch these sorts of intangible concepts, but for the layperson and public officials alike the concept of “rights” is only a catalyst for compelling legal action. Thus, it is a point of this article to suggest that legal vagueness is a potential factor in contributing to an average citizen’s ignorant acceptance of a legal system founded on individual rights. To begin with, citizens simply have a vague conception of what rights and freedoms mean for their individual circumstance. Furthermore, they are intellectually burdened and belittled when attempting to comprehend and use abstract legal language the judicial branch via law societies have developed over the centuries. Lastly, people focus on the prize for suffering injustices, and a legitimate court of law will ensure they get rewarded for injury to their body or person. Perhaps the pertinent definition is that rights are inalienable; humans are born with them, and for the purposes of this article, the notion of rights begins with the Western liberal rights tradition that embraces the ideas of John Locke and his definition of an individual’s property rights.

John Locke on Property

According to John Locke, “it is the right of every man to have property in his own person, as this nobody has any right to but himself; that the labour of his body and the work of his hands, are properly his. Whatever he removes out of the state that nature has provided and left it in, he has mixed his labour with, and joined it to something that is his own, and thereby makes it his property” (Locke, 1690). This implies a natural claim right for the state or persons not to interfere with and appropriate an individual’s property (i.e., that which they have mixed their labour with, such as currency). Implicit in the Lockian provision is the premise that property rights only exist when someone or something interferes with the fruits of nature an individual has mixed their labour with. For Locke (1690), this common will is governed by reason granted from God, and the portions people create for themselves are felt by everyone, “where it is useless and dishonest to carve himself too much or take more than needed.” It is important to note that this implies a certain fear and assumption about human beings as was suggested by Michael Ignatieff’s liberalism of fear, perhaps because humans tend to compete to acquire more resources than deemed acceptable, potentially triggering a tragedy of the commons. However, it is imperative to acknowledge that within Locke’s concept of property, he is slight to mention the role the owners of capital play in a society structured as a hierarchy for capital production. In fact, he talks much about humans in the divine natural world, living nomadic lifestyles and mixing their labour with the gifts of nature. The Lockian chords struck here are pleasing to the ear, but they fail to address the role socioeconomic forces play in the relationship

between labour and global market values. This is especially true within a universally-accepted hierarchical mode of capital production that aims to securitize the homeland by first securitizing the world. It is a point of this of this article to argue that Locke’s (1690) words – “It is the right of every man to own property in his own person; this nobody has a right to but himself” – was interpreted to sustain a liberal imperialist agenda by assigning two contextual meanings to the same word, “person,” in legislative jargon, and implying no distinction through an obvious vagueness to the publicly educated masses, ruled by the few. Given that an individual often legally interacts with institutions as an artificial “person,” they indeed authorized this mutually benefiting obligation of the sovereign power, even if having done so unknowingly. This tactic stands in contrast with Locke’s natural conception of property rights, intended initially as a benevolent basis for a jurisprudence to protect the livelihoods of citizens.

It was possible that the people writing policy and legal documents feared what would happen to the state if citizens did not covet a sovereign authority to regulate and defend the commoner’s right to property. Such, a new form of sovereign authority evolved in the wake of Locke’s impressive liberal account. Capitalist indoctrination became essential for keeping the masses in check with increased capital production, so as to ensure an expanding and secure state. Presently the sovereign authorities driving the advancement of liberalism frequently endorse giant owners of capital production like MNCs and international banks. These conglomerates have recently been ridiculed in alternative and particular mainstream media as being directed by a shadowy cabal of military, industrial, and financial interests. Multinational corporations can fund media and social or scientific research projects published by ghost writers, while international banks loan out controversial Structural Adjustment Packages (SAPs) to struggling nations. It is encouraged that on the domestic front citizens admire capital production, such that agreeing to covet a sovereign authority is rationally the best recourse for citizens to defend their hard-earned labour, property, and righteous self-interest. It will soon be demonstrated that citizens often validly consent to have some rights appropriated. In our society the “persons” that control the free exchange of resources are graphed in higher echelons on the production hierarchy. The utility of an MNC or a bank is a function of the wealth they generate for the state. As the pinnacles of capital production, these organizations capitalize off of the labour that citizens exchange in liberal countries. Free citizens are hardworking citizens who accumulate and relinquish valuable monetary resources, so long as they cooperate. Consequently, the owners of capital production are accordingly legitimized as actors within sovereign governments and on the international stage in the liberal international economy.

Hobbes and the Leviathan

The pertinence of Hobbes' *The Leviathan* interestingly echoes Aristotle's arguments on the role of the family unit and the individual, and the state "coming prior" to the individual. Hobbes (1660) argues that the ruler of the state embodies the will of all members, where the sovereign authority represents the collective will of each individual citizen belonging to that political society. This notion is analogous to Aristotle's conception of the whole being greater than the sum of its parts. In Chapter 16 of the *Leviathan* under "Of Persons, Authors and Things Personated," Hobbes makes the case for his definition of "person," seeing as people now comprise the sovereign power as a coveted commonwealth. He asserts that "a person, is the same that an actor is, both on the stage and in common conversation; and to personate, is to act, author, or represent himself or another" (Hobbes, 1660). This is a critical point relating to vague legal language and begets the crux of this investigation. To be defined as a person in society means that one has the legal capacity to act both onstage and in common conversation. Furthermore, Hobbes argues that the commonwealth is a conglomerate of all citizens, and it too holds the status of an artificial person: the Leviathan. If the sovereign state is understood by Hobbes as being an actor and attaining rights through personhood, then when coupled with Locke's view on property, the state has a property right to "mix its labour" with that of the commons and acquire property for its own vitality. Evidence will be presented that the state and the "person" are both legally defined as artificial entities. It is unsettling to think of the state as an entity with an indirect contractual right to harvest resources from the commons. Heads of state most certainly do not claim that they are acting on behalf of the artificial entity that they identify as their country – that which also has inalienable rights to property and self-preservation.

"Person, Whence"

The present discussion has now reached a point where it is pertinent to unpack the legal distinction between the natural and artificial person. It was drawn from the philosophies of Hobbes and Locke that the state can be conceived of as both a coveted sovereign authority for the people and an entity in and of itself. Citizens wilfully contract the state to appropriate their labour for the goals of the state in maintaining civil, social, and legal infrastructures (roads, police, courts), particularly through paying taxes. As a signatory, the citizen is reasoned to benefit by being protected from injustices by the state, sovereign nations, and persons as a mutual obligation for securing the citizen's right to self-preservation. Analogously to an actor in the playhouse, citizens act according to the ambitions of the state. On the domestic stage citizens "act" in adherence to a

superficial script that manifests as the role they play in society, which has varying degrees of influence in shaping one's identity (e.g., mother, father, CEO, an individual who is homeless). However, citizens enter this stage holding grand delusions when it comes to interacting with the state as a person. Here the citizen is not aware of what their role actually is, which will be reiterated shortly. Simultaneously, citizens are fulfilling an artificial role yet behave as if there is no disconnect between that which is socially constructed and the natural order of life as a human being. In Western society, labour and the property acquired from one's labour are what persons call their livelihood; humans build lives with money. Theoretically and in practice, on the domestic front, merely holding the status of "citizen" permits an individual to represent their person as an artificial or fictitious entity conceived of as capital gain or loss. While acting in this manner during legal scenarios may be akin to good strategy for defending one's property rights, there is also a universal tendency to represent one's person as a fabricated version of their natural being in common life as well – "Fine thanks, how are you?"

Interestingly it was stated by Quentin Skinner (2002) that the terminology Hobbes was using when defining what the term "person" refers to was taken from the theatre. Skinner writes that Hobbes was merely translating, as he put it, "a range of concepts long familiar to the playhouse to encompass any representer of action or speech." The outcome, he adds, is that his theory of a person "is the same that an actor is, both on the stage and in common conversation" (Skinner, 2002). Hobbes' thoughts are interpreted as a metaphorical distinction between the natural person and the artificial person. An actor on the stage (perhaps a court room) can be considered an artificial person, whereas "in common conversation" (common life), a person is considered as the natural person with absolute liberty from any obstruction of their agency by the state or other persons. This article will provide evidence on symmetry between the spheres in which political actors behave: the domestic sphere and the international sphere. On the domestic front, there is a dull theatrical demeanor to a courtroom despite a rich tradition of having donned wigs. Synonymously, the state is an actor on the international stage where conflict is waged in theaters. It would make sense that only when an individual authorizes their person to act (e.g., surrendering identification, paying, or applying for something) do they enter the stage on which they play the role of someone – rather, something – who exists as a capital value in conceptual space, an artificial counterpart. Therefore, there is a grand misconception in our society regarding how we relate to the term in pertinent situations. Words denote concepts, and the artificial person is not a concept the mass public who comprise most of the commonwealth is privy to. For Hobbes, legal terminology is governed by the principle that whenever wording text in question in a court of law, "you must seek to cast doubt on whatever attributions of meaning and authorship have been made by your adversaries" (Skinner, 2002). This implies that lawyers and

judges must be aware of how people can misinterpret the meanings of terms that apply to them, and what this poses for their authorization of the state in pertinent legal scenarios.

As it was previously stated, Ignatieff's (2000) liberalism of fear suggested an "illiberal" mandate, where fear justifies the coveted sovereign. It is not unreasonable to suggest that the adversaries the writers of major legal documents were referring to are the natural human beings at large, who by sheer numbers have the capacity to destabilize the self-sufficiency of the state on which all living things depend. The point of this liberal paradox is reiterated in Doyle's (1986) account of Machiavelli's liberalism at the beginning of this article; "humans are feckless," or generally irresponsible. The turning point here is that the natural person, who is born with inalienable natural rights, wilfully consents at birth, through contract, into embodying the status of an artificial entity so to forgo their rights and liberties related to property and their person towards the vitality of the commonwealth. This paradoxical notion of consent renders humans' capacity for volition and free choice as inferior to the production of wealth. Since everyone has to work, they accordingly obtain a Social Insurance Number derived from information on their Personal Identity Record created at birth, without the privilege of knowing what it means. Humans are controlled before they can exercise rational judgment. In an oppressive manner, a citizen's agency to make choices as a rational creature is systematically rendered incapable without being provided relevant knowledge to identify such an infraction. In a way, citizens are kept in the dark by being indoctrinated with the idea that they hold an entrenched set of individual rights and freedoms from birth, unless that is, if they are convicted of an offense for breaking their contractual obligations. This supposition only paints half the picture. Continuously lurking in the background is the meaning of the term "free person" citizens are familiar is interpreted as a concept that does not apply to them at pertinent stages in their lives.

The Supremacy of International Maritime Law

In 1787, the time came to develop a permanent framework of laws for the establishment of the American nation. To reiterate, the intentions of the Framers of the Bill of Rights in 1791 placed fundamental human rights in a "law of nations," and secured future unwritten "enumerated" rights in this regard using the Ninth Amendment. In the wake of leaps in liberal thought, we can reason that statutes and declaratory human rights documents apply only to artificial persons related to agencies that appear to be legitimate but are a facade. It was obvious to American founders that matters relating to "prize," defined legally as appropriated goods from vessels by the authority of a state and the rights of foreigners, were matters of both

public international law and domestic common law (Dodd, 1921):

Since admiralty courts had dealt with other matters relating to the rights of foreigners and interstate commerce, the English law courts also dealt with maritime matters. Their ordinary jurisdiction over personal actions was not confined to cases arising on land, but embraced maritime matters as well. In general their jurisdiction was coordinate with that of the admiralty courts or prize courts.

Merrick Dodd, who was writing in the 1920s, went on to argue that it was natural for the founders to confer the entire admiralty jurisdiction upon the federal courts for establishing American law. An increasing exchange of commodities and the diaspora of peoples around the globe were driven by global-scale wars waged in theatres divided by East and West. With technological breakthroughs following wars, it is reasonable to postulate that the rights pertaining to the movement of nationalities were enabled to converge with the laws regulating commercial resources circulating the globe. This idea is bolstered when acknowledging a rising global interconnectedness forged in war and technology, which also fathered the modern banking system. Interestingly, Dodd (1921) adds that "it appears to have been adopted practically without debate." This implies that there was a unanimous agreement on the utility of a global framework founded on individual freedoms textualized for a secure and expanding state. This article tacitly endorses a particular set of claims made by critical researcher Jordon Maxwell whose claims inspired this critical examination. Maxwell has griped that the birth certificate is analogous to a corporately-owned item or a certificate of manifest onshore under the Uniform Commercial Code of international law that a "person" is owned on the stock market¹.

In response to Maxwell's allegations, there is nothing conspiratorial about the reality that decisive and constitutionally obligated policymakers have used sophisticated tactics in the past to securitize their state as an obligation to uphold the provisions of liberal constitutional documents. There is a practical cost surrounding these modes of securitization that indicates a normative inadequacy concerning the Western liberal tradition. For larger populations it suggests that what is critical to a functioning Western legal system is a systematic vagueness in the use of language, "which permits men through the use of language to achieve more sophisticated methods of social control" (Christie, 1964). The artificial person is a highly sophisticated component of economic regulation for the security of both the state and the individual. Skeptically speaking, Maxwell's arguments are limited and do not necessarily apply to citizens in liberal states outside of the US. As evidenced by the traditional theorists, liberalized citizens in general are legal signatories to the social contract and are contractually bound to their respective states. In this investigation, the specific definition of "person" applies not

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only to the Lockian natural person mixing their labour, but also to a form of law in which the person is a resource under the principles of a universal law of nations that pertains to not stocks but to sovereign states. As such, citizens are legally incorporated by the state, the Leviathan, who they have ultimately consented to authorize their person and rational self-interest to pursue a wide range of conceptions of the good. As stated by Alfred Coxe (1908):

The jurisdiction of the state and the “domestic” courts is so often concurrent, the line of demarcation between them, and the two forms of law so shadowy and uncertain, that cases are continually arising in which the lawyer ought not to attempt to advise his or her client without fully understanding the law of each.

The implications of this legal structure draw parallels with Doyle’s accounts of liberal imperialism and Stephen Brooks’s argument in “Producing Security” as being justifications for liberalism as a means to secure the state. Implicit in what Brooks is saying is that in day to day life, depending on their level of interaction with civil services, citizens are playing a role in society that ultimately favours the interests of capital production for the state (contracted by their person), while indirectly bolstering the wealth of the owners of production, and reinforcing the paradoxical notion of liberal “security” enjoyed in NATO member states. In many important aspects of life here in the so-called “free world,” it is clear that collective citizens tend to portray their person both onstage and in common conversation as agents of labour-consumers or owners of property and commercial value.

The significance of admiralty law in this investigation is simply that it is a federal legal tradition that holds legal precedent over interactions at sea ports pertaining to international commerce. To reiterate, the Framers of the Bill of Rights reasoned that fundamental human rights were embedded in an international “law of nations” (Farber, 2007). We can now proceed under the assumption that the onset of rapid globalization inundated states on the international stage to commercialize the value of the citizen as a product of their labour as a necessary resource for the vitality of the state. This resulted in the creation of a domestic stage upon which citizens act as agents of self-interest whose productive capacities benefit the state. Historically, maritime law existed independently from domestic common law, and held the character traits of international law (Dodd, 1921). This distinction is logical because there is no overarching body to enforce transactions while doing business on neither the global level nor the domestic level. Simply put, the concepts being discussed are social constructions built from the labour of fallible human beings embracing particular ideologies that continue to work somewhat well. This presents an imperial implication, since the body of modern liberalism was spawned from the 1700s onwards, a period rife with conquest, battle, and scientific

achievements. Alleging this imperial dimension of international trade was brought to the domestic front requires revealing sophisticated tactics for securitizing the state on a lower level of analysis, such as the creation of an artificial person, a citizen, from an individual human being as the revered protagonist acting on a metaphorical stage.

The existence of this dated yet immensely relevant legal framework is displayed when analyzing commercial disputes at seaports. Identically, civil disputes relating to property also involve two distinct components, tort and contract (Dodd, 1921). Torts can be understood as complaints relating to injuries sustained by plaintiffs that are not criminal in nature, which tend to relate to a person’s property up to and including their labour (Dodd, 1921). Under contract law, contractual obligations are assumed to be voluntary in which the beneficiary provides valid consent (EssayUK, n.d.). Contracts derive from agreements in which individuals are able to freely enter or refrain. On the contrary, tortious obligations arise independently of the will of those involved, and thus are independent of the person’s consent (EssayUK, n.d.). In forthcoming arguments, it will be demonstrated that the citizen has entered many important contracts involuntary based on the grand assumption that they are acting rationally and entering the stage wilfully. Prior to validly entering the social contract, citizens and families especially are exercising their rational capacities on limited information that is crucial for a wilful consent. This apparent conflict is compounded by the fact that society is divided over the issue of when an infant human has the capacity to benefit from rights, rather than the question of whether the liberal rights paradigm is a naturally human enterprise.

Dodd explains that admiralty courts dealt with ordinary civil disputes relating to maritime obligations, and utilized a special form of procedure in which the ship was named as the defendant. Matters relating to prize were adjudicated in this respect; “the admiralty notion of international law based on civil law is applicable to ships and [mariners] alike in all countries of the world” (Dodd, 1921). The judge acts to balance the monetary claims between merchants. Likewise, “the law of the sea, like the law of the land, is founded on broad general doctrines common to all jurisprudence” (Coxe, 1908). This statement closely echoes the Framers of the Bill of Rights’ aspiration for a federally-inspired human rights paradigm embedded in a law of nations. Strikingly, with the exception of criminal law, legal disputes often have a property value at stake. The defendant usually ends up paying out reprimands for tortious culpability or for refusing to honour a contract. In light of Maxwell’s claims about the birth certificate and commercial disputes at sea ports, analogously, the adjudication of property in divorce courts is a metaphorical balancing between the contractual obligations of two legally-bonded human resources instead of two disputing commercial sea vessels, where a defendant holds a citizenship instead of a “seamanship.” An artificial person is judged on the domestic stage by their role as a productive agent holding a monetary value like that of a commercial

shipping vessel on the “international stage.” It is not out of the question that this tactic enabled a cabal of financial and military industrial interests to eventually construe, and then legislate, the definition of the term “person” to apply not only to a real person, but to a fictional embodiment of the political animal whose labour in the natural world plays an integral role in a socially constructed currency generating system. Therefore, the convergence of international maritime law with civil law permits a system by which the private ownership of capital value dominates the natural landscape.

An underground anarchist collective, Crimethinc, published a book which argued that poverty is an economic relationship produced by an unequal distribution of resources. The public admiration of working and capitalism creates a three tiered hierarchical society of capitalists, the exploited, and the excluded (Crimethinc, 2011). The author goes on to state that, “a few capitalists make money from not only what they do, but from what they own, and they then exploit the majority who can only make money from their labour” (for example, a corporation pays a person \$1 or \$10 to make a \$200 pair of shoes) (Crimethinc, 2011). Most people living in the world fall into the lower two tiers. One can infer that the majority of the excluded is comprised of those who live on less than one dollar per day. What the exploited and the excluded have in common is that they are not in control of what they wish to live and die for. In light of this postulation, we can infer that from a subsistence perspective, they do not own their person.

“Involuntary Servitude ... Nay”

It's a small paper but it actually establishes who you are and gives access to the rights and privileges, and the obligations of citizenship.

—Archbishop Desmond Tutu

In light of the preceding claims, we can reason that many of the civil contracts Canadians enter into such as the social insurance number (SIN), the Ontario Health Insurance Plan, licenses, fines, marriages, and mortgages are adjudicated in the context of a law that balances currency. These documents are assembled from foundational documents contrived at birth, created from a Personal Identity Record. It is mandatory that the birth and death of a person in Canada are reported to the province's respective Vital Statistics agency, backed by the *Vital Statistics Act* which states that, “the birth (and eventual death) of every child born in the province of Ontario must be registered within 30 days of the date of birth with the Office of the Registrar” (Service Canada, 2013). Birth registration is a necessary two-step process using the online Newborn Registration Service to create a birth certificate. Evidence is provided proving that the birth certificate is a foundational document contrived from a person's National Identification Number, which is for governmental tracking of citizens. The

ID number found on the birth certificate is a necessary precondition for future legal documents. The banality and shortness of the language explaining the official narrative of the Birth Registration process begs the question as to whom or to what end is the word “vital” referring in the *Vital Statistics Act*?

It is important to keep in mind the fact that the Vital Statistics Act requires that a doctor, midwife, or “other” individual must also be present at the creation of an artificial person, such that the majority of births are witnessed by licensed medical professionals. The social contract is indeed witnessed, at least metaphorically, and is recorded during the two-step process after a mother receives a statement of live birth from the hospital or midwife. This initializes the creation of the Personal Identity Record for her newborn (Service Canada, 2013). Before citizens can reason the implications they are assumed to rationally choose this route and have the decision to enter made for them. The merits of this process are debatable, yet it remains that persons are coerced without providing rational consent. Citizens are not provided with clear information as to the nature of the contract and their place in it, other than that it means that children are eligible for the next stage of documentation required to thrive in a free society, particularly obtaining a SIN number. The language is quite vague yet strikingly familiar. On the Canadian citizen's birth certificate is their name in capital letters and “CANADIAN BANK NOTE COMPANY LIMITED.” The organization's webpage states its vision is to make the world a better place for living and working by “supplying advanced solutions to fraud in specific markets pertaining to the securitization of: lottery systems, identification systems, payment systems, and shareholder services” (Canadian Bank Note, n.d.).

Returning to the notion of a liberal paradox, this article presents the argument that legitimizing the social contract via the Birth Registration process begets the crux of the thesis concerning the moral inadequacy of the Western rights tradition advancing across the globe. Liberal rights can now be conjectured as a mutually beneficial agreement that relies on a conditioned ignorance of the masses. Forged in a “law of nations,” it is a covenant that reaches a compromise between an individual's need for life, liberty, and security of person with the vitality of the state they graze freely in. A person's contractual obligation to the state is unstated or assumed, and rests in a rationalized economic reality that the citizen willingly authorizes a sovereign artificial entity enshrined by the hollow-sounding locution forming federal statutes regulating their productive capacities. Just like the individual is dependent on the artificial legal framework of the state for their own health and vitality, the state (sovereign) is presumably dependent on the artificial person that enshrines a natural being (free) who seeks vital relations with other free beings so as to fulfill their obligation as a rational agent for national capital production and security. This evidence postulates that the birth registration process is legally legitimate. Yet the fact remains that citizens do not have the volition to decipher what signing the contract

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implies about who they are as signatories. An infant is presumed to grow into a rational being and desire the beneficent ends of this process. It is reasoned to expect its parents or guardians proceed with his or her legal creation, as did generations before them. This suggests the statutes comprising the social contract are reasonable for most people to accept, or at least sufficiently legitimate in accordance with attitudes towards common law. Yet, the vital statistics agencies of liberal states are evidentially vital to the health and prosperity of the state, and not necessarily for some convenience a citizen is entitled to live a life one would call “complete” in North America. There is perhaps a bigger picture.

A symbiotic consideration

Under neorealist Kenneth Waltz’s (1954) perspective of International Relations, the behaviour of states is understood such that the internal structures and policies of states reflect their actions and attitudes within the international system. The objection could be raised that this article utilizes evidence solely from American legal literature; however, the legal architecture of both countries conveys a strikingly similar resemblance. This notion was affirmed when the liberal tradition was defined in support this article’s central thesis. As was stated, liberal states hold incompatible differences and often invade or fear attack from authoritarian or repressive regimes because they endorse a set of principles that understands that equal freedom for all individuals leverages their prosperity. It cannot be more important than to acknowledge the historical lineages dating back to the British Commonwealth and the Crown after the separation of Church and State, the advent of modern liberalism. As was stated, the Bill of Rights was influenced heavily by John Locke, an Englishman, whose thoughts founded the Social Contract theory and the legal domain of property rights. Canada, the United States, and many other liberal states use the same playbook to draft and enforce rights documents for the promulgation of liberal imperial interests across the globe. Hence liberal states tend to seek union and alliance with other liberal states. Moreover, they tend to fight one another’s battles supportively or as brothers in arms on the proverbial schoolyard that has become the international stage, as promoted by the media. This concept is evidenced by the creation of the NATO alliance, and is one that frequently comes up in discussions about conflict and resolution, which is referred to as the democratic peace (Clark, 2011). In light of this consideration, the legal systems and the bureaucracy supporting liberal states are tailored towards enforcing the social contract on the international stage. As actors in a tense global playhouse, liberal states all read from the same script.

First world problems

In the forthcoming discussion of the normative inadequacy of the liberal rights tradition, evidence will be presented supporting the claim that people do not often have a choice in their freedom. Citizens lack the pertinent information to make an informed choice as rational beings. After acknowledging two kinds of persons, the token of the liberal tradition can be revealed as its Achilles heel. In liberal states, citizens are judged onstage, regarded before the eyes of justice as actors having had every individuating characteristic constituting their natural being abstracted away. This is the great liberal equalizer: stripping away the knowledge of a person being their gender, ethnicity, religion, occupation, and class, and reducing the individual to an artificial “person” of purely capital value. This notion is indifferent to the realities of inequality in social systems in that it is ignorant towards historical legacies of imperialism forged in fear, and the enduring hierarchical roles in the life of the political animal. In this sense, artificiality and “natrality” are mutually exclusive social realities. Citizens are blissfully ignorant of their split personality, which they “legally authorized.” Metaphorically, the social contract proceeds from behind a veil of ignorance where the “person” is not privy to being judged according to their subjective circumstance. In this sense, they are objectified. It is fair to say that citizens are disabled from exercising their natural-born rationality as a function of their free will as humans, and while perceiving no err, undoubtedly feel something is amiss. Persons frequently feel violated by the system’s ignorance of their endeared subjective person, yet cannot find the words to express this frustration. They are often undercut as griping over “first world problems”. It will be demonstrated that this observation indicates at least some degree of illegitimacy contained within the liberalism of fear.

The legal doctrine of acquiescence illustrates the liberal paradox quite supportively in that it reasons that the signatory does not need to know who they actually are to take the form of a valid contract. It differs in that the social contract assumes there is no expressed harm being done to persons as prescribed by the beneficent ends of its institution. Remarkable implications do arise, such that rights documents are legitimately legal documents, for there is nothing to enforce the contract but the contract itself and the indoctrinated social pressure to do so. At the heart of acquiescence is the idea that a person can knowingly stand by without raising any objection to an infringement of their rights, while something else without the intention to do harm makes a claim on their rights; “a person that sleeps on their rights should not be allowed to demand with passion what they have for so long ignored with indifference” (Hermanson & Liimakka, n.d.). Thus, silence or absence of objection understands the person to have tacitly accepted or agreed to the infringement (Acquiescence, n.d.). In the case of their contractual rewards, citizens unknowingly stand by and often experience a legalized infringement of the rights that they have in fact consented to as part of the natural order of life in civilized society. It is brilliant seeing as there is no overt harm being done to people because the system acts on their

ignorance of its existence, while various social outlets keep citizens preoccupied as productive agents. As a consequence, the legitimacy of the liberal rights paradigm is bolstered while citizens are left bamboozled, having been given half-truths from various social media outlets, and provided a version of historical events that packages key questions about life in the free world as a pursuit of the American Dream. When rowing merrily to the bells of cash registers, life *is* but a dream – a cognitive fiction sustaining a living process that restores the vitality of the entity that is Thomas Hobbes' Leviathan.

The Western conception of rights can now be said to have been set off course by a conflict of interest which has distorted the initial beneficent ends of individual rights. This led policymakers to assume not an end for the individual as a being with intrinsic value, but as a resource by which to generate capital for the means of production in society. If a person is to be free he or she must be obligated to work. To close the deal, citizens are indoctrinated with a different story – the American Dream – which resolves the inevitable paradox they are living in and who they are as a “person.” Attaining wealth, respect, and privilege for the freedom to pursue one's interests or “a wide range of conceptions of the good” is the mission statement concealing the liberal state's agenda for amassing a secure and ever-expanding state. This distinct feature of North American life – “the cover story” – permits a legalized interpretation of rights documents that infringes on the benevolent foundation of the Western liberal tradition. Consequently, it delegitimizes any such advancement of the liberal tradition across the globe. Although the presumption is that the people would rationally choose this course as morally acceptable for a sophisticated mode of resource regulation, the choice is made with inadequate information. This power imbalance then exploits people's ignorance of the grand stage upon which they act. There is thus something strangely artificial about the world, yet one is rendered incapable of possessing the means to express the phenomenon conceptually with common words. Normatively speaking, this sophisticated means of regulation employs a tyrannical compulsion that does result in tangible harms resulting from its indifference towards a genuinely equal or a “non-artificial” human society. As a result, this system frustrates the integrity of decent hardworking people and the basic desires of human beings. Life in the free world is an act that cannot be rehearsed.

The Illegitimacy of a Liberal Western Rights Tradition: Normative Inadequacies

The liberal principle of equality denotes a version of substantive measures that runs contrary to the colloquial definition of equality. Under a realist perspective of International Relations, on the international stage, monetary resource is power. This is translated on the stage upon which

citizens act as common fictions, revealing the existence of oppressive structures in our society which harm persons on a daily, biweekly, and per annum basis. Liberal imperialism's equality is negated by capitalist interests and formulated as a legitimized inequality in the domestic sphere. This creates power imbalances between members of society for the sake of national capital production. To reiterate, this currency-generating system only functions because people naturally compete or cooperate with one another to achieve self-interested goals, and accept it as the pursuit of the highly artificial American Dream which will be shown to systematically exclude members of our society.

The most common and legitimate power imbalance is that between employer and employee. It is not uncommon for a genuinely well-meaning boss to purchase lunch for employees after a productive morning. There is no evidence pointing to a dramatic conspiracy that the boss is of a questionable character and intentionally coercing the employees into fulfilling a sinister desire for harder-labouring humans. Yet, the logic remains simple. When the boss makes more profit, then he or she rewards the employees. Rewarded employees are more productive employees. Therefore productive employees make more profit for the boss. We can also infer from this simplified reasoning that there is an implicit hierarchical structure completely irrelevant to the genuinely compassionate behaviour of well-intentioned persons seeking cooperation with other humans. However, in the end, it is not the role of the boss to make equals, but to generate capital and reinforce positive behaviour so that the business or organization can sustain itself. Theoretically this cooperative behaviour is simply a matter of practicality. The principle behind the gesture stands as a built-in mechanism for increasing capital production and regardless of whether one chooses to accept it, there is a minute power imbalance in the exchange. On a grander scale, people in general admire the privileges of those who have more affluence in our society. Analogously to international relations, capitalism and power are admired and sought-after because they imply security to pursue a bifurcated conception of “the good.” Thus, in this rulebook the majority of people – regardless of their occupation, personal merit, or the fondness of their workplace relations – are making money for someone or something that has more productive value over them.

There is an unstated reason as to why our society stigmatizes those who appear to be “dissidents” like the homeless, drug addicts, sex workers, gamblers, communists, and anarchists, among others. They are judged as dissidents from the rationale behind the American Dream. Society's collective attitude towards the latter groups proceeds on a faulty use of reasoning, drawing conclusions about the character of who tends to occupy these roles from evidence about the utility their artificial roles pose for the capitalist hierarchy. However, this attitude then concludes that persons who engage on this level of the hierarchy are of a questionable moral character because their position is perceived as not resourceful or vital to society. This

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judgment may be accurate in some cases, yet this reasoning eludes the inference that these *artificial positions* are perceived as defecting from within the sphere of social influence or the capitalist hierarchy. As a result, many who have come into these roles become part of the excluded for reasons irrelevant to their naturally human character, and may be very good at how they thrive. Under a liberal imperialist lens, who these people are in terms of their individual qualities and why they came to be is bracketed when they are judged according to abstract monetary qualities irrelevant to their utility as a rational animal, a political animal with self-interest. The socially acceptable attitude towards other humans assumes that the quality of a person's character is inextricably bound to their role in society as an agent of capital production. This grievance is evidenced by a mass inferiority complex which permeates the collective consciousness like that of a high school reunion. This faulty use of reasoning indicates a sobering distinction in the liberal paradigm between the reality of income inequality and the commonly held misperception of a liberal state's Gross National Income (GNI) "per capita" as a function of its Gross Domestic Product. When the vitality of a state is thriving, many of its human resources are not.

The liberalism of fear promotes inequality simply because it exploits the self-interested nature of human beings. Living in a richer state does not necessarily equate to a better overall wellbeing. Wide disparities between income levels correspond to a higher rate of inequality. In fact, living in a richer, hierarchical society actually corresponds to an overall poorer social wellbeing. For epidemiologists, or disease statisticians, poor health and violence are more common in unequal societies; "where income distances are bigger, social distances are bigger", provided that richer societies are also more unequal societies (Wilkinson & Pickett, 2009). The researchers found a host of health and social problems, which they argued to be widespread concerns in Western societies that despite their affluence make them social failures (Wilkinson & Pickett, 2009). As affluent societies have grown richer, there have been corresponding rises in rates of stress, depression, and anxiety, among numerous other social problems (Wilkinson & Pickett, 2009). To see if these problems were uncommon in more equal societies like the smaller Scandinavian countries, researchers compared international data on health and many social problems, producing the following list of social issues: life expectancy, obesity, mental illness (including drug and alcohol addiction), levels of trust, teenage births, the status of women, imprisonment rates, and homicides (Wilkinson & Pickett, 2009). Many communities in North America ranked comparatively dismally in the latter issues, revealing high levels of inequality in conjunction with lower levels of wellbeing in all categories. Many of the happier countries were significantly lower-income but had a more even distribution of wealth. Moreover, the authors found that in the 21st century, life expectancy is unrelated to GNI per capita, and more unequal communities have higher levels of stress which result in lower life expectancies,

particularly from heart disease (Wilkinson & Pickett, 2009). This idea is corroborated by the World Health Organization's (2007) finding that the leading cause of death in both high-income countries and low-income countries is coronary heart disease. Thus, we can see a correlation between struggle and the incidence of heart disease in a hierarchical society.

The argument can now be made that the Western-oriented topics of class discrimination, racism, and gender relations cannot be separated from the historical-hierarchical inequalities motivated by capitalism. For example, emphasis on the role of motherhood as a passive economic social process, producing an agent of production for contract, perpetuates a feature of North American life where despite high enrollments in Western universities, women continue to make less money and attain lower levels of productive power than their male counterparts. "When capital pays husbands, they get two workers not one" (Crimethinc, 2011). Reproductive power is a natural power and a blessing for every individual born a woman, yet the artificial structures within a capitalist hierarchy bolster patriarchy which has oppressed women from controlling their own bodies, and conditioned society with ways of perceiving sex and reproduction. In the case of high imprisonment rates, many minorities were historically viewed as property or poor immigrant workers, deemed of value to the European-descended male landowner for his capital production. Despite numerous advances in civil rights, historical legacies of oppression and not owning much property have forced demographics of less affluent people to flourish in fringe environments conducive to criminal interactions. For some critical theorists these forms of unbalanced power relationships generate a two dimensional hierarchy termed "vertical alliances and horizontal conflicts" (Crimethinc, 2011). Particularly sobering here is that as a community, citizens are encouraged to compete and struggle amongst each other while admiring the privileges and lifestyles of those with more affluence, or productive power.

As was stated, the arguments contained herein are critical of imperial liberalism, a capitalist system that perpetuates its impositions over the lives of Western citizens and is seeking to prevail over the developing world. It must be noted that this article is not a critique of pure capitalism, the contributions of decent hardworking people, nor is it a pejorative attack against the courts and the lives we enjoy safely here in the West. Rather, it is a critique of the pretences of the social contract, the hijacking of an ambivalent historical performance cast out of the playhouse for the interests of elite capital holders, being that which is tacitly endorsed by our elected representatives. It is the conviction of normative arguments contained herein that the Western liberal rights tradition, although initially benevolent, has eroded the integrity of human beings by means of dehumanizing citizens via the ambiguity concerning the legal term "person." In classrooms and on TV sets, the social landscape is tailored towards the fictional American Dream to quell the inevitable tirade of objections the people would have if provided with an accurate narrative of history.

If it is assumed that the internal domestic policies of the state reflect its behaviour and attitudes in the international system, then normative public international law is inadequate given the current Western-promulgated liberal paradigm. As has been stressed throughout this article, Ignatieff's "liberalism of fear" argues that liberalism protects us from other persons and the state. This narrative provides the discourse for a justification of institutional restraints on sovereign nations. However, under a critical perspective of international relations, the imposition of liberal ideals upon weakened and developing states is nothing more than imperialism shrouded in romanticized liberal rhetoric. Therefore, from a normative standpoint the advancement of the liberal tradition and its participation in nation building ought not to justify institutional restraints on sovereign states governing their internal affairs.

Structural Inadequacy

Thus, is the individual truly free in a Western society, if not aware of exploitative mechanisms that obstruct their liberty? Does not the imperial Western mandate reflect an obscure conception of freedom and the individual? If so, then the generic view of public international law is illegitimate and requires severe institutional and ethical reform. Under a realist perspective of international relations, states have complete sovereignty over their territory. According to Hart (2010), international law is not binding. This makes a more compelling argument for the illegitimacy of the advancement of the Western liberal rights tradition. The tradition is structurally inadequate for justifying its march across the globe, as its rules are conceived of as imposing obligations when the general demand for conformity is insistent. Not only does this notion fallaciously appeal to the masses, it is unwarranted to reason that this authority sets the legal precedent for a framework of peace, especially when some states are coerced to conform. Rules can be wholly customary in origin, such that there may be no centrally organized system of punishments for breaching rules, as the social pressure to conform may be enough to prevent physical "sanctions" (Hart, 2010). This social pressure reinforces a practical lack of enforceability, which manifests on the domestic front as a herd mentality in the form of majority rule. Often said, peer pressure stigmatizes those who reject or do not fit the status quo. Thus, public international law can be, and actually is, written as a one-sided rule book, enabling maladaptive capital interests to dominate at the domestic and global level through an illegitimized consent by the mass public. This is because international rules are essentially non-binding, which can be attributed to a Hobbesian anarchic state of nature on both the domestic and international spheres. With no prior formal and impartial mechanisms for enforcing public international law, the major declaratory documents are interpreted to draft plays that favour capital interests in the name of security at

the loss of a genuine global peace, human security, and the natural environment upon which all living things depend.

Trials and Tribulations

Frustration and aggression theorists Donard and Miller proposed that aggression always presupposes frustration (as cited in Grant, 2003). Perhaps, then, the aggression increasing within society such as the protests at the G20, overwhelming majorities of the less wealthy and dispossessed in prison, the Occupy movement, and the anxieties of North Americans evidenced by social media, actually have their roots embedded in the capitalistic system designed to appropriate the labour of human beings. Perhaps this frustration, though it may be directed at individual persons, groups of persons, organizations, and institutions, ought to be directed at the system that has come to obstruct the individual's rightful agency. Since the rate of knowledge dispersal in society is ever increasing, developments in computer technologies combined with the implementation of globalization has caused people to begin to feel the warps and distortions becoming more apparent in filling their role as hard working, tax-paying citizens. Something rather artificial or theatrical has come about world they occupy, particularly throughout the last century, and has been increasing to the present day. Contrary to Ignatieff's noble maxim for agency, it is reasonable to say that those most sensitive to the system no longer feel as if they have control over what they wish to live and die for (Miller, 1941).

Individualism vs. Communalism

It may be relieving to consider a possible remedy to the "person" dilemma occurring across the levels of political analysis. According to Moyra Grant (2003), collectivism is a philosophy that puts a community (i.e., a nation, society, city, town, school) prior to the individual, where the network or collective is the most important unit in the social structure, and people function better in cooperative groups rather than selfish or self-seeking competitive "individualized societies." In a communal society it is assumed that rational humans are more cooperative rather than reckless and fecklessly self-interested. The exploitation of the individual as a means for capital production would be redundant, for collectivism transgresses the status of the individual to an end relying on other ends, instead of being primarily a means spun as an end. Thus, collectivism does more than predicate a contested view of human nature on a universal human rights paradigm. Moyra Grant's collectivism takes into full account the individual person as a member of a social group for which they are a part, and whose communal network of relations shapes his or her social utility.

In a study titled "Individualism, Collectivism, and Chinese Adolescents' Aggression: Intracultural Variation," it was found that Chinese youth born into a collectivist or

The liberalism of fear (Wilson)

communal society “scored lower on levels of aggression than their American counterparts” (Yan, Wang, Wang, & Shi,

2010). This was attributed to variations between Eastern collectivist and Western individualist societies in their emphasis on characteristics of the human psyche, such as personal goals versus in-group goals. Interestingly, they found the North American adolescents, those with a highly individualistic orientation, tended to value competition and self-reliance, whereas those collectively oriented tended to value interdependence, family integrity, and cooperation (Yan et al., 2010). These findings suggest that North Americans are socialized into endowing psychological values pertaining to the production hierarchy, “vertical alliances and horizontal conflicts,” which refer to a universalized struggle for the ultimate goal of, not surprisingly, amassing wealth for someone or something else. This conviction requires no evidence beyond experiencing life as an average human being in a modern liberal state.

Conclusions

In closing, it has been uncovered that the advancement of the Western liberal rights tradition has degenerated into a legitimized hypocrisy. As was discussed, Western conceptions of rights have transgressed from viewing the natural individual as an end in him or herself to representing an artificial means of capital production for the state. Many of the social issues promulgated by the media are surrogate to a system regulating individual rights that perpetuates inequality. It can be said that the thoughts described in this article offer a pessimistic tone of the courts, freedom fighters, and the lives we enjoy here in the free world. However, with respect to the frustration-aggression hypothesis, indiscriminately targeting persons, groups of people, or organizations is completely irrelevant to the endeavour for a global peace. Rather, targeting the source of injustice, being the system that has come to impose injustices on rational beings, and what it has become to be a person in Western society, is crucial. This article explained liberal imperialism and the liberalism of fear as the epicenter of inequality, depriving domestic and global communities from being genuinely connected to one another and the natural world. It has brought a systematic depersonalization upon the political animal, where hidden in plain sight is the evidence showing that dehumanizing humanity undermines the legitimacy of any human rights advancement whatsoever.

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Endnote

1. Please see <http://www.youtube.com/watch?v=SUdsIfxf0Jc> for additional information and background.

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