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Contents

- 3 About
- 4 DEMOS Staff 2025- 2025
- 5 Letter from Editor
- 6 The Ideological War Behind the Oslo Accords' Failure
- 16 Vietnam's Religious Suppression: Mechanism of How Vietnam Controls Buddhism
- 25 "I'm Asian Too, So It's Okay": An Analysis of the Moral Implications of Pro-Asian-on-Asian Gentrification Rhetoric in Los Angeles Chinatown
- 33 Educational Equity on Trial: The Model Minority Myth and the Supreme Court's Affirmative Action Ruling
- 43 Niger: The Final Link in the Coup Belt

ABOUT

Demos is dedicated to providing the undergraduate students at the University of California, Los Angeles to explore their own areas of interest in their research and display those results. This journal is an opportunity to publish their work, work collaboratively, and spotlight their valuable research. Through this process, we hope to expand their focus beyond the simple act of being a student, and rather deliver to them the opportunity to serve as a professional and researcher. As a student created, organized, and run by UCLA undergraduates, we aim to serve our community along with the larger Political Science space.

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Throughout my time in school, I have always found it incredibly important to be politically and socially engaged. To use my own skills in design and layout to create and compile this journal, is a part of that journey for me. In honor of the rebuilding and construction of Powell Library finishing, the cover reflects that. Memories of entering the reading room as soon as it was re-opened, to long nights spent in Night Powell, are memories that I will remember forever when reflecting on my time at UCLA. Thank you to Risha Trivedi for giving me this opportunity. And thank you to the Political Science Undergraduate Counsel for allowing students to voice their opinions in such well written and defined articles.

- Yuri Mansukhani

ABOUT THE COVER

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2024 - 2025

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F r o m t h e E d i t o r

Risha Trivedi's Letter

Dear Reader,

I am so proud to present the fifth annual publication of Demos. This year, our incredible team of authors and editors have worked tirelessly to present to you a journal that portrays a breadth of issues. From international relations theory to racial relations, this journal is a representation of issues that matter to a range of demographics.

Through constantly changing political landscapes and a world overrun by information, this journal is a steadfast contribution to student discourse. Demos encourages students to not only make themselves heard, but put themselves in conversation with the broader community. Through their time working on the journal, they have committed themselves to being part of this discourse and to drive these conversations forward.

My time on the Political Science Undergraduate Council, and more specifically as Editor-in-Chief of this journal, is invaluable to me. I hope that this journal can be as informative and inspiring to you, as it was for me to work with our talented team.

Best regards,
Risha Trivedi
Editor-in-Chief, Demos 2024 - 2025

The Ideological War Behind the Oslo Accords' Failure



Written by
Joy Jweid

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Josephine Murphy
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The accessibility and visibility of social media, from Instagram reposts by activist organizations to official state social media accounts, has helped amass new global attention for the seventy-six-year Israel-Palestine conflict. The violent events of October 7th, 2023, from the Gaza Strip were a reminder to the world—and an introduction to some—of the tension and civil rights issues of the region that have largely been left out of the mainstream discourse, especially in the United States (U.S.). Protests surged across the U.S. from growing public dissatisfaction towards U.S. military funding for Israel and Israel’s recent military aggression. Recent polling shows most Americans support a ceasefire despite the close relationship between the U.S. government and Israel, as a May 2024 YouGov study indicated that 51% of Americans favor a truce, with younger Americans showing more substantial support at 58% (Shah 2024).¹ The increased awareness created a more profound desire amongst the public to understand why peace has not been made between Israel and Palestine, bringing to light the numerous failed efforts to do so in the past.

To understand such, one must be familiar with the religious and ideological history, political decisions, and global standing of both Israeli and Palestinian leadership. The most infamous example of efforts to end the warring interests between the two states is the Oslo Accords, a set of peace agreements that resulted from a series of negotiations throughout the 1990s. They were conducted between Israel’s negotiating team and Prime Minister Yitzhak Rabin, as well as Palestine Liberation Organization Chairman Yasser Arafat and negotiator Mahmoud Abbas.² The United States coordinated the negotiations as a witness and accepted the possibility of intervention when necessary to maintain the treaty. The Accords aimed to end the conflict between the two groups within five years of their signing, which was by 1999. To do so, it would require that both governments “recognize their mutual legitimate rights” to lead to a “peaceful coexistence.” These vague structural terms largely prevented any full enactment of the promise the most optimistic citizens believed (Oslo I, Preamble).³ The Palestine Liberation Organization (PLO) was formed in 1964 to provide Palestinians political representation. The PLO agreed to recognize the State of Israel’s right to exist and renounce terrorism towards them by Palestinian nationalists as long as Israel would recognize the PLO as the legitimate representative of the Palestinian People. The initial signing of the Accords was the first time Israel recognized an official representative government of Indigenous Palestinian people since the Six-Day-War of 1967, a brief conflict resulting Israel capturing significant territories from Arab nations, including the Sinai Peninsula, Gaza Strip, West Bank, and Golan Heights. The war dramatically altered tensions and geopolitics in the Middle East, fueling resentment by establishing Israel’s occupation through Arab territorial loss and displacement of hundreds of thousands of Palestinians.⁴⁵

The PLO was granted a five-year interim period to transition from a revolutionary movement to a legitimized, democratic administration that would control Gaza and the West Bank as independent Palestinian territories (Oslo Accords 1993, Article III).⁶ During this period, Israel would provide external security while simultaneously withdrawing their military from Palestinian areas seized in 1967. 1995’s Oslo II, the later round of negotiations, divided the West Bank into three areas and elaborated each’s limited powers.⁷ As Israel’s troops withdrew, the West Bank became divided into three zones of varying levels of occupation: Area A and the Gaza Strip, including major cities like Nabulus falling under total Palestinian civic and security control; Area B encompassed smaller towns under Palestinian civic control and Israeli security control, and Area C around 61% of the West Bank entirely under the rule of Israel. The three zones were all small, sporadic territories across the West Bank, and these provisions would continue until

1 Devanshi Shah, “Shifting US Opinions and Rising Dissent: Israel-Hamas War,” Global Affairs, September 5, 2024, <https://globalaffairs.org/commentary-and-analysis/blogs/shifting-us-opinions-and-rising-dissent-israel-hamas-war>.
2 Oslo Accords. 1993. Government of Norway, Oslo, <https://peacemaker.un.org/israelopt-osloaccord93>
3 Preamble, Oslo Accords. 1993
4 “Israel-Palestinian Letters of Mutual Recognition,” Jewish Virtual Library, <https://www.jewishvirtuallibrary.org/israel-palestinian-letters-of-mutual-recognition-september-1993>.
5 David Makovsky, “Consequences of the 1967 War,” presentation at “The United States, the Middle East, and the 1967 Arab-Israeli War,” Department of State, January 12, 2004, <https://www.washingtoninstitute.org/policy-analysis/consequences-1967-war>.
6 Article III, Oslo Accords. 1993.
7 II Oslo Accords. “Declaration of Principles on Interim Self-Government Arrangements (Oslo II).” U.S. Department of State, 28 Sep. 1995, www.state.gov/declaration-of-principles-on-interim-self-government-arrangements-oslo-ii/.

Palestinians could establish sovereign control or another agreed solution (Oslo II 1995, Article 13).⁸ However, this gradual approach to peace proved insufficient. The Oslo Accords led to the failure of a peaceful two-state solution between Israel and Palestinian authorities because of several strenuous factors, including power imbalances under its design, party actions undermining peaceful coexistence, and opposing nationalist ideologies amongst the parties and the public.

The Oslo Accords were inherently flawed in their structure, which allowed for an Israeli power imbalance, reducing prospects for eventual Palestinian autonomy. The preamble of Oslo vaguely outlines a path to peace, simply comprising the above-mentioned interim period that would culminate in hardly explained “permanent status negotiations.” While this plan recognized the “mutual legitimate and political rights” between Israeli and Palestinian representatives, it did not set up a clear foundation for putting such into practice.⁹ The end-goal negotiations fell outside the reach of the Oslo Accords, yet they would include the most critical issues of the Israel-Palestine question: illegal Israeli settlements, Jerusalem’s status, expelled Palestinian refugees’ rights, military locations, and “borders [and] foreign relations.”¹⁰ Borders partitioning Palestinian Authority and Israel were placeholders for a solution yet decided, leaving Palestinian sovereignty unstable.

Furthermore, a stark power imbalance between Israel and the PLO was created in the deal, with Israel’s government being outlined as retaining all “legislative, judicial and executive powers and responsibilities”¹¹ within international law, contrasting the written outline that gave the Palestinian Council no powers or responsibility in “foreign relations... [that permit] their establishment in the West Bank or the Gaza Strip.”¹² The treaty equipped Palestinians almost only with duties of local public control, feeble in power and weakened more so by the ignored history of Israel’s control of the Palestinian economy, housing, and civil rights laws. These are contrary to the majority public perception of the deal that “[Palestine] would gain an independent state in the remaining 22%” of the 1949 UN-partitioned land illegally settled by Israel in 1967, as Oxford University Professor Avi Shlaim notes.¹³ The limitations on the PLO’s ability to govern, in conjunction with the fragmented map with varying levels of Palestinian and Israeli within their jurisdiction, would make self-governance challenging to achieve, to begin with. Thus, the Oslo Accords can be assumed to be “a land-for-peace deal.” This is described by Israel’s continuing to violate international law through settlement growth in Palestinian territories and shrinking available Palestinian land to a point “where a two-state solution is barely conceivable” (Shlaim 2013).¹⁴ Oslo’s vague goal was eventual talks of a permanent peace settlement outside the deal’s jurisdiction, pushing the most pressing issues regarding Palestinian sovereignty to an unknown time.

This power imbalance best describes that Israel would retain all “external security” control over the small, scattered Palestinian territories and Israeli settlements within them, which was a springboard for their excessive restrictions on Palestinian movement throughout the process. The agreement specifies that later external negotiations would propose the issues of borders, Israeli settlements, and sovereignty of the Jerusalem capitol since the city holds religious significance to both Judaism and Arab faiths like Christianity and Islam.¹⁵ Yet, Oslo preserved Israeli civilian and military presence in almost all of the West Bank and Gaza without prohibition. In 2000, the Palestine-Israel Journal cited the Central Bureau of Statistics noting a 52% to 53% rise in Israeli housing and population in the West Bank and Gaza between 1993 and 1999, with “145 official settlements on the West Bank and the Gaza Strip” alone.¹⁶ All the while, 740 Palestinian houses in those areas were demolished, “not including those... in East Jerusalem,” displaying

8 Article 13, *II Oslo Accords*. 1995

9 Preamble, *Oslo Accords*. 1993.

10 Article V, *Oslo Accords*. 1993.

11 Article XVII, *II Oslo Accords*. 1995

12 Article IX, *II Oslo Accords*. 1995

13 Avi Shlaim. “It’s Now Clear: The Oslo Peace Accords Were Wrecked by Netanyahu’s Bad Faith | Avi Shlaim.” *The Guardian*, Guardian News and Media, 12 Sept. 2013

14 Avi Shlaim, *The Guardian*

15 Mahdi Abdul Hadi, “A Palestinian Perspective on the History of Jerusalem,” Jerusalem-Palestine Initiative, <https://www.jerusalem-pi.org/a-palestinian-perspective-on-the-history-of-jerusalem-2/>.

16 “Facts on the Ground since the Oslo Agreement, September 1993.” *Settlement or Peace*, vol. 7, no. 4, 4 Dec. 2000. *Palestine-Israel Journal*.

Israel's noncompliance to the gradual withdrawal of those territories agreed to within the five-year interim period (PIJ 2000).¹⁷ Economic benefit from Israeli settlements eased any reluctance to continue, where 1996 expenditures showed they "budgeted more per capita funding" to these settlements than any other locations in Israel (FMEP 1996).¹⁸ Israel's territorial expansion accelerated, yet Oslo's framework required Israel to be no longer the occupying power to provide public services. Allotting civil control to Palestinian authorities was crucial, yet barred due to Israel's growing settlement. However, they retained such control in 61% of the West Bank in Area C, where they "blocked Palestinian development" and their requests for housing, public, and agricultural permits for Israeli state land, firing zones, and even nature reserves, all ways to continue prohibition for far longer than five years. The Israeli Information Center for Human Rights described that this land and other exploited resources, like 80% of West Bank water, were acquired and used for Israeli property. These resources were crucial for local Palestinian authorities to supply the new public services they required, and most were out of their jurisdiction before and even after Oslo's framework (BTSELEM 2019).¹⁹ By 2000, 97.6% of Palestinians in the West Bank lived outside of Area C, signaling derailed Palestinian progress just seven years after the first Oslo had been signed, as noted in an Amnesty International 2003 report (Amnesty 2003).²⁰ Segregated Israeli territorial measures towards Palestinians restricting access to land and resource claims are all demonstrations of the power imbalance embedded within Oslo's framework. Israel's establishment of settlements beyond the Green Line did not violate any fine lines, but it "[violated] the spirit" of Palestinian independent statehood as they doubled the decade after 1993 (Shlaim 2013).²¹ These structural flaws in the Oslo Accords and precedent fundamentalist ideologies greatly hindered practical cooperation that could have led to a two-state solution.

The general public perception of the deal was that by the end of the five years of the draft, two separate states would form a bilateral solution, and Israel and Palestine would recognize each other respectively as independent. Their territories would also follow the borders established by the UN in 1948. This outcome was publicly polarizing, sprouting further persistent civilian and terrorist violence by religious fundamentalists, heavily influencing political decisions. According to poll archives published under Yediot Achronot of the Dahaf Research Institute, 1993 Israeli public opinion was already split at Oslo's beginning, where initial Jewish public support only reached 53% for what the treaty entailed (Leon 1995).²² A poll taken by the Center of Palestine Research and Studies (PCPSR) two days before the first accords were signed recorded that 64.4% of Palestinians were "enthusiastic" about the signing, with 49.3% questioning if the prospects of a two-state solution were even achievable (Dabdoub 1995).²³ The consensus of both Israeli and Palestinian populations concerning the extremisms of their political ideologies showed that initial support for the two-state solution prospect did not have an overwhelming majority on both sides. The region's population already had a split consensus before the accords would even go into effect, and the support would only decrease as Oslo's vagueness revealed the power imbalances, boosting widespread nationalist rhetoric in retaliation to aggression on both ends. Regardless, from Oslo's beginning, both parties' civilians did not fully agree with a two-state solution that would give autonomy to the other, making it difficult to relax the decades-long polarization to legitimize a straighter path toward peace. For example, the Western Wall Tunnel Riots of 1996 erupted across Palestinian territories protesting Israel's opening a new exit from the Western Wall Tunnel in Jerusalem's Muslim Quarter. This ended in 25 Israeli and 100 Palestinian deaths over the course of three days. The Los Angeles Times reported the protests started when Palestinian youths "threw stones and bottles at Israeli police," believing the tunnel created an easy target for Israeli attacks on mosques and violated sovereignty (Trounson 1996).²⁴ Violence and disagreements outside of extremist

17 "Facts on the Ground..." 2000, *Palestine-Israel Journal*

18 "Extraordinary Increase in Settlement Construction as Diplomacy Falters." *Settlement Report: Vol. 8 No. 2*, Foundation for Middle East Peace, Mar. 1998, finep.org/resource/settlement-report-november-8-2019/.

19 "Planning Policy in the West Bank." *BTselem*, The Israeli Information Center for Human Rights in the Occupied Territories, 6 Feb. 2019, www.btselem.org/planning_and_building.

20 "Israel and the Occupied Territories Surviving under siege: The impact of movement restrictions on the right to work." *Amnesty International* September 2003, 15 Sept. 2003.

21 Avi Shlaim, *The Guardian*

22 Dan Leon. "Israeli Public Opinion Polls on the Peace Process." *A Crisis Examined*, vol. 2, no. 1, 1995. *The Palestine-Israel Journal*.

23 Leila Dabdoub. "Palestinian Public Opinion Polls on the Peace Process." *A Crisis Examined*, vol. 2, no. 1, 1995. *The Palestine-Israel Journal*.

24 Rebecca Trounson, "Tunnel Opening in Jerusalem Sparks Protests," *Los Angeles Times*, September 25, 1996, <https://www.latimes.com/archives/la-xpm-1996-09-25-mn-47381-story.html>.

groups were inevitable, which hindered public support for any stable political advancements on both fronts.

While most citizens were skeptical of the agreements, the primary sources of public opposition came from extremist organizations—from both governments and the public—throughout the Oslo processes. Although public despair “helps sustain a conflict and [ensures] its perpetuation,” it is not the “direct obstacle for peace,” as elaborated in a joint-poll final report by the Tami Steinmetz Center for Peace Research and the Palestinian Center for Policy and Survey Research. Generally, mutual perceptions of each other undeniably believe the other does not desire peace, even holding “hidden long-term [aspirations] to wipe out the other side from existence,” and the more religious hold higher opposing ideologies. Although people identifying as devoutly religious occupy only “one-fifth to one-quarter” of both the Israeli and Palestinian populations, they embody most of the “hardline, ideological opposition” that compose the most disruptive and violent fundamentalist groups that prevent any viable two-state solution (Scheindlin & Shikaki).²⁵ Both nationalist Jewish and Islamic extremist groups grew to more substantial prominence following the 1970s, nearly all with the underlying goal of one state rising on top and the destruction of the other.

An outcome that remains relevant even today, is nationalist factions gaining significant power for Palestinians throughout the Oslo years, most especially the militant Islamist group Hamas. They have even trumped the power of the PLO among some Arab populations, including the Gaza Strip. The group gained stable ground politically following the first late 1980s intifada, or major Palestinian uprising against Israeli occupation, resulting in the death of over 2000 civilians.²⁶ This led to “the emergence of political Islam as a mobilizing force,” as the United States Institute of Peace worded it (Shikaki 2018).²⁷ While the PLO and Hamas both rejected the Israeli occupation and believed in rights for Palestinian refugees, Hamas differed in the issue of partitioning both states, where instead, they believed in an Islamic “religious war to liberate all of Palestine” to restore its pre-1948 borders and government. Robert Denemark, author of *Gods, Guns, and Globalization...*, details the PLO-Hamas relationship, where Hamas demanded to be Palestinian representatives alongside the PLO after gaining nearly a third of public support in 1988, and the two discussed the possibility of doing so in 1992. Therefore, their ideology of complete removal of Israeli settlements for entire Palestinian statehood was in contradiction with the Oslo agreement of a bilateral state. Hamas argued that the PLO acted in “national treason” for the Palestinian collective interest, heightening tensions significantly between both parties (Denemark 2004, 95).²⁸ Hamas would lose support during the first few years of the agreement since public opinion’s initial faith in the PLO and Israeli leadership to find grounds for peace had not entirely subsided. Yet, stagnation in efforts to end the interim period with effective governmental institutions and growing Israeli settlements in noncompliance would rally back Hamas’ support within the next decade for their fundamentalist, military approach to leadership. Hamas’ continued opposition throughout the treaty’s action only fueled political instability because of its powerful military presence and growing popularity. Hamas took advantage of deadly armed attacks towards Israel, boycotted PA elections, and rejected proposals for a ceasefire that would “recognize Israel” (95).²⁹ Repeated attacks included bus hijackings and suicide bombings killing U.S. citizens along with Israelis, U.S. Congressman Benjamin Gilman described these instances as “killing in a more indiscriminant manner” (Gilman 2001).³⁰ The inclination of civilians paralleled the progress of politicians’ diplomacy efforts, where an “increased willingness to compromise” among the public would allow “greater room to maneuver” progress for Palestinian democracy (Shikaki).³¹ However, Hamas raised doubts among Israeli politicians and the public alike and reciprocated public skepticism about whether the other side truly desired peace.

Hamas did not remain a separate entity from the PA, where Israel speculated that both groups held a hidden shared

25 Khalil Shikaki, and Dahlia Scheindlin. *Role of Public Opinion in the Resilience/Resolution of the Palestinian-Israeli Conflict*. Palestinian Center for Policy & Survey Research, 2018. *JSTOR*, <http://www.jstor.org/stable/resrep42593>. Accessed 26 Apr. 2024.

26 Joel Peters and David Newman, eds., *The Routledge Handbook on the Israeli-Palestinian Conflict* (London: Routledge, 2012).

27 Khalil Shikaki, *Palestinian Center for Policy & Survey Research*, 2018.

28 Mary Ann Tétreault and Robert Allen Denemark. *Gods, Guns, and Globalization: Religious Radicalism and International Political Economy*. Lynne Rienner Publishers, 2004.

29 Robert Allen Denemark. *Gods, Guns, and Globalization cont...* 2004

30 Hon. Benjamin A. Gilman, “Middle Eastern Terrorist Incidents,” *Congressional Record* 147, part 19 (December 13, 2001): 26326-26328, <https://www.govinfo.gov/content/pkg/CRECB-2001-pt19/html/CRECB-2001-pt19-Pg26326-2.htm>.

31 Khalil Shikaki, *Palestinian Center for Policy & Survey Research*, 2018.

agenda. Hamas and the PA have also attempted failed cooperation efforts to reduce violence, and at other times publicly denounced each others' activities. The genuine relationship between the PA and Hamas's ideologies was complicated to decipher, only fueling Palestinian discontent with the PA's ability to develop a cohesive peace agreement for any sort of independence from Israel. The PA's degrees of retaliation towards Hamas included blaming them for hurting national interests, yet they avoided "bold moves" for fears of triggering a "Palestinian civil war and political collapse." The PA would yield to Israeli pressure and arrest Hamas activists, then that same year, in 2001, attack Israelis who assassinated Hamas members. There were several other attempts to convince Hamas to suspend their armed struggle and even join the PA's political system to "appease Israel," a way to appear in control (Denemark 2004, 95).³² The Palestinian people were becoming confused about what anticolonial model it was supporting, as "peace" was then more subjective than the Oslo Accords' already vague descriptions. PA leaders' leniency for violence, blame, and contradictions in their actions helped prevent the building of "strong public institutions" and good governance, resulting in lost legitimacy. According to the Palestinian Center for Policy and Survey Research, public perception of PA corruption increased by 55% between 1996 and 2000 (PCPSR 2000).³³ The PA faced the difficult decision of either joining Hamas and risking Israeli retaliation or complying with total Hamas suppression and "becoming a traitor in the eyes of most Palestinians" (Denemark 2004, 97).³⁴ Hamas's support grew to nearly 80% in 2001 following the second intifada, and they won public democratic elections for administrative control of Gaza in 2006, as their grassroots organizing against corruption effectively showed "the Islamists proved more effective in providing various types of social services" that the PA was too weak to deliver (Shikaki 2006).³⁵ Israel's right-wing leadership assisted in the PA's economic decline and limited opportunity, resulting in diminishing popularity against Hamas amongst the Palestinian electorate.

Israeli right-wing ideologies were not any less secretive than Palestinians in their support, especially following the assassination of Israeli Prime Minister Yitzhak Rabin in 1995. He was shot by Israeli extremist Yigal Amir less than only three years after the peace deal had been promised. Rabin, representing the Israeli Labour Party at the time of Oslo's initial signing, showed all signs of being agreeable to its conditions towards Palestinian statehood.³⁶ Journalist Jeremy Bowen for BBC noted that although Rabin was initially reluctant to sign the treaty, he fully complied with its terms afterward and until his death knowing "[a Palestinian state] would be part of a final settlement" (Bowen 2015).³⁷ Despite his long history as a Jewish fundamentalist, a Palestinian state would have likely commenced if he had lived due to his eventual compliance. His assassination reflected how parts of the Israeli population held historically manifested views against an Arab state entirely, seeing his compliance with transferring any land to Palestinian authority as "the ultimate threat to the Jewish fundamentalist idea of Greater Israel." Greater Israel consists of all of pre-1948 Palestine, which is land "God chose" for Jews, yet was "settled without permission" by Arabs in the land "not theirs" 1,900 years ago while the Jews were expelled (Denemark 2004, 84).³⁸ These fundamentalist ideas became the basis right-wing Jewish groups used to justify complete Palestinian expulsion and even conquest of neighboring Arab states, the most prominent being the Likud party, represented by party leader Benjamin Netanyahu, with historical roots justifying the "violent struggle against the indigenous Arabs, as long as they refused to accept the principle of a [biblical] Jewish National State" (Galanti 2001).³⁹ Likud gained significant power in the years leading up to, and especially after, Rabin's death. Compared to speculation of where the PLO's loyalty lay regarding Israel's status, the Likud party was never shy in expressing its hope for a single Greater Israel. Since 1967, Israel's power as a state has been dominant in territory bestowed by the UN and their military ability, giving them the advantage in settlement efforts and politics over the region that Oslo's structure only perpetuated. Thus, when the Likud party won elections in May 1996 follow-

32 Robert Allen Denemark. *Gods, Guns, and Globalization cont...* 2004

33 Palestinian Center for Policy and Survey Research, "Public Opinion Poll," March 30 – April 1, 2000, <https://www.pcpsr.org/en/node/615>.

34 Robert Denemark, 2004

35 Khalil Shikaki, "The Palestinian Elections: Sweeping Victory, Uncertain Mandate." *Journal of Democracy* 17, no. 3 (2006): 116-130. <https://dx.doi.org/10.1353/jod.2006.0053>.

36 Jeremy Bowen, "Did Rabin assassination kill the best chance for peace?" BBC News, November 4, 2015, <https://www.bbc.com/news/world-middle-east-39960461>.

37 Jeremy Bowen, 2015

38 Robert Denemark, 2004

39 S. Ben-Rafael Galanti, W.E. Aaronson, and I. Schnell. "Power and Changes in the Balance between Ideology and Pragmatism in the Right Wing Likud Party." *GeoJournal* 53, no. 3 (2001): 263-72. <http://www.jstor.org/stable/41147612>.

ing Rabin, they had much more influence over the PA and the Arab population to affect the peace process. As recorded by Indiana University Press, the Likud's founding 1977 manifesto accused the PLO of being a "murder organization" that they would make their mission to "exterminate," which was the ideology still openly expressed by Netanyahu when he became Israel's prime minister (Shlaim 2013).⁴⁰

Likud's leading motivation for existence was the opposite of Oslo's indication towards Palestinian self-governance, yet that party had the most international influence in 1996. Netanyahu would openly boast his disapproval of Oslo and Rabin, calling it all "the PLO's phased plan" that "endangers Israel" to withdraw to pre-1967 borders. He framed Arab resistance, especially Hamas, as a threat to Israeli sovereignty, and spreading fear of "Islamic terror worked strongly in his favor" in gaining support in elections. Arab reactionary violence would become a way for Netanyahu to convince Israeli citizens that Palestinians did not want peace, thus giving him an excuse to discontinue Jewish resettlement from territories under Oslo (Shlaim 2013).⁴¹ Thomas Mitchell discusses Netanyahu's ways of garnering support in his book *Likud Leaders: The Lives and Careers*, in which he filled his earliest campaigns for Likud leadership with anti-two-state rhetoric. Netanyahu's first anti-Oslo demonstration was in 1994, where nearly 35,000 supporters attended, and future rallies of his included "funeral" procession [reenactments] with a coffin for Rabin," chants to "kill Rabin" that solidified Netanyahu's position in the extreme right of Israeli politics (Mitchell 2015, 156-157).⁴² He also campaigned by visiting "ultra-Orthodox rabbis" and various Jewish religious figures and sites. These mirrored his history of basing his political career on "the demonization of... [PLO Chairman] Arafat" up until 1996, and this was appealing to Israeli citizens who felt the Labour's leadership was a betrayal of Jewish autonomy. After the 1996 election, a coalition of right-wing religious leaders filled Israel's cabinet, allowing for a push of Israeli settlement beyond the outlined borders for PLO executive power. These only enabled riots by Palestinians in retaliation and a growing skepticism among Arabs and Israelis about their eagerness to make a deal. For example, Netanyahu only offered to give up 13% of military control from Zone B in 1997, compared to the 30% Palestinians argued for, still leaving "60 percent of the West Bank" to Israeli forces. Israeli politicians would begin to resign as a protest of "giving up any of the lands of Israel" when Netanyahu would make any reluctant agreement with the PLO to appeal to both fundamentalists and moderate Jews, leaving the government "less moderate" in views of further redeployment. Similarly to the PLO, the Likud party to the PLO never wholly adhered to the Oslo goal of a peaceful two-state solution. The party acted torn between living up to their true fundamental ideologies of Greater Israel or winning some PLO support and "being perceived as a peacemaker" by Israeli security officials (167).⁴³

The right-winged Likud was voted out of office in 1999 by the social-democratic Labour Party, a more vigorous advocate for the two-state solution,⁴⁴ but won elections again in 2001, just two years later, with Ariel Sharon. Netanyahu replaced him again in 2009, but he openly disapproved of Oslo during his second election. Stanford University's professor of Middle East history, Joel Beinin, notes how Netanyahu "boasted that he effectively killed the Oslo process during his first term," exemplifying a misleading narrative by the current Likud government that they likely would not fully comply with a two-state solution (Beinin 1998).⁴⁵ Netanyahu and the Likud Party have remained in power since 2009, winning every election to this day. Notably, no Israeli government after 1967 supported dismantling Jewish settlements in the West Bank, displaying the decades perpetuating the Israeli political mindset that they have the right to state at local Arab expense (Beinin).⁴⁶ Despite periods of lower popularity, Netanyahu enforced increasingly restrictive measures toward Palestinian autonomy, perpetuating Oslo's failure. Updated polls by the Pew Research Center from September 2023 displayed a significant loss in beliefs for a two-state solution. Arabs in Israel became 33% less likely to see possibilities of peaceful coexistence, which dropped from 74% to 41% since 2013, while Israeli Jews dropped 14

⁴⁰ Avi Shlaim, *The Guardian*

⁴¹ Avi Shlaim, *The Guardian*

⁴² Thomas G. Mitchell. *Likud Leaders : The Lives and Careers of Menahem Begin, Yitzhak Shamir, Benjamin Netanyahu and Ariel Sharon*. McFarland, 2015

⁴³ Thomas G. Mitchell. *Likud Leaders... cont.* 2015

⁴⁴ Raoul Wootliff, "Here We Go Again: ToI's Guide to the 38 Parties Still Seeking Your Vote," *The Times of Israel*, <https://www.timesofisrael.com/here-we-go-again-tois-guide-to-the-38-parties-still-seeking-your-vote/>.

⁴⁵ Joel Beinin. "Palestine and Israel: Perils of a Neoliberal, Repressive 'Pax Americana.'" *Social Justice*, vol. 25, no. 4 (74), 1998, pp. 20-39. JSTOR, <http://www.jstor.org/stable/29767099>.

⁴⁶ Joel Beinin. *Social Justice*, vol. 25, no. 4, 1998

points from an already-low 46% (Austin and Evans, 2023).⁴⁷ It stands to reason that there has likely never been an event since the late nineties that would escalate this hope amongst both populations. On the contrary, it only seems to polarize further as time passes.

The Oslo Accords were meant to be the long-awaited peaceful resolution between the newly colonized Israel and the ethnic Arabs of former Palestine. However, the vague, flawed structure created a power imbalance favoring Israel regarding settlement issues, Palestinian sovereignty, and security. Despite the hopes that a two-state solution would be possible under the agreement, skepticism persisted among the general public, and drift from peace was only perpetuated through ultranationalist sentiment. From the fundamentalist political parties to terrorist organizations on both ends, ideology shaped the actions that cemented tensions and increased illiberal Israeli influence. Today, Palestinian authorities continue to deal with struggles for self-autonomy as Israel roots its place among Palestine’s former borders with international support, which fuels the cycle of violence prominent to this day.

⁴⁷ Sarah Austin and Jonathan Evans. “Israelis Have Grown More Skeptical of a Two-State Solution.” *Pew Research Center*, 26 Sept. 2023, [pewrsr.ch/3ETtrxG](https://www.pewresearch.org/3ETtrxG).

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Vietnam's Religious Suppression



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The United Nations (UN)' Universal Declaration of Human Rights enshrines the "freedom of religion or belief, freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association" in articles 18, 19, and 20 and its subsequent sections.¹ The idea of religious freedom is, in theory, present all over the globe and in every nation's constitution and bylaws. However, even with the inclusion of the *idea* of religious freedom within a country's framework, religious oppression is also, in some way or form, often present. Since 2007, Pew Research Center has recorded a significant increase of government restrictions upon religious groups and activities. These restrictions range from laws to favoritism towards a specific religion.² Notably, violations of religious freedom are a common occurrence across Southeast Asia.

One such example would be the Socialist Republic of Vietnam and its attacks upon Buddhism. Even though Vietnam's constitution formally guarantees religious freedom, there are government restrictions in place on the activities of many religious groups. In this essay, I will be using contemporary Vietnam (1975 to present) and its most recent 2013 Constitution as a case study to highlight Southeast Asian religious restrictions. This essay will demonstrate how the Vietnamese state attempts to systematically control Buddhism. The purpose of this essay is to explain how the Vietnamese state violates its citizens' religious freedoms, by the UN's human rights standards, and how the state attempts to justify these actions to display its alignment with its view of religious freedom.

Within the 2013 Vietnamese Constitution, Article 24 seemingly provides religious freedom for its citizens:

"1. Everyone shall enjoy freedom of belief and religion; he or she can follow any religion or follow none. All religions are equal before the law. 2. The State respects and protects freedom of belief and of religion. 3. No one has the right to infringe on the freedom of belief and religion or to take advantage of belief and religion to violate the laws".

In actuality, there are gaps between the statement and the actual implementation of religious freedom in the Vietnamese state. For starters, with the last clause, "violate the laws"⁴, the state has a loophole it uses to justify the regulation. In addition, Article 46 spotlights the Vietnamese state's requirement for the people to protect national security: "The citizen has the duty to obey the Constitution and the law, join in the safeguarding of national security and social order, and conform to the established rules of public life"⁵. However, what constitutes a threat to national security is decided by the state. If the state categorizes the activity or organization to be a "danger" to the people or the state's control over the masses, the targeted religious group and its followers are often legally punished, regardless of justifiability. Although the Vietnamese state has not labeled the practice of Buddhism to be "dangerous" to the people, it has deemed non-government affiliated groups, including Buddhist followers, as a threat to the state's national security. As a result of this declaration, all religious groups/places of worship must be registered and approved by the state⁶. Non-registered groups are not permitted to hold any gatherings, worship ceremonies, or participate in religious activities. If caught by the state, they were imprisoned or fined.⁷

The Vietnamese state views all organized groups *not* under its direct control as a threat to communism. Any institution that has amassed followers draws the state's attention, sometimes leading to government crackdowns and restrictions. One example is the Wandering Monk, Thích Minh Tuệ, whose independent religious activities drew state crackdowns. Vietnam's actions are not uncommon within Southeast Asia. Rather, there is a wide range of government interference with their citizens' religious freedom that has garnered advocacy from international powers such as the European Parliament and human rights watch groups. There are variations of justifications as to why

1 UN, "Universal Declaration of Human Rights," United Nations, accessed February 23, 2025, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

2 Mitchell, Travis. "A Closer Look at How Religious Restrictions Have Risen around the World." Pew Research Center, July 15, 2019. <https://www.pewresearch.org/religion/2019/07/15/a-closer-look-at-how-religious-restrictions-have-risen-around-the-world/>.

3 Vietnam Constitution. Constitution, art. 24, sec. 1-3.

4 Vietnam Constitution. Constitution, art. 24, sec. 3.

5 Vietnam Constitution. Constitution, art. 46.

6 Reimer, Reg, and Hien Vu. 2016. "Towards the Rule of Law for Freedom of Religion and Belief in Vietnam." The Review of Faith & International Affairs 14 (4): 78-88. doi:10.1080/15570274.2016.1248529.

7 Victoria Butler, "Communism versus Buddhism in Vietnam - UPI Archives," UPI, November 17, 1981, <https://www.upi.com/Archives/1981/11/17/Communism-versus-Buddhism-in-Vietnam/2158374821200/>.

government restrictions exist with the most common being protecting the people's safety and, as seen in Vietnam's Article 46, national security.

It is important to understand why the Vietnamese communist state heavily restricts religious activities and organizations. The state's suspicion of religion is partly influenced by Karl Marx's statement "Religion is the opium of the people"⁸. In the eyes of communism, religion is undesirable and should be purged as it is an institution that *can* be outside of the state's reach. A belief in religion empowers an individual as they have an intangible location to place their hopes and reliance upon that the state can not access. Instead of a religion, the state wants its citizens to view the Communist party and the ideologies of Hồ Chí Minh as a guide. Religion serves as an obstacle to the people's full devotion to the state which is why there are heavy restrictions.

With the state's goal to monopolize decision-making, its concern regarding Buddhism is not irrational. One historical event that explains its fear was the self-immolation of Thích Quảng Đức in June 1963. Thích Quảng Đức's sacrifice was a plea for the government to stop targeting Buddhist communities on the suspicion that they were harboring communists as well as blatantly favoring the Catholic community. The act resulted in international criticism about the dictatorial rule of the Southern Vietnamese government by Catholic President Ngô Đình Diệm. Under Diem's regime, thousands of Buddhist monks were arrested and hundreds were listed as killed or disappeared. In an attempt to save his community, Thích Quảng Đức self-immolated in a lotus position before thousands of spectators, protesting the government's anti-Buddhist policies. This incident highlights how religious oppression towards Buddhists is embedded into the state's history. From the state's point of view, religious groups, in the form of increased numbers of Buddhist followers, serve as an obstacle in socialist goals.

After the unification of the nation in 1975, the government crackdown on independent religious groups and attempted to force state-sponsored alternatives on all religious groups. For example, the state dissolved the Unified Buddhist Sangha of Vietnam (UBSV), the previous official Buddhist organization of Southern and Central Vietnam post-1975⁹. The state detained, arrested, and harassed monks supporting the UBSV. The monks were subjected to house-arrest, inability to preach and hold assemblies, as well as re-education camps in an attempt to convince them to join the state's controlled Buddhist coalition, Buddhist Sangha of Vietnam (BSV)¹⁰. The Vietnamese state's pressure towards the UBSV's independent religious community is a violation of religious freedom. The state declared the UBSV as an illegal group, subjecting the organization under rightful governmental persecution on the basis of violating law. The UBSV is considered a non-registered group. Its followers and monks, by the state's definition, are not religious practitioners or believers.

While Vietnam is the only country within the region that is experiencing a net loss of religious believers, according to the 2019 census data, Buddhism is recorded to be the second largest religious organization with 5 million officially registered followers¹¹. Yet, the number does not take into account non-registered members which is estimate to be greater than 10 million adherents which is at least 10% of the national population making it the largest *unofficial* religion¹². Buddhism is essentially ingrained in Vietnamese culture to the extent that even non-Buddhists are partaking in Buddhist's rituals. One example of this embodiment is how Vietnamese society practices ancestral worship that is derived from Buddhist ideology and Vietnamese culture embedding Buddhism within everyday practices. With the significant numbers of both official and unofficial followers, Buddhism is a religion the state is conscious of, as it is a

⁸ Blackwood, Kate, and 2020 October 19. "Religion: Less 'opiate,' More Suppressant, Study Finds." Cornell Chronicle, October 19, 2020. <https://news.cornell.edu/stories/2020/10/religion-less-opiate-more-suppressant-study-finds>.

⁹ Human Rights Watch. "The Suppression of the Unified Buddhist Church." Human Rights Watch. <https://www.hrw.org/reports/1995/Vietnam.htm>.

¹⁰ Reimer, Reg, and Hien Vu. 2016. "Towards the Rule of Law for Freedom of Religion and Belief in Vietnam." The Review of Faith & International Affairs 14 (4): 78-88. doi:10.1080/15570274.2016.1248529.

¹¹ Evens, Jonathan, Alan Cooperman, Kelsey Jo Starr, Manolo Corichi, William Miner, and Kristen Lesage. "1. Religious Landscape and Change." Pew Research Center, June 17, 2024. <https://www.pewresearch.org/religion/2024/06/17/religious-landscape-and-change-in-east-asia/>.

¹² U.S. Department of State, "2022 Report on International Religious Freedom: Vietnam," U.S. Department of State, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/vietnam/>.

potential threat to its one-party control. Prompting a number of restrictions as an attempt to relieve the state's fear of having to share power.

One such restriction from the state emerged in the creation of the Vietnamese Fatherland Front in February 1977. "Mặt trận Tổ quốc Việt Nam", a political coalition part of the political system and is led by the Communist party¹³. The Fatherland Front is composed of state-approved, or rather state-controlled, organizations. Its motto is to "propagate and campaign the people to exercise their rights, guidelines and policies of the Communist Party and the State"¹⁴. The coalition's role is to ensure all member organizations support the government's goal of a socialist democracy while acting as a bridge between the people and state. One member of the coalition is the Buddhist Sangha of Vietnam (BSV), the state's placement to the UBSV, which was established in November 1981. To ensure the BSV became established with nationwide (both Northern and Southern) monks' support, the communist state severely persecuted Buddhist monks. In addition to arrests and reeducation camps, the government confiscated their farming land, deny followers from meeting with local monks, and cultivate apprentices¹⁵. With these actions, monks were coerced to join the new order and government front, BSV, for limited freedom. Such actions took place in 1976, but have continued to this day in 2024 as the state attempts to regulate all independent religious communities. The state's actions are in direct opposition to the Universal Declaration of Human Rights' Article 18's freedom of coercion, but justified its actions on the grounds of promoting national unity.

Even if a Buddhist group is registered and approved, the Vietnamese state still attempts to control the group's every action. The "Giáo hội Phật giáo Việt Nam" is the only state-recognized Buddhist organization and is comprised of nine organizations and 60,000+ monks¹⁶. Its motto is "Dharma, Nation, and Socialism" placing an emphasis upon fulfilling its role as the communist state's mechanism for national unity and security as well as encouraging its followers to be upright citizens. To be recognized by the government means the organization's beliefs have been thoroughly vetted to ensure it supports the Vietnamese Community party's agenda. Buddhists, only belonging to BSV, are considered "official" members and religious followers as they are registered with the government. With its approved registration status, they are considered a legal entity and religious leaders and monks have the ability to rent and own property. The BSV members, while recognized by the state, are still subjected to significant state scrutiny- daily activities, annual festivals, as well as appointments of senior/head monks must be approved by the local government¹⁷. The state and local authorities play a direct role in approving all of the BSV's Buddhists' actions whether it is leadership appointment or finances, exemplifying the governmental control over the religion. Temples must report all memberships, visitors, leadership, and activities as well as submit its religious documents for review¹⁸. Even with these restrictions, the BSV's temples, monks, and followers enjoy greater freedom than independent Buddhist communities. The state justifies its extensive religious policy via stating such actions promote a nation where the religious organizations, both its charter and ideology, can practice freely within the content of law.

From the establishment of the Fatherland Front and the BSV are various government organizations (GOs) - permanent/semi-permanent agencies with operations dependent on the government¹⁹. All members of the Fatherland Front

13 National Assembly, "Centre Database on Legal Normative Documents," Legal Normative Documents , June 12, 1999, <https://vbpl.vn/TW/Pages/vbpqen-toanvan.aspx?ItemID=928>.

14 Ngọc Thanh, "What Is Vietnam Fatherland Front? Organization of the Vietnam Fatherland Front in Hanoi, Vietnam," LawNet.VN, November 25, 2022, <https://lawnet.vn/thong-tin-phap-luat/en/hanh-chinh/what-is-vietnam-fatherland-front-organization-of-the-vietnam-fatherland-front-107998.html>.

15 Victoria Butler, "Communism versus Buddhism in Vietnam - UPI Archives".

16 The 16th United Nations Day of Vesak Celebrations 2019, "National Vietnam Buddhist Sangha," The 16th United Nations Day of Vesak Celebrations 2019, March 30, 2019, <http://www.undv2019vietnam.com/en/national-vietnam-buddhist-sangha#:~:text=The%20Vietnam%20Buddhist%20Sangha%2C%20founded,result%20of%20that%20historic%20process.&text=After%20the%20unification%20of%20the,unity%20of%20Buddhism%20was%20raised.>

17 Victoria Butler, "Communism versus Buddhism in Vietnam - UPI Archives".

18 Galarag, Caleb Maglaya. "Vietnam's New Religious Decree 'further Burdens' Local Churches, Alleges American Evangelical Portal." Christianity Today, April 4, 2024. <https://www.christianitytoday.com/2024/04/vietnam-religious-decree-liberty-church-christian/>.

19 UDC, "Learning Resources Division: Government Information Help Guide: Government Agencies," Government Agencies - Government Information Help Guide - Learning Resources Division at University of the District of Columbia, accessed February 23, 2025, <https://udc.libguides.com/c.php?g=670839&p=7813725#:~:text=A%20government%20agency%20is%20a,field%2C%20or%20area%20of%20>

are GOs which include, but are not limited to the Communist Party, Vietnam General Confederation of Labour, the Ho Chi Minh Young Pioneer Organization, and other state-sanctioned religious groups²⁰. Even if there is no GO for a specific religion, for example the Catholic Church, the Vietnamese state still strictly observes the Catholic community and has a direct impact upon approving Catholic religious leaders such as bishops that were selected by the Vatican²¹. The state's decision to cultivate the government bodies is to prevent non-government regulated organizations (NGOs) from partaking in the state's decision-making. NGOs are created without the government's agreement. These voluntary organizations are independent from the government's influence and are, generally, organized for mission-based advocacy for a social or political issue²². Rather than NGOs, GOs are present to allow the Vietnamese government to proctor organizations without much resistance. It ensures the state's laws and regulations are properly followed and up to the state's standards.

Since the creation of the BSV, Buddhist monks have attempted to keep the state at arms length- aiming to not be involved in state-activities or be influenced by the government. Even while a part of the Fatherland Front, Buddhist monks are not shy to speak up if they deem their rights are being impeded. One recent example, in June 2021, was BSV's opposition to Circular #04/2023/TT-BTC proposed by the Ministry of Finance²³. The draft circular called for the state's management of "merit money", money donated to temples during visits to positively influence a follower's karma, under the explanation of the sacredness of the donations. If passed, this would result in merit money to be managed by the state rather than the temples. The BSV argues the draft circular allows regulation of all religious facilities and all of the temple's remaining independent revenue. The circular resulted in thousands of comments from the public, mainly Buddhists, and fractured the close relationship between the Communist party and BSV. The BSV, in an attempt to reject the restrictions, cited the Constitution against the state's proposition. The BSV explained in its written comment and press interviews how the law specifically targeted Buddhist temples alongside a small number of other religions. The BSV emphasized that the circular does not promote equality of all religions using Article 24 (2013 Constitution)²⁴. The draft circular only incorporated the term "merit money", but does not define it within the legal text or any state documents. The term is used specifically for Buddhism and some smaller religions rather than all religions which promote extreme favoritism. In the context of both Buddhism and smaller religions, the regulation would equate sacred merit money with spiritual intentions and secular donation money to be grouped together. Thus, the circular further contributed to the tension between the state and the BSV.

The BSV felt that the circular did not equally impact all organizations before the law based upon provisions in the 2016 Law on Belief and Religion and the 2015 Civil Code²⁵. These laws affirm that any legal property voluntarily provided to the temple is a property of the temples and of the monks. The BSV also references Article 53 of the 2013 constitution, stating public resources belong to the people and are managed by the State, to explain that the merit money is considered private property and can not be viewed as open resources²⁶. The BSV's decision to utilize the constitution, alongside their supporters' comments, against the state's attempt to place Buddhists under greater restrictions, showcases the power the group holds. Even though the state disapproved the coalition's written comment, in January 2023, the draft circular was not approved and discussions about merit money management were withdrawn²⁷.

study.

20 National Assembly, "Luật Mặt Trận Tổ Quốc Việt Nam 2015," LawNet, September 6, 2015, <https://lawnet.vn/vb/Luat-Mat-tran-to-quoc-Viet-Nam-2015-44FoA.html>.

21 Vietnam Online Guide, "Roman Catholicism in Vietnam," Vietnamonline.com, accessed February 23, 2025, https://www.vietnamonline.com/culture/roman-catholicism-in-vietnam.html#google_vignette.

22 Sally Levery, "NGOs, the UN and APA," American Psychological Association, 2008, <https://www.apa.org/international/united-nations/publications>.

23 Van Tam, "'Tiền Công Đức': Vì Sao Nhà Nước Giảm Co Với Nhà Chùa," Luật Khoa tạp chí, July 17, 2021, <https://www.luatkhoa.com/2021/07/tien-cong-duc-vi-sao-nha-nuoc-giang-co-voi-nha-chua/>.

24 Thien Dieu, "Giáo Hội Phật Giáo Kiến Nghị Nhà Nước Không Nên Quản Lý Tiền Công Đức," TUOI TRE ONLINE, June 17, 2021, <https://tuoitre.vn/giao-hoi-phat-giao-kien-nghi-nha-nuoc-khong-nen-quan-ly-tien-cong-duc-20210617151806168.htm>.

25 Thien Dieu, "Giáo Hội Phật Giáo Kiến Nghị Nhà Nước Không Nên Quản Lý Tiền Công Đức".

26 2016 Legal Code, Nov. 18, 2016, 02/2016/QH14, The National Assembly, [https://vbpl.vn/TW/Pages/vbpqen-toanvan.aspx?ItemID=11093\(Vn.\)](https://vbpl.vn/TW/Pages/vbpqen-toanvan.aspx?ItemID=11093(Vn.)).

27 TheReporter, "Religion Bulletin, January 2023: State Will No Longer Manage Temple Monetary Merit Donations," The Vietnamese

These actions only further highlight the counterweight Buddhists can potentially be against the state as well as serve as a justification, in the state's eyes, to the religious restrictions. With the multitude of people speaking out and for the BSV, the government became more aware of the impact of the religion's number in strengths which caused them to be more fearful or organized religions in general.

As a response to the BSV's rejection of the circular proposed the state cracked down upon the organization resulting in multiple punishments against monks who spoke out against the regulation of merit money. One who Thích Chân Quang who was sentenced to a two-years ban on preaching and large gatherings in June 2024²⁸. While official documents state that his sentence was a result of "controversial" sermons, following his history, one is able to easily identify the state's nitpicking and policing of his pagoda dating back to his public debates about merit money regulations. Thích Chân Quang is one of many individuals punished by the state for speaking out against the communist regime.

Dự án 88, an Illinois-based international non-profit, documents all of Vietnam's human rights violations. The organization created a persecuted activists database which highlights how Vietnam uses 40 different articles to imprison political activists²⁹. Of the 40, the most commonly used to justify arrests related to religious freedom were Article 331(2015 Code) and Article 245 (1999 Code). Article 331, added in 2015, is a part of the most recent addition to the criminal code and results in a minimum of two years to maximum seven years of imprisonment³⁰. The vaguely-written law regurgitates the general intent of all of the laws within the criminal without identifying a specific offense: "Abusing democratic freedoms to infringe upon the interests of the State, lawful rights, and interests of organizations and/or citizens"³¹. With this reiteration, the Vietnamese government is able to apply the limitless article to any situation and arrest that is a potential threat to its authoritarian regime. Before Article 331, the government mainly charged religious leaders and activists with Article 245 from the 1999 Code. This article, notably more forgiving, targeted individuals who were causing/encouraging public disorder and the maximum punishment ranged from a fine to a maximum of two years of imprisonment³². The adjustment in punishments are the state's attempt to discourage citizens from partaking in non-approved activities.

To curb the numbers of non-registered Buddhists, and unregistered religions, the state also provides some benefits to groups and followers formally recognized. Failure to seek government approval leads to arrest, interrogation, and even torture which is why, for the safety of one's self, it is best to comply with the state's standards³³. One example of the consequences for refusing to obtain approval is the March 2024 arrest of Thạch Chanh Đa Ra, a Buddhist Khmer-Krom Head monk, who refused to register his temple in Southern Vietnam's Vinh Long province. Charged with Article 331 under the notion of "abusing the rights to democratic freedom," his arrest was met with strong opposition from the local Khmer-Krom community as well as the U.S.-based Kampuchea Krom Khmers Federation and New York-based Human Rights Watch³⁴. The arrest of Thạch Chanh Đa Ra, a vocal supporter of religious autonomy, was unconstitutional due to a lack of concrete evidence. During a closed court Thạch Chanh's evidence centered

Magazine, July 4, 2023, <https://www.thevietnamese.org/2023/07/religion-bulletin-january-2023-state-will-no-longer-manage-temple-monetary-merit-donations/>.

28 UCA News Reporter, "Vietnam Bans Buddhist Monk from Preaching- UCA News," [ucanews.com](https://www.ucanews.com/news/vietnam-bans-buddhist-monk-from-preaching/105471), June 20, 2024, <https://www.ucanews.com/news/vietnam-bans-buddhist-monk-from-preaching/105471>.

29 Project88, "Database of Persecuted Activists in Vietnam," Project88, June 19, 2023, <https://the88project.org/database/>.

30 LawNet, Vietnam: May entities abusing democratic freedoms to infringe upon the interests of others face a penalty of up to 07 years' imprisonment?, September 21, 2023, <https://lawnet.vn/en/laws/vietnam-may-entities-abusing-democratic-freedoms-to-infringe-upon-the-interests-of-others-face-a-pe-116006.html>.

31 LawNet, "May entities abusing democratic freedoms to infringe upon the interests of others face a penalty of up to 07 years' imprisonment?"

32 Willy Fautré, "About the Persecution of Buddhists in Vietnam," Human Rights Without Frontiers, May 10, 2021, <https://hrwf.eu/vietnam-about-the-persecution-of-buddhists-in-vietnam/>.

33 Human Rights Watch, "Vietnam: Crackdown on Rights," Human Rights Watch, October 28, 2020, <https://www.hrw.org/news/2020/01/14/vietnam-crackdown-rights>.

34 CSW, "Khmer-Krom Buddhist Monk Arrested, Charged and Removed from Office in Southern Vietnam," CSW, March 28, 2024, <https://www.csw.org.uk/2024/03/28/press/6199/article.htm#:~:text=A%20Khmer-Krom%20Buddhist%20monk,Southern%20Vietnam-%27s%20Vinh%20Long%20province>.

on his demand for his indigenous community to freely practice Buddhism³⁵. He is estimated to be one of thousands to be sentenced due to Article 331. The article is dubbed by human rights groups as Vietnam’s “all-powerful legal tool” to criminalize civil rights³⁶.

The latest victim of Article 331 is, the so-called Wandering Monk, Thích Minh Tuệ is an unofficial Buddhist monk who broadcasts his pilgrimages across Vietnam gaining thousands of social media followers and dozens of in-person supporters during his travels³⁷. He is admired by the public as a representation of Buddhist ideology. As opposed to the BSV’s head monks residing in large pagodas and driving luxury cars, Thích Minh Tuệ displayed a humble lifestyle during his broadstreamed pilgrimage. He walked barefoot, wore patched gowns, and only ate one meal a day. These actions mirrored Buddha’s when he first began his enlightenment journey³⁸. Continuously compared with Thích Minh Tuệ about its support of capitalism and materialism, the BSV directed criticism and hostility towards him. The people view the BSV to have forgotten Buddhism’s core values which are centered around peace, benevolence towards the poor, and non-materialistic³⁹. The coalition and its monks released statements centered around Thích Minh Tuệ’s lack of practice and affiliation with the BSV. In June 2024, while the state reported Thạch Chanh voluntarily ended his pilgrimage, witness accounts posted on social media show his detainment and arrest by the local police. Thích Minh Tuệ and his followers were physically assaulted and sent into questioning during a midnight raid. The state justified the arrest as he was unlawfully preaching as an unregistered monk. The treatment of Thích Minh Tuệ represents the lack of religious freedom within Vietnam and the paradoxical gap of the Vietnam constitution with the state’s implementation of their so-called religious freedom⁴⁰. Thích Minh Tuệ’s journey and arrest, as well as disappearance, are clear representations of how the state treats religious practitioners they do not agree with.

The arrest reveals the state’s strong fear towards social movements they can not directly control. It is one of many examples of Vietnam’s targeting of all independent groups and people outside of the state’s control. This phenomenon and suppression is not simply targeted at Buddhists, but also towards other religious organizations and leaders. There are many non-Buddhist religious suppression in practically all religious communities. One key example is the persecution of Christians and Catholics. The government deems such followers to be “vulnerable to anti-communist propaganda”⁴¹. Regardless of status and religious affiliation, many are arrested for advocating for religious freedom and speaking out about the state’s maltreatment. One example is Father Thadeus Nguyễn Văn Lý, arrested in 1977, who was charged with propaganda against the government as he was an active opponent of the state’s religious restrictions⁴². Similar to other arrestees, Father Ly was denied legal representation and unjustifiably convicted in a closed trial for a sentence of 15 years in prison and 5 years of house arrest for disrupting the state’s unity policy under article 88 of the 1999 Penal Code for conducting propaganda against the state⁴³. Article 88 is another example of a law that the court uses to persecute religious freedom activists as it criminalizes any production and distribution of information and documents against the state⁴⁴. It is one of many laws that serve as the state’s tools to prevent questioning of the state’s

35 KKF, “KKF Condemns Arrest and Defrocking of Venerable Thach Chanh Da Ra by Vietnamese Authorities,” KKF | Khmers Kampuchea-Krom Federation, March 27, 2024, <https://khmerkrom.org/for-immediate-press-release-kkf-condemns-arrest-and-defrocking-of-venerable-thach-chanh-da-ra-by-vietnamese-authorities/>.

36 Jason Nguyen, “Vietnam Briefing: Vietnam Continues Using Article 331 to Suppress Human Rights,” The Vietnamese Magazine, June 27, 2022, <https://www.thevietnamese.org/2022/06/vietnam-briefing-continues-using-article-331-to-suppress-human-rights/>.

37 RFA Vietnamese, “Unofficial Monk Who Became Internet Sensation in Vietnam Ends Pilgrimage,” Radio Free Asia, March 6, 2024, <https://www.rfa.org/english/news/vietnam/monk-ends-pilgrimage-06032024201943.html>.

38 TÂN LỰC, “Ông Minh Tuệ Thông Báo Dừng Đi Khất Thực,” TUOI TRE ONLINE, November 18, 2024, <https://tuoitre.vn/ong-minh-tue-thong-bao-dung-di-khat-thuc-20241118084949743.htm>.

39 CSW, “Unaffiliated Buddhist Monk Disappears While on Pilgrimage,” CSW, June 6, 2024, <https://www.csw.org.uk/2024/06/06/press/6244/article.htm>.

40 VnExpress, “Tin Tức Ông Thích Minh Tuệ Mới Nhất Trên Vnexpress,” vnexpress.net, accessed February 25, 2025, <https://vnexpress.net/chu-de/thich-minh-tue-7440>.

41 Quoc Hung Thinh Vo, *Vietnam’s Legal Framework on Religion* (Davis, CA: Legal Initiatives for Vietnam, 2020).

42 Freedom Now, “Fr. Thadeus Nguyen Van Ly,” Freedom Now, May 2021, <https://www.freedom-now.org/cases/father-thadeus-nguyen-van-ly/>.

43 Human Rights Watch, “Father Nguyen Van Ly Should Remain Free,” Human Rights Watch, July 26, 2011, <https://www.hrw.org/news/2011/07/26/vietnam-father-nguyen-van-ly-should-remain-free>.

44 Criminal Code, Dec. 24, 2024, 331/QĐ-CTN, art. 331, The National Assembly, Official Gazette/2024 (Vn.)

control of the nation. Within the 2015 code, Article 245 and Article 88 were combined and utilized to create Article 331.

With laws, as well as the Vietnamese state's clear objective of obtaining complete control of its citizens, Vietnam's lack of religious freedom has caught the eyes of international rights groups and governments. One example is the Human Rights without Frontier- a non-governmental organization, based in the EU, with the mission of upholding human rights internationally. Since December 2012, the organization has documented cases of religious believers imprisoned due to the individual's religious activities. The organization creates a biography of the prisoner which includes their religious affiliation, key dates such as arrest and trial, as well as what/who influenced their arrest. All information is compiled into annual reports. In the most recent 2021 report, Vietnam imprisoned 71 religious leaders of which 30 self-identified as Buddhist⁴⁵.

As a result of these alarming numbers of religious freedom violations, there have been multiple calls by western countries, such as the USA and England, and human rights groups for the Vietnamese government to adhere to international standards of human rights. One such organization is the US Commission on International Religious Freedom (USCIRF) which published a 2024 International Religious Freedom report that highlighted Vietnam's lack of religious freedom via numerous arrests and called for the government to recognize its wrongs⁴⁶. In response to the report, during a press conference, a spokesperson of Vietnam's Ministry of Foreign Affairs emphasized Article 24 of the state's constitution. They stated state will respect religious freedom when its citizens' actions are in accordance with the law⁴⁷. In the eyes of the government, religious organizations and individuals can exist without government interference if the state deems them to be non-threatening. Any shared preaching and ideology that might seem like it is not supporting party policy , such as human rights, are subject to punishment. Thus, registered religious leaders, specifically state-sponsored Buddhist monks, encourage their followers to be good citizens which prompt fewer restrictions and less interference by the government⁴⁸.

How the Vietnamese government acts in regards to protections about religious freedom has a significant impact that goes beyond its borders. Though violations of religious freedom are common throughout the region, neighboring countries, specifically Laos, closely monitors Vietnam's actions for inspiration. The two Communist states look towards one another for support on how to maintain the balance between basic freedoms and their state's political ideology⁴⁹. Since the Laos government has a history of following Vietnam's approach towards the Buddhist community and other religious groups, Vietnam plays a key to shaping religious freedom in the region.

Even with the various religious suppressions, compared to the beginning views of the socialist government in 1975, the Vietnamese state's stance on religious freedom has become marginally improved over the past 50 years. The USCIRF notes in its 2023 report there are more opportunities for unregistered religious groups to practice and fewer religious freedom conditions⁵⁰. One significant improvement is the expansion of ways non-registered and registered communities could practice their faith. In the USCIRF's 2000 report, the non-registered groups were subjected to harassment and immediate arrest by local officials if suspected to practice illegally⁵¹. But, in 2023, religious groups, while not al-

45 HRWF, "Forb Prisoners Database: Human Rights Without Frontiers," Human Rights Without Frontiers | Do you want to be heard in the EU? HRWF can be your voice in Brussels and beyond., February 2, 2025, <https://hrwf.eu/hrwf-in-the-media/>.

46 USCIRF , "USCIRF Releases 2024 Annual Report with New Recommendations for U.S. Policy," United States Commission on International Religious Freedom, May 1, 2024, <https://www.uscifr.gov/news-room/releases-statements/uscifr-releases-2024-annual-report-new-recommendations-us-policy>.

47 Voice of Vietnam, "Việt Nam Lên Tiếng về Báo Cáo Tự Do Tôn Giáo Quốc Tế Năm 2024 Của Hoa Kỳ," Vietnam.vn - Nền tảng quảng bá Việt Nam, January 22, 2024, <http://www.vietnam.vn/en/viet-nam-len-tieng-ve-bao-cao-tu-do-ton-giao-quoc-te-nam-2024-cua-hoa-ky/>.

48 i. Thu Giang Ta , "Party Official Hails Buddhist Sangha of Vietnam's National Efforts," hanoitimes.vn, May 26, 2015, <https://hanoitimes.vn/party-official-hails-buddhist-sangha-of-vietnams-national-efforts-15889.html>.

49 Vu, Hien, Stephen Bailey, and James Chen. 2016. "Engaging Vietnam and Laos on Religious Freedom." *The Review of Faith & International Affairs* 14 (2): 86–92. doi:10.1080/15570274.2016.1184452.

50 Patrick Greenwalt, "Religious Freedom Conditions in Vietnam in 2023," U.S. Commission on International Religious Freedom (USCIRF), September 2023, [https://www.uscifr.gov/sites/default/files/2023-09/2023 Vietnam Country Update.pdf](https://www.uscifr.gov/sites/default/files/2023-09/2023%20Vietnam%20Country%20Update.pdf).

51 U.S. Department of State. 2000 Annual Report on International Religious Freedom: Vietnam. Washington, DC: U.S. Bureau of Democracy, Human Rights, and Labor

lowed to publicize their worship locations, have been able to prevent excessive disruptions to their activities via building ties with local authorities⁵². The state, as of August 2023, has also expanded its numbers of registered religious communities and recognized religions by almost double since the 2000. The state has 46 registered groups and 16 state-recognized religions⁵³. The Vietnamese states expect the registered organizations to increase in the next decade as the state becomes more transparent with the registration process and openly informs groups why their applications were denied. But, this progress should not excuse the notion that Vietnam has yet to meet international standards that the state has officially agreed to. USCIRF's 2024 annual report still categorizes Vietnam as a Country of Particular Concern (CPC) even with the state's expansion of approved religions, increase of religious believers, and places of worship⁵⁴. The Vietnamese state still has more action to take before the nation can overturn international human rights groups and government's beliefs about its religious freedom.

Overall, in the eyes of the state, Buddhism, and religion itself, is a threat that they want to erase, but are unable to as they are aware of the significant impact it has upon Vietnamese culture and society. To the government, religious teachings are incompatible with the state's communism and the ability for religious leaders to gather masses is a threat to the party's monopoly over decision-making. Thus, the communist government's constitution places Buddhism under tight regulations centering state's political beliefs as the religion's focus. From establishing a state-sanctioned Buddhist organization to requiring approval for every practically every single action the religious organization makes, the state has made it impossible for Buddhists to be a danger to the regime. Rather, it ensures Buddhism supports the Communist Party and its efforts of nation-building and development.

Those who do not adhere to the state's rules or pledge allegiance to the Communist party, are unjustifiably punished in forms of harassment from local authorities to life-long arrests and death sentences. Unless the religious group is practicing within the context of the law, they do not have any rights nor standing to practice or be protected which is displayed via the state's registration process. Through analyzing the Vietnamese state's legal framework as well as spotlighting documented examples, this paper has identified one of many basic freedoms the state is violating. The state's routine deprivation of citizen's political and human rights does not exist for Buddhists, but also any religious practices the state views as suspicious. Such actions are not new to Vietnam's history, but has been a common theme well before the unification in 1975. The institutional fear to counsel potential threats to the state's "perfect" society is a prime motivator for the state's action. The Vietnamese government's ability to violate its citizens' freedom legally with various loopholes in the constitution should be of greater concern for the public and western countries.

⁵² Patrick Greenwalt, "Religious Freedom Conditions in Vietnam in 2023".

⁵³ USCIRF , "USCIRF Releases 2024 Annual Report with New Recommendations for U.S. Policy".

⁵⁴ USCIRF , "USCIRF Releases 2024 Annual Report with New Recommendations for U.S. Policy".

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“I’m Asian Too, So It’s Okay”: An Analysis of the Moral Implications of Pro-Asian-on-Asian Gentrification Rhetoric in Los Angeles Chinatown



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Introduction

“Get out, gentrifiers!” Our voices were weak in comparison to our tour guide, whose shout scared the tourists taking aesthetic Instagram shots under Blossom Plaza’s array of bright red chinese lanterns into ashamedly stowing away their phones and shuffling off. Along with the rest of the people on tour, my shout had been mediocre, just loud enough to make sure people knew that I absolutely condemned gentrification, but soft enough that my voice could not be discerned from the group’s. Yet, it was during this tour of Los Angeles Chinatown, where we viewed the neighborhood through the complex lens of gentrification, development, and displacement that my preconceived notions of gentrification, once defined by simplistic racial divides, would be fundamentally challenged. I came to recognize the tangled and contradictory relationships between community members, business owners, and developers.

Coined by sociologist Ruth Glass, gentrification is the process in which upper, middle socioeconomic groups move into lower-class neighborhoods, leading to neighborhood change (Qin 2022). While Glass provides a fairly neutral definition, this ‘neighborhood change’ is often to the detriment of the original residents of the community. Such implications include a rise in the cost of living, the establishment of businesses that are not accessible or relevant to the area, and the displacement of residents. In mainstream discussions, gentrification is often framed by racial binaries where wealth and power have connotations with Whiteness. However, the harmful effects of Asian-led gentrification in Los Angeles’ Chinatown demonstrate that looking at gentrification purely through traditional racial dynamics omits vast, complicated differences within Asian communities, and assumes race as a determining and defining factor in the qualification of whether such neighbourhood change is indeed gentrification. Although many people do not consider ‘Asian-on-Asian’ gentrification to be significant, its commodification of Asian cultures and taking away of important resources that could be used to alleviate existing community issues are just as harmful as so-called more ‘traditional’ gentrification perpetuated by White elites. One could argue that it may be more detrimental as it is repackaged as the empowerment and revitalization of Asian communities by Asian entrepreneurs, while neglecting intersectional factors such as ethnicity and socioeconomic status.

Background

Historically, Chinatowns across America were seen as undesirable places to live. In the 1860s, Los Angeles’ Chinatown began as a result of anti-Asian sentiment with the intent to corral Asian people, particularly those of Chinese ethnicity, into one district. Many Americans held racist beliefs that Asian people were uncultured, unsanitary, and carriers of disease. With the advent of discriminatory laws like the Chinese Exclusion Act of 1882, which banned all Chinese immigration for ten years, and other policies that prevented immigrants from becoming naturalized citizens (Young 2022), Chinese people, along with other Asian communities, were largely confined to these enclaves. Thus, the term ‘Chinatown’ harboured negative connotations, reflecting the marginalization of its residents in society. In the 1930s, around 2,000 residents and many historic businesses were displaced when Los Angeles’ transportation authority demolished part of the ‘Old Chinatown’ to construct Union Station (Young 2022). This is why Los Angeles’ ‘New Chinatown’ lacks much of the deep historical roots that other Chinatowns in the United States possess, because their community has encountered near-total displacement.

Today, despite the recent influx of investment and interest, little research has been done on the actual conditions of the community and its residents. The 2010 Census found that Los Angeles Chinatown has a population of about 15,907, with 62% identifying as Asian, and 25% as Latino (Chen and Mai 2013). Recent research conducted by UCLA’s Department of Urban Planning in 2013 classified Chinatown as a ‘Concentrated Poverty Neighborhood,’ where “residents have trouble finding housing...have reduced mobility for commuting to jobs or meeting the household needs, [and] have lower levels of skill and education” (Chen and Mai 2013). A decade later, these conditions have barely changed. Although Los Angeles Chinatown has become an increasingly prominent tourist attraction, it remains an extremely impoverished neighborhood. The median income hovers

below the poverty line, at approximately \$19,500 – a stark comparison to the Los Angeles County average of \$56,000 (Chen and Mai 2013).

Part I: Racial Capitalism and the Fetishization of Asian Culture

Whether consciously or not, wealthy and middle-class Asian entrepreneurs often ignore intersectional differences and mistakenly identify themselves with native Chinatown community members simply because they have similar racial backgrounds. These Asian businesses benefit from this identification, not only because they can use it to capitalize on the profitability that comes from the ‘exoticness’ of Asian culture, but also because it allows them to shift attention away from the gentrification that is happening in favor of pushing the idea of immigrant success. On the topic of the gentrification of Asian enclaves, like Los Angeles Chinatown, by ‘one’s own people,’ Shrutikona Das, a Bangladeshi-American writer who has done extensive research on decolonization and Asian history, asserts that “wealthy Asians are not only distinctly disconnected from the needs of a lower-income neighborhood, but play a unique role in benefiting off of displacing lower-income Asians through self-tokenization and claiming ownership over these communities” (Das 2021). Essentially, the wealthy and middle-class Asians who are now coming into Chinatown often share little more than race with native community members and in many ways, can be perceived just as much as outsiders as White elites. However, once again, mainstream assumptions about the racial dynamics of gentrification lead people to believe that as long as the racial make-up of a neighborhood remains the same, and as long as Asian people continue to move into Chinatown, these actions cannot be labeled as gentrification.

This belief is problematic because it assumes that Asian communities are monolithic, and that race overwhelmingly dictates one’s experiences in life, ignoring other factors like class, age, and ethnicity. A Chinese billionaire who is the CEO of a luxury development company has little in common with an elderly first-generation Cambodian shop owner. Still, stereotypical ideas of gentrification have enabled wealthy Asians to weaponize their racial identities as shields to justify their disruption and displacement of native communities in Chinatown.

From the outside, though people often take it as a given that simply being Asian as well means that these businesses understand the community and have its best interests at heart, in reality, wealthy and middle-class Asians share similar economic ambitions as their White counterparts: taking advantage of cheap rent to keep business costs low and profiting from the commercial success of Asian cultures and aesthetics. Professor of Law Nancy Leong calls this phenomenon, ‘racial capitalism,’ writing that it is “the process of deriving social or economic value from the racial identity of another person” (Naram 2017). A prime example of this is how new, gentrifying stores in Los Angeles Chinatown, such as art galleries or wine tasting shops, preserve old signs from the businesses they have displaced because the ‘vintage Chinatown’ aesthetic is more appealing to consumers than modern store signs. Racial capitalism is also the driving force behind the explosion in the number of luxury Asian restaurants in Chinatown that serve \$20 appetizers and \$35 tea ceremony sets– far beyond the purchasing power of local residents. As Kartik Naram writes in Harvard Kennedy School’s Asian American Policy Review, “The very “foreignness” that once forced Chinese immigrants into these self-sustaining enclaves has been repackaged to create economic value—often at the expense of the neighborhood’s poorer, more vulnerable residents” (Naram 2017). These trendy new businesses are not meant for Chinatown’s original community members, most of whom live on fixed incomes below the poverty line and already struggle just to pay rent. Instead, racial capitalism’s complete focus on profitability is a form of commodification of Asian cultures in an almost dystopian way, fragmenting and selling off the parts deemed profitable while eroding the holistic essence of these traditions. This is why Los Angeles Chinatown has more than 14 art galleries, featuring ‘minority voices,’ but still lacks a grocery store. Continuing to buy into the rhetoric and marketing produced by upper-class Asian gentrifiers that is based on their false identification with native community members enables them to escape accountability for objectifying Asian cultures and exacerbating racial capitalism, all at the detriment of the community as a whole.

Part 2: The Myth that Asian-on-Asian Gentrification Promotes and Uplifts Asian Culture and Heritage

When confronted with accusations of gentrifying Chinatown, many of these wealthy and middle-class Asian businesses and companies claim that their goal was not the displacement of native communities, but revitalization—framing their establishments as the means to enhance and promote the beauty of Asian cultures to mainstream audiences. However, these ‘revitalization’ efforts prioritize the maximization of profit over the actual well-being of the community, obscuring this reality behind an ‘empowering’ narrative of the immigrant American Dream. When asked why they chose to open restaurants in Los Angeles Chinatown, many Asian-American celebrity chefs often proudly say that they want to promote Asian food, the food they grew up eating, to a global stage, or that it was the “manageable rents and future potential [that] drew their attention, but...the romance of Chinatown’s history and culture... [that] sealed the deal” (Kim 2016). Describing Chinatown as a place with a ‘romantic history and culture’ is fetishistic and objectifying in that it continues to paint the neighborhood as an ‘exotic,’ ‘foreign’ place rather than a part of wider Los Angeles, perpetuating harmful racial stereotypes about Asian enclaves.

Not only does this rhetoric glorify a horrific history of discrimination and oppression of Asian communities in America, but it is also emblematic of the fact that these Asian entrepreneurs are apathetic to the real, present struggles of Chinatown’s residents and only care to exploit marketable aesthetics. This theme of valuing mainstream Asian aesthetics over native Asian communities themselves is most apparent in Chinatown’s new ‘foodie culture’ that is currently perceived as being the key to the neighborhood’s revitalization. Eddie Kim’s article, “How an Aging Chinatown Mall Became a Hipster Food Haven,” praises the opening of contemporary Asian restaurants in a historic plaza and celebrates that these ‘revitalization’ efforts were successful because they brought new business, profit, and customers into Chinatown through the appeal of Asian cultures and cuisines. Kim states that “The evolution of Chinatown’s dining and business landscape will prove critical to its appeal as a regional, not just local, destination” (Kim 2016). Referring to Los Angeles Chinatown as a ‘destination’ implies that Kim and other Asian entrepreneurs perceive the solution to struggling neighborhoods as coming from outside the community, in the form of tourism and commercial appeal, and not from within the community itself. As such, the food being served in these trendy restaurants is crafted to appeal to wealthy outsiders, including Asian elites, rather than to feed the local community.

Even worse, these new restaurants that are inaccessible to native residents often displaced historic businesses that served affordable food. Dr. Rachel Kuo, a researcher who works in close connection with community organizers, questions this trend, asking “What happens when the Chinese food that people can feel pride in isn’t affordable by working class immigrant populations? What happens when Chinese food is valued only when it caters to a more elite class of Asian Americans and other clientele who can afford the uptick in price?” (Huynh 2018). The result is a culture of gentrification that cherry-picks profitable elements from a community and abandons the rest, forgetting that Chinatown is not a tourist attraction, but a neighborhood where people live.

Part 3: Lack of Community Reinvestment

While on the surface, many of these ‘revitalization’ initiatives appear effective, in reality, native residents rarely receive any of its benefits and very little of this new investment and interest is redirected back into Chinatown to address vital needs. As such, it can often feel like people only care about Chinatown when it is “cool” or convenient, but do not want to acknowledge the unglamorous issues and realities the community faces. For example, the Business Improvement District (BID), run by George Yu, a wealthy Asian man responsible for many of Chinatown’s current economic initiatives, largely markets the city by “emphasizing the neighborhood’s distinct oriental characteristics, taking pictures of aesthetically pleasing food, and creating a clean space, [allowing] the neighborhood to feel fun and new so that the target audience is interested in visiting” (Li 2021, 2023). While these

advertising campaigns have drawn a new demographic of consumers to Chinatown, these people are really only interested in the city's surface level aesthetic of orientalism, and see the neighborhood as a tourist attraction, unaware of its deep-rooted issues, like the struggling senior population and gradual disappearance of historic businesses.

Likewise, new Asian entrepreneurs eager to establish businesses in Chinatown to cash in on the cheap rent and its current trendy reputation unconsciously perceive the city only for its economic value, focusing completely on attracting outsiders instead of the services local community members need. Thus, because the goal of these revitalization efforts was always outward to begin with, any profit or investment gained from these ventures is immediately used to continue maximizing profit for these Asian gentrifiers, and not reinvested back into the community. This idea is demonstrated in what the BID chooses to promote in their social media campaigns, versus what they choose to downplay or ignore. In 2016, at the start of this initiative, "Instead of having a majority of its Instagram promoting the ethnic culture and food of Chinatown, it brings in a plethora of other cuisines that do not represent the neighborhood's residents" (Li 2021, 201). At the time, Asian cuisine had not yet reached the level of popularity it has today so while the BID saw profitability in Chinatown's 'Eastern' aesthetic, they likely thought that establishing a slew of contemporary restaurants that catered to a mainstream palette was the safest way to draw new customers in. Opening so many restaurants that do not represent the food eaten by local community members highlights how wealthy Asian developers and businessmen like George Yu treat Chinatown as their playground project that they can shape and manipulate to generate as much profit as possible. It was only in the last few years that the BID began leveraging Asian empowerment and social movements to push new Asian-fusion restaurants that increasingly deviate from the food eaten by community residents from the same culture.

But even with the commercial success of Asian culture and cuisine in the mainstream, historic Asian restaurants remain noticeably absent from the BID's Instagram, while businesses opened by Asian celebrity chefs are showered with heavy promotion. This prevents many businesses that do not participate in trends and aesthetics from gaining visitors, as the visitors mainly go to the trendy spots promoted" (Li 2021, 203). It is again evident that the BID and other such Asian gentrifiers do not live up to their promises of bringing new money and interest to Chinatown while still preserving the integrity of the community by having a balance of both old and new businesses. The racial capitalism that these upper-class Asian entrepreneurs participate in hinges on creating and promoting a false narrative of Chinatown that leans into racial and ethnic stereotypes for commercial attention. This encourages people to view Asian people as two-dimensional characters. To remain competitive against these trendy restaurants, native residents may feel pressured to change their traditional dishes and customs to be more in line with what tourists consider 'authentic, Asian cuisine.'

The implications of this stretch beyond mere economic changes. Not only do the revitalization initiatives spearheaded by upper-class Asian entrepreneurs suppress the voices of local businesses and do not improve Chinatown as a neighborhood itself, they also slowly fracture the community by making essential resources increasingly inaccessible. An example of this is how because one of the prime attractions of Chinatown for Asian elites is its relatively low rent, when people flock to open businesses in the area, it gradually raises the rents of surrounding units and buildings. This causes native residents, who are mainly retired to live on fixed incomes, and those who are impoverished to become unable to pay these high prices, forcing them to either move or stay with the risk of having an eviction on their record, which would further hinder their ability to secure housing in the future. Not only are many of the goods sold by these gentrifying businesses inaccessible to local community members because of their high price, but housing, which is an essential resource to all humans, also becomes even harder to obtain, due to the tunnel-vision of these Asian elites on generating profit despite the consequences their actions have on the larger neighborhood.

Frances Huynh, a tenant organizer in Los Angeles Chinatown, elaborates that "For many, a rent increase means being displaced and losing not only a physical home but the social network, resources, and sense of community

that the neighborhood provides” (Hunyh 2018). The displacement caused by Asian-led gentrification should not only be looked at in terms of being unable to find housing and continue living in an area, but as the unraveling of a community network. Many of the people who live in Chinatown realistically can not live anywhere else. Elderly individuals, unable to drive, rely on the familiarity and accessibility of the neighbourhood. Many are non-English speakers and may not understand this country’s complex bureaucracy and institutions, thus depending on a network of trusted community members who can help them with daily tasks. Many families have deep roots in Chinatown and have lived there for generations, which is why being displaced would be a profound loss of connection to cultural and historical continuity. Thus, the discussion around the impacts of Asian-led gentrification in Chinatown cannot be the surface-level evaluation of economic gain or loss. To truly understand the implications, we must look beyond to fully understand the historical and cultural values that people and businesses contribute to the neighbourhood’s identity.

Part 4: Then Why Do So Many Native Chinatown Residents Actually Support Gentrification?

Differentiating between community improvement and gentrification is extremely complicated as often, native Chinatown residents themselves support revitalization efforts because they do not understand that the hidden cost of these initiatives is their eventual displacement. An archetypal case that depicts this issue is gentrification that occurs through the building and updating of public transportation systems in a community. Though many community members support having better bus systems and metro rail lines, particularly because those are their primary forms of transportation, they often do not realize that these improvements are not being made to benefit existing residents, but to increase the mobility of outsiders that can drive up profit for developers. Consequently, native residents may inadvertently support projects that, in the long run, contribute to rising rents and their own displacement.

Aside from the increasing divide between Asian elites and native residents, gentrification also ignites internal conflicts amongst the local community on the future of Chinatown. A famous example in Los Angeles Chinatown specifically was the 2016 Blossom Plaza development project, which divided the community strongly over whether to oppose or support its opening. In her research on this topic, Dr. Lauren Hom, who is particularly interested in ethnic community politics in cities, describes Blossom Plaza as “a mixed-use development with retail and rental apartment housing, 20% of which is affordable. This development had the potential to address the residential and economic needs of Chinatown, but also represented the possibility of transit-oriented gentrification” (Hom 2022). In many ways, the Blossom Plaza project represented a crossroads to Chinatown residents and the identity of the neighborhood. It was one of the first buildings with market rate units in a city where affordable housing is the norm, and other than its aesthetic Chinese lanterns, had a decidedly modern, Western design that stuck out among other older buildings constructed with traditional Chinese architecture in mind.

Hom identifies three main community stakeholder groups: local business leaders, cultural leaders, and residential leaders. Hom writes that “For many business leaders, Blossom Plaza replaced a storefront that had been vacant for over a decade by the time construction started. [These business leaders] tended to not engage with the longer history of the site, and instead... argued that Blossom Plaza was not causing direct displacement and instead was “activating” the area” (Hom 2022). Local business leaders generally share the same values of promoting business and achieving economic success as the upper-class Asian entrepreneurs who come into Chinatown and gentrify it. It is worth noting that, at least in Hom’s research, many of the local businesses that were interviewed had settled in the community much later than people from the other stakeholder groups mentioned, which could explain why they have less of an attachment to the area’s history and culture, and see it more in material terms as a means of livelihood. But in contrast with wealthier Asian entrepreneurs, these local business owners, who also often live in Chinatown themselves, worry that having vacant lots, especially the large one Blossom Plaza was eventually built on, for long periods of time will negatively impact surrounding business-

es. They hope that the new demographic of younger consumers will provide an economic boost that will allow them to live more comfortably than they are now. However, while these concerns are valid, Blossom Plaza and other redevelopment projects were never meant to revitalize Chinatown's current community, but designed to attract the younger, richer demographic. Cultural leaders, on the other hand, saw the site's historical significance as more important than its economic potential. Though it had been vacant for 10 years, by the time the Blossom Plaza project started, cultural leaders still called it 'Little Joe's,' after an Italian restaurant that dated back to the beginning of 'New Chinatown' and had opened in the 1930s. Though Little Joe's did not serve Asian food, "Chinese American cultural leaders [in Chinatown] spoke about their responsibilities as "stewards" who should protect the history of the neighborhood that may not always be based on their personal ethnic heritage" (Hom 2022). To these cultural leaders, Chinatown's identity as a community lay in its history that bridged the past to the present, and they saw it as their duty to preserve it, even if it meant foregoing potential profit. The fact that Little Joe's was also seen as an important part of the neighborhood, despite being an Italian restaurant speaks to the importance of understanding communities in their own terms, in the eyes of those who inhabit the area, rather than making assumptions from the lens of an outsider .

The last community shareholder group in the Blossom Plaza conflict are residential leaders, which Hom states, "often emphasized that Chinatown was one of the few spaces remaining in the city where working-class individuals and families could afford" (Hom 2022). Residential leaders' foremost opposition to Blossom Plaza was because out of its 286 residential units, only 53 were specifically designated to be affordable housing during a time when there was already a housing shortage. Longtime residents of Chinatown interpreted Blossom Plaza's development as a direct threat to the neighbourhood's accessibility and affordability. It is a gentrifying force that exemplifies the deviation of creating a resource that could have served as a solution to community issues at the time, but chose the trajectory of foreign appeal and profitability.

Conclusion

The case of Los Angeles shows the urgent need to move past theoretical models of gentrification based on White-minority binaries in order to effectively understand the power dynamics at play. Many people, including native residents, still assume that elites who share a common ethnicity with them have their best interests at heart. Asian-on-Asian gentrification is so much more insidious and difficult to identify because the slow erosion of these communities has been presented as its rejuvenation through accounts of immigrant success and stories of achieving the American Dream. Not only do these narratives obscure the truth, they also encourage the upholding of a problematic status quo where engaging in racial capitalism that appeals to outsiders is posited as the only solution for these vulnerable communities already being torn apart by inequitable development. To this day, Los Angeles Chinatown still does not have a grocery store or hospital. Many live in affordable housing and are at constant risk of being evicted because the wealthy property owners want to 'renovate' and rent these units out at market rate. The community members continue to fight against development projects billed as for their benefit, such as those undertaken to 'beautify' the city for the 2028 Olympics, that will have little relevance to their lives, but still make the area more expensive and increase their chances of displacement. Los Angeles Chinatown is not just a trendy destination, and its prosperity will not come from being a better tourist trap. A more intersectional approach, taking into account socioeconomic class and age, among other factors, is necessary to combat the erasure of history and culture in the most vulnerable neighborhoods. The community members must have a say in the direction of development because it is these native residents of Los Angeles Chinatown who will have to live with the consequences of those projects and who will have to find a way to forge a future in this city after all the visitors have left.

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Educational Equity on Trial: The Model Minority Myth and the Supreme Court's Affirmative Action Ruling



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Abstract

This research examines the influence of the Model Minority Myth (MMM) on the Supreme Court’s ruling in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, a landmark decision with significant implications for affirmative action and educational equity. The MMM, a stereotype portraying Asian Americans as universally successful due to cultural values like hard work, has been used to undermine affirmative action policies by suggesting that because Asian Americans succeed despite being a minority group, racial disparities in education are not due to systemic inequalities but rather individual effort and cultural values. The central question addressed is how this myth was implicitly reflected in the Court’s majority opinion and its broader impact on efforts to achieve educational equity. While previous research has explored the MMM in the affirmative action debate, this project provides a more profound analysis of its implicit application in this critical case. Using Critical Race Theory, this study conducts a document analysis of the Court’s majority opinion and the SFFA complaint, identifying explicit and implicit references to the MMM. The findings show that while the Court did not explicitly invoke the MMM, its reasoning echoed the rhetoric of the myth by depicting Asian Americans as victims of affirmative action and promoting a simplistic, colorblind view of merit. This reliance on stereotypes implicitly reinforces the model minority narrative, undermining the complex realities of racial inequality, damaging minority solidarity, and perpetuating systemic barriers. These findings underscore the need to examine judicial decisions that reflect and reinforce reductive myths critically and to advocate for a more nuanced legal approach—one that acknowledges historical and systemic barriers affecting racial minorities, considers the broader context of educational disparities, and upholds policies that actively address inequities rather than assuming a level playing field. By adopting such an approach, the legal system can more effectively combat systemic discrimination and promote genuine educational equity. This ensures that all students, regardless of race or socioeconomic background, have access to the necessary resources, opportunities, and institutional support to succeed, rather than being assessed through narrow, meritocratic frameworks that ignore structural disparities.

Introduction

The Supreme Court’s decision in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* (2023) has sent shockwaves through the landscape of higher education, potentially unraveling decades of progress toward creating more diverse and inclusive campuses nationwide. Affirmative action, a policy designed to increase access to education and employment opportunities for historically underrepresented groups by considering race as one of many factors in admissions decisions, had long been a pivotal issue in American legal and educational debates. It aimed to address the persistent underrepresentation of marginalized groups in elite institutions and promote diversity. However, affirmative action remains controversial, with opponents arguing that it fosters reverse discrimination and undermines the principle of meritocracy.

Students for Fair Admissions (SFFA), a non-profit organization advocating race-neutral admissions policies, filed a complaint against Harvard University’s race-conscious admissions process. They raised concerns about alleged discrimination against Asian American applicants, indirectly leveraging the Model Minority Myth (MMM)—a stereotype portraying Asian Americans as universally successful and suggesting that their success undermines claims of racial disadvantage. The MMM reinforces that racial inequalities could be overcome solely through hard work and perseverance rather than systemic reforms. This framing has historically been used to delegitimize calls for racial justice and to justify opposition to policies aimed at addressing structural inequities. This myth can obscure the varied experiences within the Asian American community and pit them against other minority groups, complicating the discourse surrounding affirmative action. By portraying Asian Americans as evidence that racial barriers do not exist, the MMM fuels a false narrative that some racial groups succeed purely through merit and values of hard work. In contrast, others who struggle must be at fault for their lack of success. This not only fosters resentment between communities of color but also diverts attention away from the

systemic inequalities that affirmative action seeks to address, ultimately reinforcing racial hierarchies and deepening divisions among marginalized groups.

In a 6-3 decision, the Supreme Court ruled in favor of SFFA, concluding that Harvard’s admissions program violated the Equal Protection Clause of the Fourteenth Amendment, which mandates that no state shall deny any person within its jurisdiction "the equal protection of the laws," ensuring that individuals are treated equally under the law without arbitrary discrimination. Chief Justice John Roberts, writing for the majority, held that the program did not satisfy the ‘strict scrutiny standard,’ which requires the government to demonstrate that the policy serves a compelling interest and is narrowly tailored to achieve that interest (cite). The Court particularly criticized Harvard’s admissions process for lacking measurable goals and a clear timeline for phasing out such policies.

Given this ruling, it is crucial to assess whether MMM, a harmful stereotype, influenced the Court’s decision. If these oversimplified narratives swayed the Court’s reasoning, it risks legitimizing racial myths and distorting the broad objective of affirmative action—to address systemic inequalities impacting all minority groups. This reliance on stereotypes undermines the credibility of the Court and exacerbates racial divisions, ignoring the complex realities of inequality that affirmative action aims to address. The potential incorporation of such stereotypes into judicial reasoning poses a serious challenge to achieving genuine educational equity and social mobility for marginalized communities.

My project, “Educational Equity on Trial: The Model Minority Myth and the Supreme Court’s Affirmative Action Ruling,” aims to explore the extent to which the model minority myth may have shaped the Court’s reasoning in *Students for Fair Admissions, Inc. v. Harvard*, to uncover whether racial stereotypes influenced the decision. Understanding this influence is essential to ensuring that judicial decisions are based on the complexities of inequality rather than oversimplified racial tropes. If left unchallenged, the reliance on such stereotypes could further perpetuate racial divisions, damaging the credibility of the legal system and undermining efforts to achieve genuine educational equity.

Research Question: What role does the model minority myth play in shaping the U.S. Supreme Court’s majority opinion against affirmative action in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*?

Literature Review

Model Minority Myth

The Model Minority Myth (MMM) refers to the systematic construction of people of Asian descent as representing successful assimilation into a white-dominant society and as “living examples of advancement [i.e. academic achievement] despite the persistent color line and because of their racial (often coded as cultural) differences” (Walton and Truong 2022). This social construct frames Asian Americans as a racial group whose academic, economic, and social success is attributed to inherent cultural values such as hard work, perseverance, and a strong emphasis on education (Lee and Zhou 2015). Rooted in stereotypes that link Asian American achievement to Confucian-inspired values of discipline, deference to authority, and self-sacrifice, the MMM reinforces the belief that high socioeconomic outcomes result from adopting the “right” cultural values rather than acknowledging structural advantages or systemic inequalities (Lee and Zhou 2015).

The roots of this myth can be traced back to the post-World War II and 1960s era, where Asian Americans were depicted as overcoming discrimination through diligence and education rather than government support or affirmative policies. Their lack of visible protest against internment was emphasized to contrast them with other racial minorities advocating for civil rights, reinforcing the stereotype that success could be achieved without

resistance to systemic discrimination. During the post-war years, Japanese Americans were mainly upheld as a model minority due to their perceived resilience, hard work, and willingness to assimilate despite suffering mass internment (Wu 1995).

This narrative gained prominence in the mid-1960s, particularly following the passage of the Civil Rights Act and in response to rising urban unrest, with significant publications cementing the model minority stereotype. *The New York Times Sunday Magazine* published William Petersen's 1966 article "Success Story, Japanese American Style," which positioned Japanese Americans as the "outstanding exception" to other racial minorities and claimed that they had "risen above even prejudiced criticism" (Wu 1995). Petersen framed Japanese Americans as superior to both Black and Mexican Americans, implying that their cultural values, rather than systemic barriers, determined their success. He even suggested that delinquent Japanese youths only became criminals when they associated with Black or Mexican peers. By contrasting Japanese Americans with so-called "problem minorities," the article effectively reinforced a racial hierarchy that placed Asian Americans as proof that racial discrimination could be overcome through perseverance and obedience without governmental intervention. The model minority myth thus emerged as a strategic narrative that not only obscured the continued struggles of Asian Americans but also served to delegitimize the demands of other racial minorities for civil rights and social justice (Wu 1995).

Jacqueline Yi and Nathan R. Todd are some scholars who argue that the MMM functions as a "legitimizing ideology," reinforcing the status quo by promoting the belief that societal outcomes are based on individual merit rather than structural inequalities. In this framework, Asian Americans are depicted as achieving success without government assistance or consideration of systemic barriers, leading to the implication that those who fail, regardless of race, are responsible for their lack of success (Yi and Todd 2021). This narrative not only places unreasonable pressure on Asian Americans to conform to unrealistic standards of success but also fosters racial division by positioning them as proof that systemic discrimination does not hinder upward mobility, thereby invalidating the struggles of other marginalized groups and fueling resentment between minority communities.

The perceived success of Asian Americans compared to other racial minorities, coupled with the attribution of their achievements to personal values like hard work and belief in the American Dream, reinforces a color-blind concept of meritocracy. This narrative portrays success as purely the result of individual effort, ignoring the systemic inequalities that shape racial outcomes and the historical and structural barriers that have influenced Asian Americans' experiences and upward mobility (Yoo et al. 2010). The persistence of this color-blind meritocracy serves to maintain existing racial hierarchies by absolving institutions of responsibility for addressing structural discrimination. By promoting the illusion of equal opportunity, it enables dominant groups—mainly white elites—to resist policies like affirmative action under the guise of fairness, ultimately preserving their social, political, and economic advantages.

Moreover, the Model Minority Myth (MMM) oversimplifies the diverse experiences within the Asian American community by portraying them as a monolithic group that uniformly experiences success. This narrative fails to recognize the varying degrees of marginalization and challenges faced by different Asian subgroups, such as differences in skin tone, religion, education, income, and immigration status, all of which contribute to the complexity and variety of the Asian American experience (Yi and Todd 2021). Although aggregated data showing Asian Americans' higher median household income (\$120,000), greater educational attainment (72% of households having a college graduate), and strong financial outcomes (\$161,488 median income for college graduate households) often reinforce the model minority label, these statistics obscure significant socioeconomic disparities within the community (Ricketts and Kent 2024). For instance, while Indian Americans are among the highest earners, other groups face significant economic hardships—Burmese Americans have a poverty rate of 25%, and Micronesian Americans not from Guam have an even higher rate at 31%. Additionally, Native Hawaiians and Pacific Islanders have a poverty rate of 13%, compared to just 6% for Filipino Americans (National Community Reinvestment Coalition 2023). These disparities in income and educational attainment demon-

strate that the MMM masks the struggles of many subgroups, particularly Southeast Asian communities, who experience higher poverty rates and lower access to educational opportunities (Yoo et al. 2010). By relying on aggregate data, the MMM perpetuates a misleading narrative that not only erases within-group inequalities but also hinders the recognition of systemic barriers faced by marginalized Asian subgroups.

Historically, the portrayal of Asian Americans has been flexible, with traits like intelligence and efficiency praised during some periods but weaponized during times of economic tension, as seen in the rise of the "Yellow Peril" stereotype. This highlights how the Model Minority Myth (MMM) has been constructed to both praise and scapegoat Asian Americans, depending on societal needs (Wu 1995). For instance, in the late 19th century, Chinese immigrants were initially praised for their industriousness and discipline when used as cheap labor for plantation work and railroad construction. However, as economic downturns and labor competition increased, the traits once seen as strengths were reframed as threats. Chinese workers were accused of being unfairly competitive and undermining white laborers, leading to the enactment of the Chinese Exclusion Act of 1882, which marked the first significant restriction on immigration in U.S. history (Wu 1995).

Similarly, during Japan's economic rise in the 1980s and 1990s, Japanese Americans became targets of resentment, as their perceived success was linked to Japan's competition with the U.S. auto industry. This tension culminated in the brutal murder of Vincent Chin in 1982, when two white autoworkers mistook him for Japanese and blamed him for economic downturns, demonstrating how economic fears translated into racial violence (Li and Nicholson 2021). More recently, with China's rise as a global power, the target has shifted once again, with Chinese Americans increasingly viewed with suspicion as potential foreign agents. The Department of Justice's disproportionate targeting of Chinese and Asian American scientists for espionage, despite many charges later being dropped without explanation, reflects this renewed wave of racialized distrust (Li and Nicholson 2021). Even high-achieving Asian Americans in STEM fields, once upheld as model minorities, now face racial profiling and career setbacks, as seen in the cases of Dr. Wen Ho Lee, Dr. Xiaoxing Xi, and Sherry Chen (Li and Nicholson 2021).

These historical shifts demonstrate that Asian American success is tolerated only as long as it does not challenge existing racial hierarchies or white economic dominance. The flexibility of these racial stereotypes allows political actors, media, and institutions to manipulate Asian American identity to fit their agendas—either as proof of the "American Dream" or as a convenient scapegoat in times of crisis. These shifting portrayals serve broader political and economic interests. Whether portraying Asian Americans as threats through the 'Yellow Peril' narrative or as success stories through the Model Minority Myth, these depictions justify exclusionary policies, reinforce racial hierarchies, and undermine affirmative action and civil rights initiatives. This adaptability makes racial stereotypes powerful tools for policymakers, lawyers, and media outlets to shape public discourse in ways that maintain the status quo.

Legal and Political Manipulation of the Model Minority Myth in the Affirmative Action Debate

The Model Minority Myth (MMM) has long been leveraged in affirmative action debates, predating *Students for Fair Admissions, Inc. v. Harvard* (2023). In *Regents of the University of California v. Bakke* (1978), the MMM implicitly argued that Asian Americans did not require affirmative action due to their perceived inherent success. While the opinion did not explicitly invoke the MMM, Justice Powell's strict scrutiny framework reinforced its logic by treating all racial classifications as inherently suspect, regardless of the systemic barriers different groups have faced (*Bakke*). Powell's discussion of Asian American overrepresentation in admissions further perpetuated the MMM by implying that they did not need affirmative action, overlooking disparities among Asian subgroups. His reasoning generalized Asian Americans as a monolithic group, failing to recognize that many—particularly low-income and immigrant communities—have historically faced significant educational barriers. By implicitly reinforcing the MMM, *Bakke* helped delegitimize race-conscious policies while reinforcing the stereotype that Asian Americans are a uniformly successful group that does not experience discrimina-

tion in higher education. This framing obscured structural inequities within Asian American communities and weaponized their perceived success to undermine broader efforts toward racial equity.

The *Students for Fair Admissions v. Harvard* (2023) case echoed Powell’s reasoning in *Bakke*. Still, with a crucial shift, rather than depicting Asian Americans as unnecessary beneficiaries of affirmative action, it framed them as its victims. The lawsuit cast Asian Americans as the “wrong race” in admissions, suggesting that because they were neither Black, Latinx, nor Native American, they faced systemic discrimination under race-conscious policies (Moses, Maeda, and Paguyo 2019).

The lawsuit implicitly invoked and manipulated the MMM by portraying Asian Americans as a homogeneous, high-achieving group disproportionately harmed by affirmative action. The complaint consistently framed Asian Americans as exceptional academic performers who were unfairly penalized in Harvard’s admissions process, disregarding the ethnic, socioeconomic, and educational diversity within the Asian American community (SFFA Complaint). By treating Asian Americans as a single statistical group, the lawsuit overlooked disparities among subgroups such as Cambodian, Laotian, and Hmong communities, many of whom encounter significant barriers to higher education (Moses, Maeda, and Paguyo 2019).

A central argument in the lawsuit was that Harvard imposed an implicit racial quota on Asian American applicants, limiting their admissions despite strong academic credentials. The plaintiffs relied heavily on standardized test score comparisons, asserting that Asian American applicants needed significantly higher SAT scores than White, Black, and Latinx applicants to have an equal chance of admission (SFFA Complaint). This zero-sum framing positioned affirmative action as a system that unfairly disadvantaged Asian Americans in favor of less-qualified underrepresented minorities, reinforcing the MMM’s narrow definition of merit as purely academic performance while disregarding holistic admissions factors such as leadership, background, and personal qualities (SFFA Complaint).

By framing affirmative action as the primary cause of Asian American disadvantage, SFFA diverted attention from systemic admissions practices that disproportionately benefit White applicants, such as legacy preferences, donor influence, and athletic recruitment (Moses, Maeda, and Paguyo 2019). Instead, the lawsuit capitalized on the MMM to foster racial resentment, pitting Asian Americans against Black and Latinx students while obscuring the structural advantages that maintain White dominance in elite college admissions. This strategic use of the MMM reinforced the false assumption that all Asian Americans succeed academically, making it easier to exploit their perceived success to challenge race-conscious admissions policies to promote diversity and equity (Moses, Maeda, and Paguyo 2019). By leveraging the narrative of Asian academic achievement and perceived unfair treatment, the lawsuit sought to dismantle race-conscious admissions—ultimately benefiting White applicants who stand to gain the most from the elimination of affirmative action (Moses, Maeda, and Paguyo 2019).

These cases highlight a broader political strategy of casting Asian Americans as victims of race-conscious policies, fracturing solidarity among minority groups, and creating a false convergence of interests between Asian Americans and White applicants. This tactic exploits the MMM to pit racial minorities against each other, obscuring the reality that dismantling affirmative action primarily benefits White applicants, not Asian Americans (Moses, Maeda, and Paguyo 2019). By portraying Asian Americans as either undeserving beneficiaries (*Bakke*) or victims (*SFFA v. Harvard*), affirmative action opponents have eroded public support for race-conscious policies while deflecting attention from entrenched inequities such as legacy admissions, donor influence, and socioeconomic barriers. This deliberate strategy fosters racial resentment, directing Asian American grievances toward other minority groups instead of addressing structural injustices. Exploiting anxieties around race and meritocracy weakens broader coalitions for racial justice, sustaining racial hierarchies and reinforcing existing power structures.

Theoretical Framework

This research paper draws on Critical Race Theory (CRT) as its foundational theoretical framework, offering a critical lens for understanding the intersection of race, power, and law in the context of affirmative action. CRT is a framework that examines how racism is deeply embedded in legal systems and societal structures, challenging the notion that race-neutral policies can achieve true equality. Key principles of CRT include the permanence of racism, the critique of colorblindness, and the importance of intersectionality in analyzing racial disparities.

CRT is an analytical tool to examine how the Model Minority Myth (MMM) may have shaped the Court’s reasoning in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*. A fundamental tenet of CRT is that race-neutral or colorblind policies do not eliminate discrimination but instead obscure systemic racism, preventing meaningful redress for historically marginalized communities (Hiraldo 2010). This is particularly relevant in assessing how the MMM—a stereotype suggesting that racial disparities are due to individual effort rather than structural barriers—was implicitly invoked to justify race-neutral admissions policies.

When courts rely on reductive stereotypes like the MMM, they risk reinforcing racial hierarchies by legitimizing policies that disadvantage marginalized groups while appearing neutral. Furthermore, legal reasoning that disregards systemic inequities perpetuates injustice by framing racial disparities as the result of meritocratic competition rather than structural discrimination. CRT’s emphasis on intersectionality allows for a deconstruction of the MMM, exposing how it erases the socioeconomic and educational challenges faced by many Asian American subgroups.

By applying this intersectional lens to the Court’s ruling, this research will explore whether the majority opinion oversimplifies Asian American experiences by relying on the MMM. Through a critique of colorblindness, an analysis of how the MMM distorts racial discourse, and the application of intersectionality, CRT provides a comprehensive framework for examining how legal reasoning can perpetuate systemic inequities. This theoretical approach is essential to ensuring that judicial decisions reflect the realities of racial discrimination rather than relying on oversimplified narratives that obscure the complexities of inequality.

Methodology

The research method for this qualitative study is a document analysis framed within Critical Race Theory (CRT) to explore the influence of the model minority myth (MMM) in shaping the U.S. Supreme Court’s majority opinion in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*. The study focuses on two primary documents: the Court’s majority opinion and the Students for Fair Admissions (SFFA) complaint against Harvard University. Both texts will be closely read to uncover explicit and implicit references to the MMM. Explicit references may include direct mentions of Asian American students, academic achievement, and references to “hard work” or “individual effort.” In contrast, implicit references may surface in language, contrasting Asian American success with that of other minority groups, such as through terms like “overrepresentation” or “unfair advantage.” This method allows for a nuanced exploration of how the MMM operates through subtle assumptions and stereotypes embedded in legal discourse. A comparative analysis between the SFFA complaint and the Court’s opinion will further reveal the extent to which the MMM shaped legal arguments and influenced the Court’s reasoning on affirmative action, highlighting how these narratives reinforce racial hierarchies in legal settings.

Findings

The Court’s decision highlighted perceived discrimination against Asian American and White students, suggesting that affirmative action policies unfairly favor underrepresented minority groups at their expense. Chief

Justice Roberts, writing for the majority, emphasized that “underrepresented minority students were more likely to score [highly] on their ratings than their White and Asian American peers, but were more likely to be rated lower by readers on their academic program, academic performance...extracurricular activities and essays” (*Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* 2023, 4). This narrative mirrors the rhetoric of the SFFA complaint, depicting Asian Americans as the “wrong race” in these policies, positioning them as victims of discrimination. Moreover, it portrays Asian American and White applicants as academically superior to other minority groups without acknowledging the systemic barriers that contribute to educational disparities. This argument not only obscures the distinct racial dynamics affecting each group but also implies that affirmative action policies disadvantage hardworking and deserving individuals.

The majority opinion further asserted the argument that Asian American and White students are victims of race-conscious admissions policies, explicitly claiming that “Harvard’s consideration of race has led to an 11% decrease in the number of Asian-Americans admitted to Harvard...resulted in fewer Asian American and White students being admitted” (*Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* 2023, 27). This framing of affirmative action as inherently unjust perpetuates the narrative that merit is sacrificed for racial quotas, simplifying the complexities of holistic admissions into a zero-sum game where gains for one racial group come at the expense of another. The repeated comparison and conflation of Asian Americans with White applicants reinforce the MMM stereotype of Asians as “honorary Whites,” which serves to uphold a white supremacist societal structure by positioning Asian Americans as proxies that validate the supposed fairness of meritocracy while marginalizing other racial groups and obscuring systemic inequalities.

Additionally, the Court referenced the landmark *Brown v. Board of Education* decision, comparing it to the current case to argue that any policy explicitly considering race—even when intended to foster diversity—perpetuates racial division and discrimination. The majority opinion criticized the dissenting justices for endorsing what it perceived as selective racial preferences, asserting that race-neutral policies align more closely with the principles of equality established in *Brown* (*Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* 2023, 38). Reinforcing this stance, the Court declared that “an effort to alleviate the effects of societal discrimination is not a compelling interest” (*Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* 2023, 35), downplaying the importance of addressing deeply rooted racial inequities. This interpretation aligns with the MMM narrative that success is achieved solely through individual effort rather than structural support, ultimately undermining the rationale for affirmative action.

Implications

The Supreme Court’s decision to overturn affirmative action, while framed as a victory for Asian Americans, primarily benefits White applicants rather than addressing the systemic barriers faced by racial minorities. The ruling exploits the MMM to pit Asian Americans against other marginalized groups, creating division, conflict, and resentment among minority communities. By positioning Asian Americans as the primary victims of affirmative action, the Court’s decision hides behind a false narrative that obscures the actual beneficiaries of dismantling these policies—White applicants.

In addition, throughout the majority opinion, the Court suggested that colorblind policies would better serve educational equity by eliminating race in admissions decisions, promoting race neutrality as the ultimate expression of fairness. This argument ignores existing racial disparities—such as economic inequality, unequal access to resources, and historical discrimination—that continue to disadvantage marginalized groups. Colorblind policies erase the realities of racial inequality, perpetuating the myth that all students compete on an equal playing field. Such policies reinforce existing inequities by refusing to acknowledge or address the complex factors that contribute to racial disparities in education and beyond.

By playing into stereotypes and failing to engage with the complexities of racial inequality, the Supreme Court risks eroding public trust in the judicial system. The Court's reliance on the MMM to justify its decision undermines its credibility and signals a troubling disregard for the nuanced realities of race in America. When the highest court in the land perpetuates harmful stereotypes, it fails to uphold principles of justice. It diminishes confidence in the government's ability to protect the rights and interests of all citizens. This erosion of trust is particularly damaging for minority communities, who may see this ruling as further evidence that the legal system is unwilling or unable to confront the systemic forces that perpetuate racial inequities.

Limitations

The main limitation of this research project is that it primarily focuses on the Supreme Court's majority opinion, with only seven weeks available for analysis. This constrained time frame limited the depth and breadth of the study, leaving little opportunity to thoroughly examine how broader stereotypes and biases may have influenced the justices beyond the explicit language of the majority opinion. A more comprehensive analysis of the entire set of documents, including concurring and dissenting opinions, could provide a deeper understanding of how stereotypes like the Model Minority Myth and other biases may have permeated the Court's reasoning. Expanding the research to include these additional perspectives would offer a more holistic view of the judicial process and its implications for affirmative action and racial equity.

Conclusion

This research is crucial because it sheds light on how deeply ingrained stereotypes, like the Model Minority Myth, can shape judicial reasoning, particularly in decisions with far-reaching consequences such as the Supreme Court's ruling against affirmative action. Deconstructing the role of the MMM in this ruling is essential to understanding how racial myths can be weaponized to justify policies that ultimately reinforce systemic inequities rather than dismantle them. By scrutinizing the Supreme Court's reasoning through a critical lens, we reveal how legal decisions are not immune to broader societal biases and can perpetuate harmful narratives that uphold white supremacy. It is imperative to scrutinize legal decisions further, especially those made by the highest court in the nation, as these rulings set powerful precedents that impact the lives of millions. The Supreme Court, despite its position as a supposed neutral arbiter of justice, is highly susceptible to political influences, making it all the more important to examine critically how its rulings reflect and perpetuate entrenched power dynamics. Only through such rigorous analysis can we hold the judicial system accountable, challenge the misuse of racial stereotypes, and advocate for more equitable legal outcomes that genuinely address systemic barriers rather than obscure them behind myths of meritocracy and colorblindness.

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Niger: The Final Link in the Coup Belt



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Abstract

Niger, a country widely considered to be a growing democracy, suffered a shocking coup in July of 2023. This paper analyzes possible factors behind the coup's success, with the primary focus being economic conditions within Niger and the motivations of the military. Existing research suggests the resource curse was one of the key drivers behind the 2023 coup, with mismanagement of resources reinforcing other governmental failures, motivating coup leaders. Neo-colonial institutions, however, like the CFA Franc (Coopération Financière en Afrique centrale), imposed by France on Niger have worsened and possibly created the economic conditions that resulted in sufficient public backing for the coup and created enough military support for the coup leaders to initiate a successful putsch. Meanwhile, various grievances against Nigerien President Bazoum by the military ultimately prompted its leaders to launch a coup attempt. While members of the military were motivated by perceived infringements by President Bazoum on their institution, neo-colonial institutions such as the CFA Franc, in combination with other economic factors, contributed to the coup's success.

Neocolonialism

Neocolonialism is best explained by Kwame Nkrumah when he says, "The neocolonial state may be obliged to take the manufactured products of the imperialist power to the exclusion of competing products elsewhere. Control over government policy in the neo-colonial state may be secured by payment towards the cost of running the State, by the provision of civil servants in positions where they can dictate policy, and by monetary control over foreign exchange through the imposition of a banking system controlled by the imperial power" [1]. In other words, total economic control. However, such economic control may be maintained through both economic tools of "soft power" and martial tools of "hard power."

The Resource Curse

There is also the issue of the resource curse. Research by Familugba and colleagues point to the resource curse as the cause of Niger's 2023 coup. The resource curse notes that "States that are rich in natural resources such as minerals or oil face difficulties in maintaining good governance and power, as well as a higher risk of military takeovers as a result of the struggle for control over these lucrative resources" [2]. Reliance on a small selection of natural resources leaves an economy vulnerable to market fluctuations, which can make a state prone to conflict over said resources. Accordingly, Familugba and colleagues argue that the coup in Niger was in part a response to the country's reliance on natural resources, a finding supported by the fact that the military junta moved to solidify control of uranium deposits in the hands of the de-facto government shortly after seizing power.

Familugba and colleagues go on to say that "The people of Niger are not directly benefiting from these resources. Furthermore, "Niger's overall economic stability and development were impacted by the country's residents' and government's financial dependence on these resources" [3]. This perhaps explains their results which found that 32% of respondents, including Nigeriens and experts both within and outside of Niger, believed poor leadership and resource control facilitated the coup [4]. A perception that was necessary for the coup to have enough public support to succeed. This corroborates O'Kane's research, which found that "rather than willful incompetence and active corruption, it is essentially lack of control over the economy which puts governments at risk of being overthrown by a coup d'etat" [5]. O'Kane goes on to say that when "faced with an unpredictable economy, volatile export earnings, and erratic government revenues, even essentially competent and trustworthy governments are made to appear incompetent" [6]. This dynamic is likely part of the reason coup leaders in Niger cited economic conditions as one of the drivers of the coup. Such conditions, however, are exacerbated and in part created by the enforcement of neocolonial financial mechanisms, like the CFA Franc.

The CFA Franc

The CFA Franc is a common currency used by several former French colonies in Africa, with the monetary zones being split between West and Central Africa [7]. When the CFA Franc was implemented in colonial Africa, it was used by French companies to gain monopolies in Francophone Africa, monopolies made possible by low exchange rate risk, free convertibility, and free transfer [8]. The CFA Franc exchange rate is pegged to the Euro, thus preventing countries that use it from having independent monetary policies. This forces the policies of member-states to mirror those of the Central European Bank. These policies are often not conducive to the economic development of underdeveloped countries, which must grow by building local production capacities, requiring a degree of inflation not seen as acceptable by the inflation-obsessed Central European Bank [9].

The French government has promised to lend euros to the central banks of the Franc Zone when their foreign exchange reserves are exhausted. However, this is under the condition that the central banks must deposit half of their foreign exchange reserves in the French Treasury [10]. Furthermore, French officials sit on the boards of every Franc Zone central bank and hold veto power over monetary policy [11]. No monetary decision can be made without French consent. This prevents West African states from pursuing inflationary monetary policies needed to develop their economies, leaving them reliant on their natural resources as a source of wealth. While Franc Zone members have had markedly lower inflation rates than other African countries, they rate lower on every measure of health and education [12].

Due to the euro's frequent appreciation against the US dollar (the currency in which the Franc Zone receives its export income), the value of export revenue by CFA Franc countries is reduced, leading to chronic trade deficits in all member-states except the Ivory Coast [13]. To highlight the continued presence of French companies it is worth noting "the case of the Arveva group, which in 2009 obtained, at the expense of a Chinese company, the contract for the exploitation of the uranium mine at Imouraren in Niger, following a brief visit by the French president Nicolas Sarkozy to his Nigerien counterpart, Mamadou Tandja, during which he 'assured the Nigerien president of France's neutrality in the ongoing political process' of the country according to researcher Emmanuel Grégoire" [14]. In essence, Sarkozy pledged to support Tandja's rule in exchange for the maintenance of French economic control, which, arguably, gave Tandja the space to pursue extra-constitutional power the very next year. France continues to maintain the CFA Franc as it ensures French control over monetary policy. Furthermore, it supports the continuance of massive French trade surpluses with Francophone Africa.

With this understanding, French control of its former African colonies via the CFA Franc is seen as a clear tool of neocolonialism, through the enforcement of French domination of monetary policy and the creation of massive trade deficits favoring France. In short, the CFA Franc creates "volatile export earnings, and erratic government revenues" that cause "even essentially competent and trustworthy governments [...] to appear incompetent" which, as O'Kane found, leaves governments susceptible to coups, -as was the case in Niger in 2023. French leverage over West African countries had resulted in deals like that between Niger and France which sold Nigerien uranium at €0.80/kg when market value sat at \$56/pound. Such deals, combined with the colonial history of the CFA Franc and French involvement in the Sahel region more generally, have prompted widespread anti-French sentiment in Niger and the broader region. This sentiment was capitalized on by bad actors, leading to "military juntas in the Sahel [seizing] growing anti-French sentiment throughout the continent to point to what they see as a 'neocolonial international financial system' and have used these claims to validate their own criminal acts of high treason" [15]. In other words, military leaders across the Sahel used the very real influence France had and has in the region as justification for their overthrow of governments perceived to be too friendly with France.

As Familugba and colleagues found, the vast majority of respondents cited some form of incompetence as a

facilitator of the military coup in Niger however, Pigaued and Sylla conclude that France through the CFA Franc “encourages this Franco-African ‘culture of irresponsibility’, which is opposed to any institutionalization of practices of democratic accountability” [16], resulting in no incentive for leaders to develop their states. Meanwhile, O’Kane emphasizes that lack of economic control (in this case created by the CFA Franc) increases the likelihood a government is seen as incompetent, thus leaving it vulnerable to coups. The leaders of Niger and the broader Sahel region are forced into ‘voluntary servitude’, being assured safe rule so long as they maintain French economic control, resulting in a lack of incentive for leaders to improve the economic standing of their people. This provides sufficient cover for the coup leaders to garner enough public support, as they did in Niger. As Konte points out:

In recent coups, military putschists are in fact joined by civil society activists (activists who normally condemn undemocratic seizures of power) to call out France for being ‘exploitative’ due to their exclusive access to and extraction of African minerals and ‘criminal’ due to its monopoly over West and Central African currencies [17].

Widespread disdain for France’s influence in Niger created the conditions necessary for coup leaders to have adequate support from civil society. Civil society activists, who would normally make up the opposition following a military takeover, were instead more motivated by their disapproval of French influence.

Military Factor

While economic factors provided the necessary support structure for the coup in Niger to succeed, the primary catalyst of the coup must also be noted. McCullough and Sandor point to several actions taken by Nigerien President Bazoum that antagonized the military to the point of resorting to a coup against him. First, the pair point out that while previous regimes engaged in forms of patronage to keep the various factions of the military in line, Bazoum did no such thing [18]. They go on to say that many in the Nigerien military felt that Bazoum’s policy of attempted dialogue with insurgents was seen as foolish or even as a “betrayal,” with one rank-and-file member of the army being quoted as saying “The terrorists kill our men and the local population. Dialoguing with them cannot happen” [19].

Nigerien armed forces were also increasingly frustrated by Bazoum’s policy of empowering militia groups to fight jihadis, with particular ire being raised regarding the perceived favoritism of ethnic Tamasheq militias in Tilia, who had waged their insurgency against the government in 1995 and 2007 [20]. It is important to note that this anger towards the Tamasheq militias was driven by the perception that they were receiving resources to the detriment of the Nigerien military, and not by simple ethnic divisions, as is incorrectly assumed by non-Africans to be the primary driver behind African conflict. As O’Kane notes, “export fluctuations can suddenly and seemingly arbitrarily redistribute income, making some groups, some regions, suddenly better or worse off” [21], once again exemplifying the influence that economic forces, like the CFA Franc, had on the 2023 coup in Niger. Furthermore, military brass was concerned by Bazoum’s intended policy of incorporating jihadi fighters into the armed forces, with McCullough and Sandor noting:

This would mean that soldiers were expected to work with people who had killed or were connected to people who had killed their colleagues. Members of the FDS argued that the consequences of such arguably ‘extrajudicial procedures’ would fall hardest on ordinary soldiers on the frontlines, believing that released fighters would either act as informants for jihadi groups or simply defect back to the insurgency [22].

However, McCullough and Sandor acknowledge that the most divisive decision made by Bazoum was the decision to accept additional French troops in Niger. McCullough and Sandor say, “Bazoum initially rejected the idea of authorizing the deployment of additional French and European counter-terrorism forces but then

changed course in 2022. This volte-face sparked discussions among Nigeriens about the French government’s supposed manipulation of their country’s head of state” [23] a sentiment that, as aforementioned, provided sufficient cover and support for a successful coup.

Despite the relative success of French and Nigerien operations, the post-colonial relationship between the two sides produced intense paranoia within the ranks of the Nigerien military. This paranoia stemmed from a history of abuse and subversion by the French military, with McCullough and Sandor pointing out “Some Nigeriens compare the current jihadi uprising with the Tamasheq rebellions in the 1990s and 2007/2009” [24]. During that period, the French military and intelligence service maintained links with Tamasheq leaders, while French media “often depicted the actions of Tamasheq armed groups as an uprising of nomadic peoples against a corrupt and repressive government” [25]. While there is no evidence of it, past French support of insurgencies in Niger has lent credibility to the idea in the minds of members of the Nigerien military and the public that France is backing jihadi insurgents. A dynamic that only strengthened support for a coup against the government that allowed French troops into Niger.

The leader of the coup, General Tchiani, initiated the coup after President Bazoum moved to follow through on his promise “to replace the leadership of the Presidential Guard after winning the presidential election in 2021” [26]. Ironically, Tchiani had foiled a coup attempt against Bazoum in 2021 which allowed him to keep his post. Tchiani followed the coup by proclaiming himself head-of-state, suspending the constitution, and banning the activities of political parties.

While research by McCullough and Sandor points primarily towards the failure of Niger’s counterinsurgency campaign under President Bazoum, they also point to the historical economic ties between France and Niger, and the influence those ties had on the coup, stating that “there are nevertheless historical precedents that provide a logic for some of the conspiracy theories. The first Franco-Nigerien defense agreement signed in 1961, for example, linked French military presence with Niger’s natural resources, stipulating that Niger should facilitate the storage of ‘strategic raw materials’ including oil and uranium for the benefit of the French armed forces. Under this agreement, Niger was required to prioritize France in the sale of its raw materials, after satisfying domestic needs” [27].

The researchers conclude that not only were the previous history and current economic control used as cover for the coup to gather public support, but the “paranoia” within the FDA (Nigerien military) itself was also used by the coup leaders to garner enough military support for a successful coup. The French control of resources mentioned by McCullough and Sandor is only possible thanks to the economic control France exerts over Niger via the CFA Franc as research by Sylla and Pigeaud makes clear. The dynamic also supports the application of the resource curse theory used by Familugba and colleagues. Members of the military, seemingly fearful of greater French control of key resources through the deployment of French forces, supported the coup leaders who were motivated for other reasons.

Past vs Present Perspective

While focusing on the role of historical context, it is prudent to compare and contrast the 2023 coup in respect of the 2010 coup in Niger. In 2010, the military overthrew President Tandja who was recognized by the international community as the democratic leader of Niger. As was the case in the 2023 Niger coup, the 2010 coup was met with strong international condemnation from a variety of states, including France. The coup leaders in both 2010 and 2023 “justified (their) intervention by referring to large-scale corruption, political centralization, and continued poverty” [28].

Unlike in 2023, however, the coup leaders in 2010 were lower-ranking members of the military and not high-ranking generals. That is not where their dissimilarities end. While the 2023 coup leaders were primarily

driven by the threat of being removed from their posts by President Bazoum, the 2010 coup leaders responded after President Tandja sought to lengthen his term beyond its constitutional limit, subsequently suspending the legislature and governing via presidential decree [29]. The 2010 coup leader then handed power to an elected civilian government after a period of nine months. At this point, it seems unlikely for the 2023 coup leaders to do the same given the consolidation of power under General Tchiani and the strengthening of ties between the Niger coup leaders and others in Mali and Burkina Faso [30].

Conclusion

The various grievances against Nigerien President Bazoum by the military instigated the July 2023 coup. Members of the military were driven by personal interest, perceived favoritism of militia groups, disagreement over counter-insurgency tactics, the incorporation of enemy combatants, and the invitation of French forces who were believed to possess ulterior motives detrimental to the Nigerien state. This belief was also held by members of the public, which, when coupled with difficult economic conditions, strengthened public support for the coup. These economic conditions were, in part, products of the resource curse, which in turn was partially the result of the CFA Franc, a neocolonial institution imposed on Niger and other West African countries. The CFA Franc resulted in Niger having virtually no control over their economy which, as O'Kane noted, leaves governments susceptible to claims of incompetence which subsequently creates vulnerability to coups. Continuation of the CFA Franc systems incentivizes leaders of West African countries, including Niger, to ignore the economic needs of their people and instead focus on the maintenance of France's special status. This, combined with the colonial and neocolonial history between the two countries, propagated widespread anti-French sentiment amongst the military and citizenry, which was utilized by the 2023 coup leaders to justify their anti-democratic takeover and face little internal backlash in the process.

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