The Taylor Swift Effect and International Law

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Taylor Swift's Eras Tour has come to an end, but the <u>Taylor Swift Effect</u> will remain a powerful force with influence well beyond even Swift herself. Often used to describe Swift's economic impact through her fandom, it has become shorthand for the broader network effect that amplifies and extends the reach of her discography and cultural influence. As this article discusses, the Taylor Swift Effect has real implications for international relations and international law at a time when many nations are <u>withdrawing from constructive international engagement</u>, with devastating consequences in terms of global rights, liberties, and norms.

Economically, Swift's impact is sometimes likened to that of a country, with Eras Tour ticket sales, consumer spending, services, and tourism adding up to an amount more than the Gross Domestic Product (GDP) of <u>many individual nations</u>. The Taylor Swift Effect is not just about economics, however. The proliferation of scholarship and courses focused on Swift is a testament to its expansive reach. Her work has been linked to fields ranging from <u>literature</u>, <u>philosophy</u>, and <u>psychology</u> to <u>economics</u>, and law. Scholarship on the latter is nascent, but there is an emerging and wide-ranging body of work on Swift and the law that includes substantive areas like <u>intellectual property</u>, <u>antitrust</u>, and <u>consumer protection</u>, as well as <u>legal culture</u>, <u>narrative</u> jurisprudence, and <u>sexual identity</u>. With events around the world raising important questions of human rights, equity, and economic development, understanding the Taylor Swift Effect's potential in the context of international human rights and economic law is an overlooked dimension with important implications not only for scholarship but for the actions of countries, communities, and individuals as well.

In international law terms, the Taylor Swift Effect shares some elements in common with the solidarity principle, which promotes a collective sense of equity and social justice. Swift's discography and actions generate intense solidarity among her fans, which I witnessed when my daughters and I attended the Eras Tour in the summer of 2023. However, I truly saw the solidarity principle in action in Vienna, Austria, after Swift was forced to cancel three shows due to a terrorist threat. In Vienna, fans exhibited much more than just a mutual appreciation for Swift's skills as a performer and songwriter; they projected a collective vision of how to engage with each other and the world, highlighting a compelling dimension of the Taylor Swift Effect that could have much wider significance.

This article explores the Taylor Swift Effect in the context of international law, beginning with the connection between Swift's music and norms and principles of international law and expanding upon this foundation to consider broader applications. Just as international law has <u>many smaller</u>-scale layers to its generation and dissemination, the Taylor Swift Effect can turn how individual

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fans react to and internalize Swift's music into global movements with the power for collective change. As Swift sings in *New Romantics*, "life is just a classroom," and an assessment of where her discography and actions highlight the potential and shortcomings of international law is both insightful and overdue (Note that quoted passages are from Swift's discography unless otherwise referenced).

Swift is already impacting international law, both directly and indirectly. Her decision to reclaim her master recordings and <u>take back the full scope of copyright protection for her work</u> has generated significant attention, with the potential to <u>change copyright law globally</u>. International rules could be particularly important in this context, since other artists without her negotiating power remain vulnerable. International law could play a role in the form of revised copyright rules that more clearly benefit artists and creatives in entertainment, art, and fashion around the world, but states and other stakeholders would need to drive this change. While directly connected, copyright law is just one example of a link between Swift's work and international law.

Swift's discography, actions, and, perhaps most importantly, her fandom, "teach some lessons" about international law more broadly. Central to the solidarity principle, Swift's work hints at progress we could make on human rights and women's empowerment on a global scale. Her most socially conscious songs focus in particular on women's rights, <u>which is a common theme in her</u> work, and LGBTQ+ rights, the latter in songs like *Welcome to New York* and *You Need to Calm Down*. Swift's lyrics resonate with so many who have faced discrimination, hurdles to economic opportunities, and violence and harassment, and the Taylor Swift Effect points to the possibility of addressing these challenges more systemically.

Swift's strong support for women's rights is unmistakable, whether explicitly in *The Man* or more subtly in songs like *All Too Well (10 Minute Version)*. Women around the world have been fighting for protection of their rights for years, including under international treaties like the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Like other international human rights instruments, however, CEDAW relies on governments to enforce and uphold its provisions. It is also the human rights treaty with the <u>most reservations</u>, and some countries, like the United States, have not ratified CEDAW at all, even though they are still obliged to respect these rights under customary international law. Imagine what the collective force behind the Taylor Swift Effect could do to promote filling these gaps in a global system where many women continue to face formidable challenges.

Swift's work does not fully explore the full range of human rights under the International Bill of Human Rights, however, which encompasses rights related to nationality, ethnicity, gender, sexual orientation, religion, and other factors. While Swift has referenced religion and race in her songs, she has done so much less frequently. The recent *I Hate it Here* on THE TORTURED POETS DEPARTMENT (TTPD) has been a focus due to the divisive line "I'd say [to live in] the 1830s but without all the racists and getting married off for the highest bid," which many felt ignored the lived experiences of Black people. In the same song, she later notes that "nostalgia is a mind's trick," hopefully recognizing historical injustice and opening the door for a more expansive focus on human rights and <u>international solidarity</u> that does not overlook race and other important social issues.

Swift's work has prompted her fans to push <u>other pressing international legal issues</u> into the spotlight. These include recognition of human rights in the form of prohibitions on war crimes during armed conflict, genocide, and crimes against humanity that arise in the numerous wars "outside our door." In this context, it is important to recognize that "<u>all human lives are worthy of dignity and protection</u>" in Gaza, Ukraine, Sudan, and around the world.

Discrimination and oppression exist in other contexts, and there is a strong connection between the economics of the Taylor Swift Effect and human rights, just as there is a <u>link between</u> <u>international human rights and economic law</u>. The clothing and products Swift sings about – and the legendary fans' outfits during the Eras Tour –give us a lot to think about in terms of tax burdens and working conditions facing those who are economically vulnerable. It is impossible to think about Swift without associating her work with a *Cardigan*, "high heels," or *Dress* (lucky for us, one of our surprise songs and an article of clothing that plays a prominent role in different contexts in a number of additional Swift songs such as *Fearless*, *Holy Ground*, *Wildest Dreams*, and *Clean*). These references have layered meaning in Swift's songs, and they also carry important implications for both human rights and socio-economic development.

International rules impact the price of everything we wear and the conditions under which products are made, but discrimination is hidden in the system. Something called a "pink tax" puts a higher price tag on products and services designed for women. For goods traded internationally, "pink tariffs" on women's silk shirts, jackets, and shoes <u>cost women about \$2.5 billion annually</u>. A bill in the U.S. Congress, the "<u>Pink Tariffs Study Act</u>," would require a long-overdue full review of these practices. Other products are subject to a hidden regressive tax system that <u>puts a heavier tax burden on goods purchased by lower-income consumers</u>. For example, a cardigan, like the *TTPD* and *1989 (Taylor's Version)* cardigans, is taxed based on its composition. While cashmere cardigans are taxed at 4 percent, cardigans made from acrylic, like the Swift merch, are taxed at 32 percent. In sum, women who earn less pay a disproportionately higher tax. Like any other aspect of law, these dynamics could be changed through awareness and collective action.

The workers who make this apparel are also meant to have enforceable rights under international labor standards and human rights, but these are also <u>inconsistently enforced</u> and ratified, with challenges disproportionately <u>affecting women</u> and disadvantaged groups. Despite global work to enforce international labor treaties and standards, many gaps in the system need to be addressed locally, where individual choices and actions matter. For those who, like Swift, can claim to "know Aristotle," the <u>subsidiarity principle</u> calls for action at the most local level before higher-level solutions are sought. Based on what we have seen, Swift's <u>treatment of her employees</u> highlight business and human rights in action. While most do not have Swift's resources, much could be done on a smaller scale as well as under the umbrella of international law.

In addition, international law's sustainable development principle calls for a <u>balance between</u> <u>social, economic, and environmental rights</u>, meaning that other factors, including environmental sustainability, should be given equal weight to economics. Swift fans have stressed the importance of focusing on <u>climate change</u>, which speaks directly to global solidarity.

Swift's venture into debates around domestic <u>policies and politics</u> has implications across U.S. and international law. Swift sang about her concerns with the U.S. political climate in the 2019 *Miss*

Americana and the Heartbreak Prince, which perhaps uncoincidentally was the opening song for the Eras Tour. The 2020 Netflix documentary *Miss Americana* offered a deeper glimpse into Swift's engagement in politics and human rights concerns, with particular relevance to where the world stands today when, in many senses, a "storm is coming." Swift has since spoken out about the importance of fighting for human rights and individual freedom and the <u>danger of the spread</u> of <u>misinformation</u>. She has focused in particular on women's rights and reproductive freedom and <u>condemned the Supreme Court's decision to overturn Roe v. Wade</u>, which <u>triggered abortion bans</u> in a number of U.S. states. Human rights and women's rights will continue to be important issues for Swift's fandom around the world, whether in "Florida (!!!)," France, Feldkirch, or Frankfurt.

Like international law itself, there is an aspirational dimension to the Taylor Swift Effect. However, as Swift sings in *Mastermind*, "strategy sets the scene for the tale." Applying the principles of solidarity, subsidiarity, and sustainability, and drawing inspiration from Swift's work and actions, we are urged to both act collectively and not to "forget [our] power," rethinking moments when we believe "it's not about me" by asking, "but what if it is?" Although Swift is not a country, she has both exceptional reach and the ability to spark solidarity that transcends boundaries worldwide. At a time when many around the world are looking inward, the Taylor Swift Effect pushes the global community to use all tools at its disposal – economic, legal, and political – for the common good. Swift's discography highlights a path toward a more just world based on international law – if only we will turn up the volume and listen.