

PERSPECTIVES ON GLOBAL ISSUES



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PERSPECTIVES ON GLOBAL ISSUES

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The Center for Global Affairs at New York University's School of Continuing and Professional Studies educates and inspires students to become global citizens capable of identifying and implementing solutions to pressing global challenges. Its flagship is the Master of Science in Global Affairs (MSGA) program.

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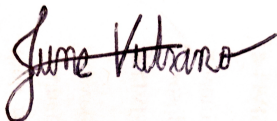


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Letter from the Editor

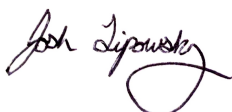
It is with great pleasure the editorial staff and I present to you the latest publication of student research and insight: Perspectives on Global Issues. The editorial team spent months pouring over submissions, editing, and selecting from the amazing works of the Global Affairs academia. One of the most interesting notables from the project of putting together a journal is that no two papers addressed the same topic, country, or insight. All of the papers came from each of our concentrations: Human Rights and International Law, Peacebuilding, Energy and the Environment, Private Sector, Transnational Security, and International Development and Humanitarian Assistance. With nearly 30 papers submitted, it was difficult to decide which, if any, should be omitted from our journal. The quality of research and writing shared by our authors truly demonstrates that we are a global program with global insights. We are so grateful to have been able to work with the amazing amount of talent in the Global Affairs program at NYU. Much of the writings here demonstrate a belief in a global world; a better world, and the vision of the students in the MSGA program show us that the better world is occurring right here, right now. We hope that you enjoy this issue of Perspectives on Global Issues, as we are very proud to publish the amazing work of our peers.

Enjoy!



June Vutrano, Editor-In-Chief
& the Editorial Staff

The past year has certainly been a busy one. The Middle East continues to be an area of great concern as Syria's civil war wages on, the Israeli-Arab conflict stagnates and the West struggles with the question of a nuclear Iran. We are watching China transforming into the world's largest economy, and questioning the extent of the United States' influence in the world. The Internet has made the world a smaller place by instantly connecting people to each other thousands of miles apart, but at the same time it has sparked a new form of cyber-warfare that we are just beginning to understand. And unfortunately, even in this day and age, the issues of slavery and famine are still plaguing us. These are just some of the issues that are covered in the following pages by our fellow student-scholars. As students of Global Affairs, we can at the same time feel lucky to be witnesses to these events, as well as saddened and pessimistic about the future of our world. We can, however, feel optimistic about the new scholars who are joining the ranks of our world leaders, and judging by the quality of the content in the pages that follow, we have quite a bit about which to be optimistic.



Josh Lipowsky, Managing Editor



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photo by Sam Powers



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The Failings of the Domestic Violence Act

by Jennifer Patello

I. Introduction

The Republic of South Africa is one of the most violent and hazardous societies in the world for a woman to live as evidenced by the alarming statistics. The country has the highest incidence of reported rape of any nation;¹ one woman is killed by her intimate partner every six hours;² the incidence of recorded domestic abuses is six times global average;³ domestic abuse occurs in 60percent of marital relationships;⁴ the nation has the largest population living with HIV, at 5.7 million individuals;⁵ and “corrective rape” of (predominantly black) lesbians is commonplace. Many studies have shown that domestic and intimate partner violence (IPV) are having serious repercussions for marginalized South Africans, as “underdevelopment, lack of economic opportunities for both sexes, and entrenched inequalities in the distribution of power, resources, and responsibilities between men and women create a risk environment that that supports high levels of both HIV infection and intimate partner violence.”⁶

An opportunity for change arose with the beginning of South Africa’s transition to democracy. The post-apartheid 1994 Constitution marked the beginning of a legislative trend of embracing human rights, including gender equality provisions. The new constitution laid the groundwork for the signing of the groundbreaking Domestic Violence Act into law on December 2, 1998, in that the new constitution was a legal foundation that created legitimacy for women’s rights claims and influenced subsequent legislation (what legislation?) in addition to the judicial interpretation of the laws.⁷ However, for many reasons discussed below the Domestic Violence Act has failed thus far to bring about the intended improvement to women’s human rights, and the health and economic consequences have been dire for both South African women and the nation as a whole.

II. The Domestic Violence Act

The Domestic Violence Act, which was signed into law in 1998 and went into effect in 1999, makes mention of the right to equality and security defined in the 1994 post-apartheid Constitution and of South Africa’s international commitments to human rights such as the Convention on the Elimination of All forms of Discrimination Against Women. The Act was groundbreaking in South Africa for a number of reasons. Most

importantly perhaps, it served as an acknowledgement of the government for the first time that it had the responsibility to stop the perpetration of domestic violence against its women. The Act defined the various forms of domestic abuse, including but not limited to, physical, sexual, emotional, verbal, psychological, economic, etc. It detailed the responsibilities of state officials and court as well as the necessary protocol when responding to a domestic violence complaint, such as obligating social workers and police officers to report possible abuse and to inform victims of their right to obtain protection orders free of charge, or these officials would be charged a fine for not following through on their dictated responsibilities.⁸

The act mandated that police officers “take all reasonable steps to secure the scene and to protect the complainant from any further harm” including the seizure of arms and dangerous weapons. Also, police officers must also assist the complainant in finding suitable shelter, in obtaining any necessary medical assistance, in ensuring their safety during the collection of personal property, and must record all domestic violence incidents in the Domestic Violence Register regardless of whether or not a criminal offence has been committed.⁹ Additionally, the Act broadened the definition of abuse by including non-married relationships, gave the police the ability to arrest suspects of domestic violence without a warrant,¹⁰ and for the first time in South Africa the Act also allowed for the prosecution of men for raping their wives.¹¹ The Department of Social Development formulated some additional guidelines for the Act later, such as the Policy Framework and Strategy for Shelters for Victims of Domestic Violence, in 2003.

III. Successes and Failures of the Act

The Domestic Violence Act has had some limited successes thus far in setting a legal precedence invoked by the South African Constitutional Court. For example, in *S. vs Baloyi* in 2000 the court made mention that “the constitutional right to gender equality is jeopardized by a legal system that fails to adequately address this violence.”¹² In *Carmichele v. Ministry of Safety and Security* in 2001 the court ruled that the state had the positive obligation to defend women from violence; and in *Van Eeden v. Minister of Safety and Security*, also in 2001, the court said/declared? “state is obliged under international law to protect



women against violent crime and against the gender discrimination inherent in violence against women.”¹³

However, these successes have been far outweighed by the act’s failures. For example in some instances, the act has actually worsened the condition for women victims of domestic violence. Many in South Africa are concerned that the level of violence against women is proliferating due to the backlash against the constitutionally enforced gender equality.¹⁴ Specifically, women have faced risks obtaining protection orders in that abusive partners became more abusive, and even family members have been known to react poorly upon implication by urging women not to obtain the protection order.¹⁵

Another failing has been the lack of following protocol, despite training and capacity building programs. For example, that government clerks and court staff have not abided by the necessary protocol when dealing with domestic violence victims and cases. It is reportedly not uncommon for them to pass around a domestic violence case to avoid dealing with it, or even to take sides with the male perpetrators.¹⁶ Other protocol failures include not communicating the rights to the victim and the lengthy amount of time required to obtain a protection order.¹⁷ As a result of these failings, many women in South Africa do not report incidents of domestic violence (for instance, only 3 percent of rapes are actually reported)¹⁸ at all for fear of retribution and because experience has taught them that no action may be taken.

IV. Reasons for Lack of Implementation

The Domestic Violence Act has had some successes so far as mentioned above. However, these successes are overshadowed by implementation failures that are largely attributed to a lack of political will, a high level of impunity, and South Africa’s macho culture that have not been swayed despite training, capacity building initiatives, and the clear reporting guidelines.¹⁹ For example, the South African Police Service (SAPS) itself is a major barrier to implementing the act. As mentioned above the law mandates that the police play a crucial role in addressing domestic violence and are often the first responder to domestic violence complaints. However rather than following protocol, they are known to attempt mediation in domestic disputes, are resistant to considering domestic

violence a crime.²⁰ The SAPS have widely kept insufficient records, and in a study conducted by the non-governmental organization (NGO) Tshwaranang, only 19 of 416 incidents of domestic violence (15 percent) were recorded in the domestic violence register, and was not maintained at all for six months supposedly for lack of knowledge about this responsibility.²¹ The SAPS is also known for having high levels of domestic violence among its members as well, and the murder of 148 spouses, girlfriends, and romantically involved women were committed within their ranks between 2005 and 2009.²²

Another major barrier to implementation has been insufficient resources, both financial and human. Apparently a costing study has never been performed to determine the necessary budget needed, placing “severe pressure” on the Department of Justice and Constitutional Development which was not even able to employ the necessary staff due to the limited budget. When the Act went into effect many problems were still present in 2009, such as the lack of a budget, a shortage of trained staff, and the lack of sufficient funding for and number of family courts and advocates.²³ Additional barriers include the lack of necessary programs, sufficient parliamentary oversight, in addition to the problem of corruption within the government ranks. As elaborated below, NGOs have had to pick up the slack as a result of these government failures.

V. Health and Economic Consequences

The Domestic Violence Act embodies a plethora of potential to improve the lives of and protect the human rights of South African women. However by not realizing its full potential, the failure of the act has enabled the worsening of the health and economic condition of South Africa’s women, namely those that already suffer from marginalization and poverty as a lasting result of the racial privileging under apartheid. Fatal health outcomes of IPV include murder; in 1999, half of all deaths of South African women were acts of murder committed by their intimate partners. Non-fatal health outcomes include mental health conditions such as attempted suicide, post-traumatic stress disorder, alcohol and drug abuse, depression, anxiety and eating disorders. Non-fatal physical outcomes include disability, disfigurement, headaches, backaches, and other physical injuries.²⁴ As with all social phenomena, domestic



violence does not occur in a vacuum, and as U.N. Secretary General Ban Ki-Moon's In-depth Study on All Forms of Violence against Women asserts, violence against women undermines the development of nations and the attainment of human rights.²⁵

The unabated continuation of domestic violence in South Africa has enabled the enduring of much health related social ills that plague the country. For example, many studies have established a strong correlation between IPV and the continued spread of the HIV epidemic. As mentioned, South Africa is home to the largest population living with HIV/AIDS in the world at 5.7 million individuals, or about 10.8 percent of the population.²⁶ Women between the ages of 20 and 34 are the worst affected, 33 percent of who carry the HIV virus.²⁷ Some progress can be seen in the statistics, such that the prevalence of infections among adults has stabilized, and the prevalence started decreasing among young people age 15-24 in 2005.²⁸ However, the rampant IPV and its links to HIV infection remain discouraging. Specifically, a two-way association has been found between IPV and HIV, and IPV has been found to be strongly associated with most HIV risk factors, namely gender inequality and the resulting inability to negotiate condom usage, sexual and physical violence, frequency of sex and the number of sexual partners, and that women were at a higher risk when engaging in sexual relations with older, more educated men²⁹ which, is actually on the rise in South Africa.³⁰ In addition, men who are physically violent have been found more likely to have HIV, and both violence and sexual risk taking are found to originate in cultural ideas of hegemonic masculinity.³¹ Also, women that are victims of IPV have difficulty obtaining HIV testing and treatment, and difficulties abiding by treatment regimes, often resulting in worsened health and even treatment failure.³²

In terms of the population most at risk for IPV and HIV infection, it is those that are most in need of development that have been marginalized and disadvantaged in South African apartheid society for more than 50 years. Specifically, living in an informal urban settlement, being black, and being female are strong predictors of contracting the HIV virus.³³ Measured against unemployment and poverty statistics, the unemployment rate according to Statistics South Africa is currently 25.2 percent,³⁴ the majority of which (30 percent) are black African,³⁵ are women,³⁶ and in many cases are living in poor rural provinces such as the Eastern Cape, the Free State, and the Northern province that have the highest prevalence of HIV infection of any other provinces,³⁷ and are also the poorest.³⁸

These provinces are known for high levels of violence that can be attributed in part to the lack of access to basic services such as electricity, sanitation, the provision of public safety, and adequate public school education. In terms of poverty, 17 percent of the population lives below the international poverty line of \$1.25 per day,³⁹ and poverty in South Africa continues to have a racial undertone despite the end of apartheid, as evidenced by the fact that black Africans continue to be the poorest population group.⁴⁰ Shortly after apartheid ended, half of all black Africans resided in households without any salary or wage income whatsoever, and the level of wealth inequality was actually higher than what it was in 1994.⁴¹ Many studies show that there are links between IPV, HIV, economic hardships, housing, education, and poverty as well.⁴² These statistics and social indicators do not bode well for the black (and typically female) African population.

IPV and HIV and the social characteristics associated with them are universally destructive. For example, diminished productivity and a diminished ability to participate in public life are characteristic of women that suffer from IPV. Such women are also less likely to be employed, are most often employed in jobs of low status, and are unlikely candidates for professional advancement. The effects are also intergenerational, as children that are witnesses to IPV undergo psychological and emotional harm, frequently experience forms of child maltreatment themselves, and are commonly characterized by behavioral issues, health problems, and poor academic performance.⁴³ Women who were beaten during pregnancy gave birth to low weight, and sometimes even stillborn, babies, and have also reportedly induced abortion and miscarriages.⁴⁴ Women that are infected with HIV also suffer from psychological and financial implications, in addition to their compromised health. Some women in South Africa have reportedly suffered abuse because they have disclosed their HIV status. Their families have turned them out of their home, forcing them to become destitute.⁴⁵ In the South African case, IPV together with HIV is creating a vicious cycle for this at risk segment of the population, worsening their economic condition when their chances for development are already grim.

VI. Picking Up the Slack: The Role of NGOs

Because of the South African government's lack of capacity and political will to implement the Domestic Violence Act, many NGOs have found themselves acting as primary contract agents for the government, resulting in the NGO-isation of the women's movement in South Africa. They engage in and provide



outreach, service delivery, empowerment programs, economic training, group counseling, shelter, intervention services, legal assistance, and rape crisis centers. At times working with the government can be a challenge for them; They are working in collaboration with the government which they opposed for decades during apartheid, they are struggling to monitor the governments' progress while not being labeled as disloyal, and are also striving to obtain government funding while maintaining their independence and agenda, as the government clamors for accountability as well as control over outcomes. NGOs also find themselves expanding their missions to address issues seemingly unrelated to domestic violence, but which have in fact shown links to such violence, namely housing, land rights, health, HIV/AIDS (including psychological and financial consequences), nutrition, economic self-sufficiency, skills education, poverty and education.⁴⁶ For example, the Saartjie Baartman Centre for Women and Children in Cape Town is a one-stop shop for survivors of domestic abuse. Their vision is "the creation of a safe and secure society and a human rights culture, where women and children are empowered to exercise their full rights" and they offer a variety of services including a 24-hour emergency shelter with safe accommodation, short and medium term residential care, childcare, counseling, mental health support, legal and economic empowerment services, and job skills training, in addition to conducting gender based violence research.⁴⁷ As an example of expanding their mission and services in order to meet the various needs of those experiencing domestic violence, the centre partnered with the Community Law Centre to add a cost free legal service including a full-time legal advisor and a paralegal in 2003 to its already comprehensive service provisions.

Additionally, some NGOs supplement the parliamentary efforts of the South African government, work toward ensuring civil society participation in governance, and serve as a credible source for key information on civil society. For example, the Community Law Centre Parliamentary Programme works to strengthen parliamentary oversight at national and provincial levels. The organization also places priority on poor and marginalized members of South African society, including women and their rights.

VII. Criticisms of the South African Government and its Responses

South Africa has been criticized throughout the world for its inaction towards the problem of domestic abuse and for not implementing its own Domestic Violence Act. For example,

according to a 2010 report by Al Jazeera, the continued abuse is largely blamed on the macho culture in South African society. In the same report, Lisa Vetten, a Senior Researcher at the organization Tshwaranang, states that the lack of action by the government, the police, and the courts has made the Domestic Violence Act irrelevant and permits the continuation of the culture of impunity.⁴⁸

Yet from the very beginning, South African government officials themselves were already skeptical of their own ability to implement the Domestic Violence Act. Specifically, the welfare minister was cited in 1999 as questioning where the resources will come from in order to provide the necessary services called for by the Act.⁴⁹ The most recent responses do stress the need for improved law implementation, but seem to focus on civil society responsibilities to act against domestic violence. For example, on April 10 of this year, Minister Lulu Xingwana of the Department of Women, Children and People with Disabilities, promised that justice would be served for the family of a 26-year-old victim of domestic violence whose murdered body was discovered in a park. "I therefore call upon communities, especially men, to work hand in hand with us to curb and fight this crime against humanity," Xingwana said. "Any person who witnesses a domestic violence act has a moral duty to report it to the Police. We therefore appeal to our communities, parents, mothers and fathers, that whenever they suspect abuse they must report it to the authorities."⁵⁰ Given the large issue of how macho culture contributes to the problem of domestic violence, it is important that the South African government call for cultural change throughout the nation; yet the responsibility for law implementation, abolishing impunity, and creating the necessary incentives for men to curb such violence ultimately rests with government policy and the implementation by its officials.

VIII. Conclusion

The Domestic Violence Act served as an important step in eradicating domestic violence and IPV in South Africa, a nation with some of the worst indicators and statistics in the world for women's human rights. Yet the government's lacking financial and human capacity, coupled by the lack of political will on the part of government officials and the SAPS, has made the effective implementation of the Act nearly impossible.

Additionally, the macho nature of the South African society has been blamed for the overall culture of impunity and acceptance of this far-reaching phenomenon, affecting women



of all races, ages, ethnic groups, and socioeconomic levels. Yet the majority of concern lies with those members of society that already suffer from poverty and marginalization that are remnants of apartheid South Africa, namely black South Africans, and especially women.

This has large repercussions for the development of South Africa's people and the nation as a whole. It is a middle-income country, it is the most developed state in Africa, and boasts two times the GNP of the rest of Southern African Development Community (SADC),⁵¹ and ranks 21st in global gross domestic product (GDP) ranking. Yet the nation's income distribution is highly unequal⁵² and life expectancy is extremely low, at 50 years for men and only years 48 for women.⁵³ The HIV/AIDS epidemic is likely one of the largest reasons for this poor social indicator, and as we have seen IPV is a large contributor to its continued spread throughout the nation, both of which have been linked to poverty, diminished productivity, and intergenerational consequences as well.

The government of South Africa needs to make the effective and nation-wide implementation of the Domestic Violence Act a priority, by conducting a costly study to determine the true level of commitment to make implementation a reality, demanding the political will of government officials at all levels, strictly enforcing adherence to necessary protocol mandated by the act, and abolishing impunity and creating the incentives for South African males to halt this violent behavior. Lastly in terms of financial resources, the international community needs to assist South Africa in this public health emergency, perhaps through Ban Ki-Moon's United Nations Trust Fund to End Violence Against Women. If these steps at a minimum are not taken, and South Africa continues to set a poor example for the rest of the continent, South Africa's development will continue to suffer, and perhaps become an issue of international peace and security should the situation spill over into neighboring African nations.

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Food Crisis and Underdevelopment in Mali

by Sam Powers

The 2010 Quadrennial Diplomacy and Development Review makes clear that development must be an integral part of a process that “moves people away from violent extremism and instability and toward a more prosperous future.”¹ The current crisis engulfing Mali shows how consistently ignoring sectors such as democracy, governance and humanitarian assistance, may exacerbate events such as a food crisis. Persistent government neglect can also pose a risk to regional and, possibly, global security, as groups such as al-Qaeda and their affiliates take full advantage of a desperately poor and vulnerable populace to advance their own goals.

In 2012, U.S. Assistant Secretary of State for African Affairs Johnnie Carson made clear in a congressional hearing that a military-based response, without taking into account factors such as economic and political development, would not be sufficient to address the complex issues fueling instability in Mali.² The food crisis represents one of the harrowing externalities of a systemic lack of focus on democracy and good governance on behalf of the government in Bamako, Mali, and to a lesser extent the international community. Addressing persistent underlying factors such as marginalization of civil society, and neglect of the northern region and its people must be central concerns of any international effort to tackle the crises in Mali. This challenge cannot be seen solely as a short-term military effort, but rather as a rallying cry for a collaborative response where development is placed at the forefront of any multi-lateral action. If such an approach is coordinated effectively amongst regional and international partners, alleviation of the humanitarian crisis may begin more expeditiously, and the seeds can be sown for future generations of stable democracy and strong civil society, where grievances are voiced and represented, and threats to regional and international security are averted.

Historical Context

The genesis of the Malian crises can trace its roots back to the northern area of the country, a region known colloquially as ‘Azawad.’ Northern Mali is about the size of France and has historically been home to the Tuareg People, who are nomadic and found in pockets across the Sahel.³ As will be discussed later in detail, a thorough evaluation shows that the roots of the

current crisis partly reside in the fact that the north, and its people, are currently, and have for quite some time, been largely ignored by the government in Bamako.⁴ Senior Fellow for Africa Policy Studies at the Council Foreign Relations details this estranged relationship and its relation to the current crisis:

“The south [Bamako] dominates the economy and the politics of the country. Northern resentment of southern domination is long standing. Government promises of federalism and increased local autonomy over the past 20 years have regularly been made and broken.”⁵

Engendered by a superiority complex steeped in long traditions of Islamic thought, the Tuareg have pursued a course toward independence since the 1960s, formally declaring war against the south in the early 1990s and creating the National Movement for the Liberation of Azawad (MNLA).⁶ This movement grew largely in part to the fact that the government in Bamako consistently rejected the North’s plea for autonomy and political representation, and subsequently left the region largely ungoverned, and underdeveloped. Pleas for development assistance including infrastructure, education, hygiene and famine relief were ignored by Bamako almost entirely.⁷ Attempts to reach peace and integrate Tuareg individuals into positions in the government and military rarely, if ever, materialized.⁸ Even before MNLA rebels began attacking cities in the North in 2012, it was clear that there was no hope for reconciliation amongst the Tuareg people and Bamako, which considered a political solution not to be germane to their interests.⁹

Once modeled as a beacon of democracy in Africa by the West, the government in Bamako complacently ignored the legitimate grievances of their northern compatriots by not providing critical humanitarian and infrastructural relief. Unknowingly, they set the stage for a crisis that would threaten the entire region and raise alarm worldwide. Soon after the Tuareg rebels launched their attacks in the cities of Gao and Timbuktu, an influx of loosely associated groups of Arab Islamists came to join the fight, armed with weaponry left over from the recent war against the Gadhafi regime in Libya.¹⁰ Almost instantly, the Islamist groups including the infamous al-Qaeda in the Islamic Maghreb (AQIM) as well as the lesser



known Ansar al Din and Movement for Oneness and Jihad in West Africa (MUJAO) hijacked the separatist goals of the MNLA and imposed a grisly form of Sharia law “complete with the punishments of amputations and stoning.”¹¹ Although the connection of these groups with the larger goals of al-Qaeda remains unknown, ECOWAS members have concluded that the groups represent a clear threat to their regional security. France’s intervention and the recent development of a US drone based in neighboring Niger hint at the West’s fear of a possible resurgence of al-Qaeda influenced attacks on their interests.¹² Regardless of the ambitions of those currently staking claim to the arid northern region, what is clear, is that an initial reluctance on behalf of the Malian government in Bamako and the international community, to provide development in the form humanitarian relief and DG support has created a situation where a large population is faced with hunger and displacement, and regional security has been severely jeopardized. We will see in the coming section just how years of food crisis in the north and a lack of government relief helped set the stage for the current dilemma facing the region.

Food Insecurity Setting the Stage for a Protracted Regional Crisis

The Sahel region has been known as having one of the harshest climates on the planet, with drought and ensuing famine occurring in cycles and now becoming more frequent due to climate change.¹³ The seeds of the current rebellion and the protracted security crisis in Mali can be traced in part, back to one of life’s most basic necessities; food. Currently 15 million people across the Sahel are suffering from food insecurity, with 666,000 children under five in Mali facing acute malnutrition.¹⁴ The destabilizing effects of food crises are vast, and in the case of Mali, can trace their roots back to an inability on behalf of the government in Bamako and the international community to act. From Egypt to the slums of Port-au-Prince, food shortages have sparked protest and have come to threaten corrupt and mismanaged governments across the globe.¹⁵ The case of Mali is no different. Food insecurity caused by years of drought, poor

crop yields and high staple prices is clearly a motivating factor behind the establishment of the Tuareg separatist movement. The genesis of this movement, now represented by the MNLA (National Liberation for the Liberation of Azawad), was formed in part out of a desire to have political representation so that issues such as food insecurity could be discussed and alleviated. The Tuareg have consistently been denied the developmental assistance to alleviate a number of structural problems, with food insecurity remaining high on this list. This deliberate negligence can be seen clearly in a 2003 UNHCR report that set out to evaluate the status of at risk populations. The report states:

“The underlying grievances of the Tuareg are economic and cultural. Tuaregs are economically marginalized and desire increased economic opportunities and improved working conditions. They demanded greater autonomy, development projects which would ease the damage wrought by the famine, and an end to their exclusion from local political power. When they spoke out about their dissatisfaction, they were met with repression at the hands of state authorities. The governments of both Mali and Niger refused to assist the drought-stricken Tuareg regions, while they expropriated humanitarian assistance funds designated for the Tuaregs by external donors, failed to inform the international community of the gravity of the situation, and in general ignored Tuareg needs, while directing most development funds to projects affecting non-Tuareg populations.”¹⁶

This report makes clear how a food crisis, along with other long standing grievances have further enraged a group already striving for autonomy, leaving violent rebellion to become viable, as dialogue, or any forum to air grievances was not provided. The food crisis raised the possibility of violence and served as a catalyst for growing Tuareg anger, which would eventually open the floodgates for an influx of groups whose agenda posed a much larger threat to regional stability. The underlying factors that exacerbated such a dire humanitarian crisis will be discussed in the following section.

The Need for Democracy and Governance and How the U.S.



Can Help

In an area that has been regularly marginalized by subsequent Malian governments, the international community must push Bamako, as well as local actors in the north to work towards creating inclusive mechanisms of governance that delegitimize the extremists grip while simultaneously engaging the Tuareg separatists in talks on reconciliation. Aside from calling elections later this month, a continuous focus on Democracy and Government (DG) must remain well after international forces have left Mali to not only alleviate the humanitarian crisis but set the stage for effective and responsible rule. In this vein, the United States may be able to offer particular expertise to support DG efforts and eventual reconciliation. The U.S. Agency for International Development (USAID) has in its short 50-year history played a critical role in fostering the development of holistic mechanisms to increase democratic governance to counter extremism.¹⁷ The USAID Policy Framework 2011-2015 puts focus on helping host countries implement a range of mechanisms that prevent a return to a "state of conflict or instability." (USAID 2013).¹⁸ USAID recognizes that there is no panacea for such development, and stresses in its projects that country ownership is critical to its success.¹⁹ In countries where there is little to no effective governance, USAID will need to consult closely with local actors and NGOs to ensure that local voices are represented so that the seeds of democracy can begin to grow holistically.

It is this sort of civil society based approach that will hopefully reinvigorate the desire of both parties to engage in a democratic process and come to terms to end the humanitarian crises. Such approaches have been implemented before by USAID and have been met with success. In Yemen for example, USAID helped to organize focus groups in largely ungoverned and desperately poor areas.²⁰ These groups were primarily targeted at youth who were engaged as stakeholders on a host of issues including security and the appeal of extremism.²¹ This sort of venue provides real time information for development professionals and the international community, who then helped local stakeholders pressure their governments to address issues that threaten their own wellbeing and security. If such a civil society-based initiative had been instituted in northern Mali, the chances of Bamako coming under harsher international scrutiny may have sparked action in the north to prevent the driving factors

that caused the Tuareg rebellion and eventual Islamist insurgency. Obviously, interagency collaboration will be necessary, particularly in situations like Mali, where security may be compromised. Collaboration on development initiatives between DOD and USAID has bred success in certain instances, particularly in Afghanistan where provincial reconstruction teams (PRTs) have combined military, diplomatic and development strategies to tackle threats to security.²² U.S. military power is harnessed to provide a force that can secure territories facing a barrage of violence from extremist elements. Civilians and soldiers then engage with local community leaders to assess the needs of the community and begin activities that "increase economic viability, delivering essential public services, such as food, security, law and order, justice, health care and education."²³ Such PRT initiatives have developed best practices that should be implemented in northern Mali by French and ECOWAS troops.

Conclusion

The evolution of the crisis in Mali clearly shows negligence by multiple governments in Bamako as well as the international community to place the development agenda at the forefront of a crisis that now has the attention of the world as the security situation continues to threaten regional stability. Case studies in this research have demonstrated that tackling key indicators of underdevelopment through providing effective governance and empowerment of civil society may help address issues such as of a food crisis that can grow into transnational security threats. It is the hope that as French and ECOWAS troops dig in for a battle with Islamist rebels, joint efforts are increased to not only alleviate the food crisis, but to do so in a way that empowers communities (particularly the Tuareg) to reconcile with Bamako and lay the foundation towards sustainable democratic governance that will improve regional security.

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Photo by Hannah Mora



South Africa's Invasion of Lesotho

by Greg Viola

Since gaining independence in 1966, the tiny Kingdom of Lesotho has experienced frequent political turbulence. Elections have invariably been disputed, sometimes leading to civil unrest and occasionally punctuated by coups, kidnappings, and attempted assassinations.¹ The 1998 election particularly stands out due to the ensuing mutiny among the Lesotho Defense Force (LDF) and subsequent rioting which destroyed much of the capital city of Maseru. At the request of then-Prime Minister Pakalitha Mosisili, who claimed victory in the highly suspect election, approximately 600 soldiers² from the South African National Defense Force (SANDF) entered Lesotho on 22 September 1998 under the auspices of the Southern African Development Community (SADC). These initial forces, which included a mechanized battalion and were supported by the South African Air Force, entered Lesotho at dawn and proceeded directly to Katse Dam, a US\$7.5 billion South African investment, and part of the Lesotho Highlands Water Project (LHWP),³ shelling the nearby LDF barracks and landing Special Forces who massacred any surviving LDF in the area.⁴ Only after securing this valuable asset did SANDF continue on to Maseru where the vast majority of mutinous LDF were located. The South African forces met stiffer than expected resistance, suffering casualties in the battle at Maseru, but the LDF were entirely destroyed before reinforcements from the Botswana Defense Force (BDF) arrived that evening. The initial operation, codenamed Boleas, was over quickly, however SANDF troops remained in Lesotho to maintain order for months.

In "Conditions for Successful Entry and Exit: An Assessment of SADC Allied Operations in Lesotho," Theo Neethling, a senior researcher at the University of Stellenbosch's Centre for Military Studies examines Boleas, focusing on South African Forces in order to help SANDF better prepare for future operations. This After-Action Report (AAR), though not produced by the South African government or SANDF, is an attempt to improve SANDF response in similar future engagements. Neethling first examines the institutional framework and political authority of the operation. Though he finds that South African intervention was legal and proper, he strongly recommends clarifying the parameters within South Africa's foreign policy for future interventions, as well as certain SADC protocols. The AAR then gives an operational assessment examining the mandate and means of

accomplishing the mission. Neethling finds that the mission was an overwhelming success. His operational recommendations relate primarily to the gathering and sharing of intelligence and planning for rapid deployments.

Neethling seems to take SANDF accounts of the conflict at their word and ignore other accounts in the media and by eyewitnesses, including the claim that "...on all occasions, the South African troops were fired on first."⁵ This is disputed in multiple sources, including a South African newspaper which reports SANDF helicopters opening fire on sleeping LDF soldiers.⁶ The frequency of similar accounts makes them difficult to ignore, and by ignoring them Neethling calls the integrity of the AAR into question.

Neethling's recommendations are generally sound, yet their lack of specificity is a problem. Broad recommendations, such as "Planning for future intervention operations needs to address all foreseeable contingencies,"⁷ are ultimately unhelpful and suggest a lack of urgency in helping SANDF become the legitimate and powerful military arm of a regional leader that it aspires to be.

Although there are operational lessons to be learned from Boleas, the outcome itself was ultimately never in doubt. A potentially larger problem for South Africa going forward relates to the complications of political authority justifying military intervention in Lesotho. Significant questions remain as to how unilaterally South Africa acted and what its motivations were. The operation was labeled a SADC peacekeeping force, yet SADC never officially authorized the intervention.⁸ As Neethling acknowledges, less than a month earlier South Africa had declined to join multinational SADC forces in the Democratic Republic of Congo where South Africa had few interests, citing the importance of a "peaceful solution."⁹ In Lesotho, however, where South Africa had significant strategic and economic interests (not least of which being the LHWP) there was no hesitation to intervene and forgo a peaceful solution.

Still, Neethling accepts the premise that SANDF forces were primarily attempting to assist the democratically elected government of Lesotho to restore law and order, while securing South African interests were merely a secondary goal. If, as Neethling asserts, the mission of Boleas was simply to "...intervene militarily in Lesotho to prevent any further anarchy and to create a stable environment for restoration of law and



order,”¹⁰ SANDF would likely have sought SADC authorization, deployed a force large enough to stop the rioting and arson in Maseru, and made Maseru the top priority, rather than the remote LHWP. Other accounts point out that SANDF soldiers made no effort to stop or limit the looting of Maseru¹¹ and that SANDF refused assistance to wounded Basotho civilians, but eagerly helped an injured South African journalist.¹² These further disprove the notion that SANDF were acting primarily as peacekeepers.

Lessons learned from Boleas are important for South Africa to examine, as a similar future situation in which South African interests are again threatened by an unstable neighbor is not difficult to imagine. Southern Africa is a region with many potentially unstable countries including Lesotho, Swaziland, Mozambique, and Zimbabwe. Furthermore, this AAR was written in 1999, only seven years after the end of apartheid and five years after South Africa’s first democratic elections. Many of the government’s policies, particularly foreign policy, were in the process of being rethought and rewritten.¹³ Aside from participation in a handful of African Union and United Nations peacekeeping operations, SANDF has not intervened militarily in international affairs since Boleas.¹⁴ Thus, it is unclear to what extent Neethling’s recommendations for strengthening future operations have been implemented.

The biggest shortcoming of Boleas was the failure permanently to stabilize Lesotho, a country of great geopolitical, cultural and strategic importance to South Africa. By helping to prop up Mosisili via use of military force in Lesotho, the South African government created conditions which led to further contested elections in 2002 and again in 2012.¹⁵ Neethling, ironically, praises the early withdrawal of troops in May 1999. Had troops remained in Lesotho, and together with diplomatic pressure helped facilitate free, fair elections, South Africa may not still be facing the threat of an unstable Lesotho.

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A Challenging Reality in South Africa

by Beth Oppenheim

South Africa is, and has long been, the relatively “golden child” of sub-Saharan Africa. Well known for its struggle for democracy against an apartheid regime, South Africa has been for many years an ultimate African success story. It is, however, one of the most recent examples of problematic refugee policy in modern history. Because of its relatively robust economic activity and relative peace, South Africa is an attractive destination for many populations looking for a new place to call home. This paper will address two primary issues regarding South Africa and its refugee policy. The first is the issue of structure: does South Africa’s unique policy structure support or hinder the refugees that come across its borders at an increasingly rapid rate? The second is the issue of integration and resettlement as a durable solution. South Africa has seen a dramatic rise in post-apartheid violence and xenophobia, much of which has been directed at refugees. How do South Africans deal with refugees in their own communities, and is there any hope for turning this mentality towards one that fosters integration? This is particularly important because of the strategic role of South Africa in the African refugee phenomenon, which makes it an important player in the region. With the largest economy in Africa, South Africa is an attractive country of asylum for many refugees and other displaced persons. Patterns of migration indicate that many displaced persons in southern Africa had been ultimately trying to reach South Africa.

Current South African Policy

South African refugee and asylum statuses are both housed within the governmental Department of Home Affairs (DHA). This Department has been in control of refugee issues since 1993, whereas under the apartheid regime, refugees were not recognized.¹ The Department also admits that “South Africa does not have any refugee camps, so asylum seekers and refugees live mainly in urban regions and survive largely without assistance.”² The only assistance some displaced persons receive involves bursaries available for certain government services. South Africa is party to several international conventions on refugees, including the 1951 UN Convention on the Status of Refugees, 1967 Protocol to the Convention, 1969 Organization of African Unity Convention governing African refugee issues, and the Basic Cooperative Agreement between the Republic of South Africa and the United Nations High

Commissioner for Refugees (UNHCR). This is an interesting stance for an African nation, as most African nations employ the refugee camp strategy when dealing with either refugees or internally displaced persons (IDPs).

The so-called “refugee camp strategy” that countries normally employ involves what is termed an “encampment policy.”³ This is a term that refers to the construction of refugee camps within countries of first asylum to house and provide essential services for displaced persons. Usually, encampment is a first step before humanitarian agencies and other institutions analyze potential long-term solutions for refugees. While allowing services to be centralized in one location, encampment presents other difficulties, including but not limited to protection concerns, ability to work or integrate into host communities, and access to education.⁴

To understand South Africa and the unique nature of its policy, it is crucial to understand its relationship with UNHCR. UNHCR has a significant role – in terms of liaising with the government. The budget for 2012 for the South Africa Regional Office was \$40 million, and an estimated \$38 million has been allocated for 2013.⁵ This is, comparatively, a rather modest amount. Ethiopia, for example, was allocated a 2013 budget of over \$170 million. UNHCR has several focuses in South Africa, including refugee integration and self-sufficiency, protection against xenophobic attacks, and technical assistance for the DHA with asylum and refugee backlog cases – of which there are over 300,000 backlogged currently from 2010-2011.⁶ It is here that UNHCR’s relationship with South Africa is unique. Unlike logistics and so-called “boots on the ground” that UNHCR is well known for in many other countries such as Sudan and Kenya, South Africa is a different context with its own sets of challenges. UNHCR states in its country profile on South Africa that:

For UNHCR, however, providing such assistance in urban areas is very costly, as temporary shelter is only available at commercial rates. Urban areas also present challenges when conducting outreach initiatives or implementing UNHCR’s Urban Refugee Policy, mainly because refugees and asylum seekers are spread all over the urban landscape and living among the urban poor, who also may be in need of some kind of assistance.

This presents an interesting overlap: domestic policy and providing for urban poor alongside international policy providing



for refugees and asylees.

Refugees and Asylees

The refugee population in South Africa represents the political and societal strife of the past few decades from the rest of the African continent. UNHCR's most recent publication, *The State of the World's Refugees: 2012*, gives a comprehensive look at the current situation. In addition, an analysis of many non-governmental organizations (NGOs) also provides a glimpse at the types of populations that are arriving in South Africa today. According to the UNHCR text, "it is impossible to know exactly how many people have crossed into South Africa in recent years. In 2009 and 2010 combined, some 400,000 lodged asylum applications in the country – around 25 percent of the worldwide total."⁷ Many of these seekers are coming from the Great Lakes region as well as the Horn of Africa, which in recent years has seen not only political turmoil in the Democratic Republic of Congo (DRC), Somalia and Kenya, but also climactic shifts and famine.

UNHCR also points out the challenges faced by South Africa to mitigate the distinctions between poor people migrating to the country seeking work, versus those who really do have a case for asylum. This is because "the asylum channel became seen as the only way for many migrants to stay in the country, the volume of applications rapidly overwhelmed the capacity to properly assess claims."⁸ This has contributed to a whole host of other internal problems, including pressure on urban government programs and public services. With this pressure come the unfortunately infamous instances of xenophobic violence that have occurred within the last five to seven years in South Africa. This will be discussed in further detail in the section on integration, but it is important to mention it as well when discussing the impact of refugee policy. UNHCR's technical assistance on identifying false asylum applications⁹ is a part of the process, but the organization also advocates for further action. They explain; *By focusing on effective outreach to refugees in urban areas, South Africa could set a powerful example in the region and beyond. A community-oriented approach, in liaison with police and local leaders, could strengthen early warning of xenophobic violence and promote conflict resolution and peaceful coexistence.*

For a country with a relatively open refugee policy, this is no

easy feat. However, the involvement of the South African community is a powerful mechanism – one that has been crucial in the support of refugee and asylee populations since democratization.

Helping or Hurting South Africa?

Much has been written about refugees in South Africa, and there is a robust academic dialogue in the literature about whether South Africans need to challenge or celebrate their unique stance on refugee entrance. Unlike countries like the United States, whose entrance policies require vigorous screening overseas in the areas of health, security, and even DNA testing, South Africa's policy involves a more fluid approach to entrance and identification.¹⁰ UNHCR was, for a time, publicly congratulating South Africa on its "progressive policy towards refugees." According to an article published on August 27, 2007 in the UN News Center, High Commissioner Antonio Guterres was quoted as saying, "If you look at the policy and legal statutes of South Africa, refugees enjoy one of the most advanced and progressive systems of protection in the world today."¹¹ The article's focus is on UNHCR's role in helping South Africa get rid of backlogs of applications, but it is quite clear that while backlogs exist, the policy decision is a good one. This tone of only five years ago is markedly different from the DHA's statement about people struggling to meet their own needs, and UNHCR's current cautiously optimistic description of the needs of urban refugees.

The year 2008 however, was an end to this rosy picture of South African refugee politics. Beginning in mid-May 2008 and continuing sporadically throughout the following months, over 6,000 refugees and asylees fled South Africa on the heels of a violent uprising in townships outside of Johannesburg.¹² The majority of those attacked were from neighboring countries of Mozambique, primarily for work; Zimbabwe, on the heels of the Mugabe election violence; and Nigeria – also for economic reasons. The outbreak was an indication of what many scholars had been following all along. The results of the beginnings of the global economic crisis and 30 percent unemployment at the time, many South Africans were all of a sudden incredibly aware of a foreign presence in their nation. Additionally, in other parts of the country, particularly along the Zimbabwe border, South Africa faced the influx of not just refugees, but of unaccompanied



minors fleeing violence.¹³

Following the violence, many groups spoke out about the process and policy of migration in South Africa – and they weren't quite as flattering as UNHCR's take on things in 2007. Human Rights Watch (HRW) was among the largest groups speaking out on the issue, even well after the violence had settled down in 2008. In an article entitled "A Sick System Abuses its Refugees," originally published in the Mail & Guardian newspaper, Agnes Odhiambo, the Africa researcher in the women's rights division of HRW, discusses how refugee policy has remained stagnant and unchanging, despite growing demands on the system.¹⁴ One of the most interesting aspects of the piece, in addition to Odhiambo's discussion of restricting access through shutting down refugee processing offices, is the discussion of South Africa's ability to provide for its entire people. She says:

"South Africa's obligation to provide healthcare to non-citizens within its borders presents a serious challenge in terms of resources, administration and service delivery, especially for a health system that struggles to meet the needs of its own citizens. But the health needs of migrants and citizens are intertwined. The consequences for South Africa of failing to treat migrants adequately, both in terms of its legal commitments and the public health and cohesiveness of a multi ethnic South African society strained by xenophobia, cannot be ignored."

Here again is a poignant example of the reality that policy makers in South Africa face: whatever policies the government enacts about refugees reflect the realities on the ground, and reflect each and every aspect of the political and social system of the country.

HRW has also served an advocacy role in relation to the closures of several processing and immigration centers. The most recent example is that of the Johannesburg refugee reception center in 2011.¹⁵ The center itself was serving hundreds of thousands of Zimbabweans, who have poured across the border in droves since the last elections in Zimbabwe. An interesting component to this advocacy, in addition to the prevention of closing centers that are welcoming refugees into South Africa, is the prevention of illegal deportations. According to South African law under the DHA, no deportations are allowed once a person has sought and been given asylum or refugee status. However, HRW insists that "the surge in asylum applications means the obstacles have almost certainly increased and with it the risk of unlawful deportation of tens of thousands of Zimbabwean and other asylum seekers unable to lodge or renew their claims." This presents yet another layer to

the discussion of whether or not an open policy is in South Africa's best interest, or in the interest of the refugees and asylees who fall into the system.

Historical Context

Much of what is occurring now in South Africa – both in terms of xenophobia and in terms of types of refugee populations – has been a work in progress. In his work, *A Mixed Reception: Mozambican and Congolese Refugees in South Africa*, scholar Jonny Steinberg studied some of the typical refugee populations found in urban South Africa. This study was published in 2005 but reflects a reality that explains the violent outbursts of 2008. In the mid-80's, over 350,000 Mozambican refugees entered South Africa, fleeing their own country's civil war. A decade later, a similar influx of refugees from the Horn of Africa and the Great Lakes region – particularly of Congolese descent from the DRC, have been met with higher levels of tension and insecurity. Steinberg's work pays close attention to the relationship between governmental policy and community acceptance. Why was it that during apartheid, Mozambican refugees, through de facto illegal, were allowed to stay in communities who welcomed them because of a common language? Why were Congolese isolated and turned away, or forced to live in urban conditions equally dangerous to what they left behind? Steinberg credits this to two distinct phenomena: language and apartheid versus democratic law.¹⁶ There is also the claim made that "...if this is indeed the nature of the planning invested in the decision to migrate to South Africa, the experience is without doubt bitterly disappointing to most."¹⁷ Steinberg uses the Mozambicans and the Congolese as part of a larger discussion about how South African policy has shaped the reality of being a refugee.

In the early to mid-80's, Mozambicans were fleeing by the hundreds of thousands into the vicinity surrounding Johannesburg. According to Steinberg, most found themselves welcomed in the area of Gazankulu and surrounding villages. These villages were Shangaan-speaking, the local language shared among the "tribe" that had once extended from modern-day Gauteng province into and through Maputo and Gaza provinces in Mozambique.¹⁸ Steinberg finds fault with wholeheartedly accepting the narrative that "...triggered a sense of ethnic solidarity in their South African hosts, but also rekindled inherited memories of refugee origins; the refugees of a previous century identified with and reached out to the refugees of the present."¹⁹ He does, however, admit that the policies in place during apartheid – namely, that everyone was illegal – seemed to strengthen community outreach in a way democratization did



not. In discussing the Congolese refugees of the 1990s, however, Steinberg looks at things quite differently. Post-apartheid refugee law is very similar to what is still in place today. He relies heavily on a scholar named Atam, who conducted extensive ethnographic research in Johannesburg on this population from the mid-90's through 2003. He explains that "Atam's respondents also reported limited contact with South Africans. None, for instance, had ever been to a township. All were essentially ghettoized within the confines of the inner city."²⁰ This is markedly different from the experience of the Mozambicans, despite the fact that both populations faced significant challenges.

The Congolese in Atam's study faced the urban refugee problems that are still plaguing South Africa today. Even UNHCR has made note of this unique consequence, devoting an entire chapter in its 2012 book to Urbanization and Displacement. The text explains,

"Displacement can exacerbate the phenomenon of 'urban primacy' – the concentration of a significant proportion of the national population in one city. There are many examples of cities whose rapid growth has been driven, at least in part, by influxes of refugees, returnees and internally displaced people. Demographic data is incomplete, but such cities include Abidjan, Bogotá, Johannesburg, Juba, Kabul, Karachi, Khartoum, Luanda, Monrovia, Nairobi, and Sana'a. Whole regions may become urbanized as a result of protracted displacement."²¹

South Africa is unique among the list of cities mentioned because of the country's explicit policy against camps. Unlike Sudan, Kenya and others, South Africa will not entertain having a refugee camp on its land, thus expanding the opportunity for further urbanization of an already urbanized landscape. Much of the reasoning behind South Africa's decision is, though not on record in government policy, related to the economic challenges facing the country, as well as the desire to avoid providing resources to camps based on South African land.

UNHCR has, within the last five years, revised its priorities in terms of urban refugees. How these policies will affect South Africa's population in particular, remains to be seen. These goals include: documentation and freedom of movement; shelter; health and nutrition; livelihoods; education; specialized protection needs – i.e. gender; and overall safety and security.²² These issues are, obviously, not limited to the refugee population and cannot be contained to this population using governmental policy. Additionally, despite the plethora of civil society organizations, whose role will be discussed more in-depth in the next section, the need is too substantive to be

handled solely by NGOs. Therefore, integrating refugees into South African society is of paramount importance to streamlining services and getting them to refugees and other citizens who need them.

The Route to Integration

The term "integration" as it relates to refugees is somewhat of a buzzword. It has been used in much of the literature discussing refugees once they have permanently resettled into a country, and less frequently in literature discussing refugees in a more protracted and unsupported situation. One of the things about integration in South Africa, as evidenced from the xenophobic violence demonstrated in 2008, is that civil society is a far more powerful force than the government. Just as the Shangaan-speaking communities welcomed Mozambicans in the 1980s, so too have the current urban communities of South Africa risen up against outsiders. There are a multitude of NGOs and community-based organizations (CBOs) that are working throughout the country on refugee issues. Among them are the Alliance for Refugees in South Africa²³, and the much larger CoRMSA (Consortium for Refugees and Migrants in South Africa).²⁴ UNHCR also plays a role, interfacing with many of these organizations to get an idea of the views "on the ground."

CoRMSA in particular plays a vital role as a convener, and state their mission as "strengthening the partnerships between refugee and migrant service providers to provide improved coordination of activities. This includes developing working relationships with other concerned organizations to provide an effective forum for advocacy and action." Their members include over 25 registered nonprofit organizations from around South Africa, working towards increased refugee and asylee rights. Their work is both at the policy and grassroots level, and they focus heavily on getting the South African government to reconsider their approach to refugee and asylee populations. On Nelson Mandela Day-July 18, 2012, CoRMA put out a call to action which reflected the need to reconsider closures of important centers for asylee and refugee processing.²⁵ Their plea urged people to recognize that:

"Many refugees and asylum seekers in South Africa stand questioning their self-worth due to the struggles they face within South Africa. Recent times have seen foreign owned spaza shops being burnt down and hundreds of persons displaced in the process for the simple reason that they are not owned by South Africans."

This type of advocacy urges citizens to press government for



action, and to change this policy – which is viewed by many as a way to avoid the issue of refugee camps entirely. Another important example of civil society engagement in refugee integration is the role of NGOs in providing critically needed services for refugees in urban areas. Because of the unique South African policy, many find themselves in large cities – particularly Johannesburg – with little to no resources for health, basic education, or even food and shelter. One of the more comprehensive of these NGOs is the Cape Town Refugee Centre. Though they focus primarily on refugees and asylees located in the Western Cape Province, the Centre also provides resources for other NGOs working in counseling of refugees and asylees throughout South Africa. Their work on capacity building; education; psychological and emotional support; networking; lobbying; and integration into host communities all serve an important role in helping refugees and asylees make sense of the communities around them.²⁶ Much of their integration work focuses on income generation and skills training, which is normally a refugee’s primary concern. This has, in the case of this organization, taken the form of micro-loans. These loans are small enough to have a higher likelihood of repayment from the clients, and enable the clients to pursue income generating activities such as crafts or other skills to start a business.

The Coordinating Body of Refugee and Migrant Communities (CBRMC), located in Johannesburg, employ another model of integration to help this vulnerable population. CBRMC focuses on combating xenophobia and using a rights-based approach. Through educating refugees and migrants – whose protection needs differ, but whose living conditions remain similar – about the rights they are afforded. CBRMC also provides legal services to clients, and serves as a point for outreach about the dangers and destructive nature of xenophobia.²⁷ This approach, unlike one that focuses on increasing economic self-sufficiency, helps people understand what rights they can expect under South African law. CBRMC also conducts extensive advocacy on enrolling children in schools under the Gauteng Department of Education. This ensures that children of refugees or migrants are still able to continue their education, so that they too may grow up to be successful South African citizens, contributing economically as well as to their communities.

The Way Forward

Even though refugee resettlement and asylum are topics that have been written about extensively in the South African context, there is a less robust response to what the South

Africans need to do now. Faced with the current reality that refugee and asylee concerns are not going away in the near future – in 2010’s numbers, there were over 340,000 “people of concern to UNHCR” in southern Africa – South Africa has a problem at its gates, and in its country. Based on the research completed for this paper, below are several policy prescriptions recommended to the DHA and its international partners within the South African government for implementation:

Expansion of the Civil Service Staff: One of the major problems that have backlogged the refugee and asylee processing system in South Africa is the lack of professionals able to process applications of people entering the system. Enhanced investment in the staff training by UNHCR as a part of their technical assistance structure would enable the government to handle larger caseloads. This would also enhance the ability for staff to catch fraudulent applications, decreasing unnecessary strain on the system.

Cluster System of South African Government Agencies: One thing that historical and contemporary evidence point to is the role that all government agencies play in the lives of refugees. Because refugees in South Africa are not concentrated in a camp setting, the Departments of Health, Education, and others all have a role to play in helping to solve the refugee crisis, and ease the burden on current resources to ensure distribution for all. One option, through which UNHCR can play an advisory role, is to create a cluster system similar to that of humanitarian agencies during a crisis, in order to deal with refugees and asylees. This system would ensure better cohesion and decision making about policies that will affect not only the general public, but also specific refugee populations who have legal South African rights as part of their official status.

Refugee, Asylee and Immigrant Rights Education: As with any nationwide discourse, it is crucial to have governmental involvement in education efforts to bring things to scale. Many of the NGOs mentioned here, and many more not mentioned, have done incredibly effective education initiatives. One of the most recent, one done in the township of Soweto in Johannesburg, emphasized getting to know your neighbor as an integral part of building community.²⁸ Creating a nationwide curriculum taught in public schools, in consultation with some of the very NGOs and CBOs that have direct access to the community, is a crucial component to building the “South African identity” that is new and ever-changing.



Conclusion

Though it is hard to exhaust all public policy options for South Africa in this type of research project, it is clear that South Africa has strides to make in allowing its refugees to lead productive, fully integrated lives. One of South Africa's most powerful tools – both for negative and positive social movements – is its vibrant civil society. In conjunction with heavy government involvement and investment in civil service education and training, the current initiatives in place to help refugees and asylees as well as other vulnerable populations achieve integration will be powerful in moving forward. The role of the community, in the past, present and future of South Africa is transformative. South Africa has been looked at as a role model for the rest of the continent, and can set the standard for how to welcome refugees and asylees while preserving domestic goals and objectives. This is a major challenge, but it is one South Africa must meet to move forward as a country, and as a democracy.

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Chile's Student Protests

by *Guillaume Kroll*

Introduction

The ongoing series of protests initiated by Chilean university students in May 2011 has animated the political debate in the country like no other topic. Two education ministers later and several reform proposals by the government, no solution has been found to solve the conflict. However, this apparent state of disarray contrasts with the seemingly excellent socio-economic indicators of the Chile of today. GDP per capita is the highest in Latin America and inflation is low. Poverty has been reduced dramatically and the Human Development Index has never been higher. Besides, gradual and moderate legislative reforms have ensured political stability, protected democracy principles, and kept corruption down.

This paper seeks to explain this paradox by looking at different layers of the student movement. After a brief summary of the events, it lays out the positive and negative consequences of the neo-liberal, export-led growth strategy put in place during the Pinochet era. In particular, it identifies several shortcomings of Chile's education system resulting from this socio-economic approach. The paper then examines other political and sociological factors that have fostered the students to take to the streets. Looking at the relation between emerging societal issues and the recent resurgence of social movements in Chile, it draws a parallel between the students and other minority groups – women, indigenous people, and members of the LGBT community. It concludes that Chile's closed political system has spurred social mobilization by excluded entities that seek further inclusion, representativeness, and participation within the country's institutions.

An Ongoing Conflict

One week before the 2011 annual Presidential Speech, the Confederation of Chilean Student Federations (CONFECH) called for a national protest – which was later followed by more than 15,000 students – in order to raise awareness about educational issues in the country.¹ According to Camila Vallejo, President of CONFECH, the students' claims were threefold: increasing government spending in higher education, ensuring quality education for all, and strengthening internal democracy in higher educational institutions.² Following Sebastian Pinera's speech, CONFECH declared that the measures put forward by the President were insufficient, and called for another march to

be held. During the following weeks, protests and strikes followed each other, gaining momentum in size and spreading out across the entire country. By June 25, no less than 600 institutions were occupied by student protesters, and class activities were virtually suspended.³ On June 30, a huge national demonstration brought to the streets of Santiago between 80,000 and 200,000 people (according to the government or the organizers)^{4,5}, which constitutes one of the largest popular uprisings since the end of the Pinochet dictatorship.

The Chilean government's answer was not long in coming. On July 5, Pinera announced a package of reforms to satisfy the students' grievances, including a "Great National Agreement for Education" (GANE) and an "Education Fund" (FE) of no less than USD 4 billion.⁶ Two weeks later, Education Minister Joaquin Lavín was sacked and replaced by former Justice Minister Felipe Bulnes. These reforms, however, were not sufficient to dampen the student movement. Two government proposals later, no agreement had yet been found and protests were intensifying. On August 18, under heavy rains, between 40,000 and 100,000 people were again taking to the streets.⁷ Meanwhile, the repression of the movement by the police forces had largely increased, and each protest was ending with physical confrontations, water canons, and tear gases. From early September, a series of meetings between the different stakeholders of the conflict was organized in La Moneda, Chile's Presidential Palace, but those did not bring any concrete solutions to the issue. At the end of the year, Education Minister Felipe Bulnes resigned and was replaced by Harald Beyer. After a few months of interruption, the movement resumed with renewed vigor in 2012, with two major protests taking place on April 25 and June 28.

Since then, a solution has still to be found to solve the conflict, and new protests continue to take place occasionally. While the issue does not seem near to being settled, many analysts and policy-makers criticize the students for being overly ideological, too critical, and not willing to enter into real negotiations with the government. If one looks at what Chile has achieved since the return to democracy in 1990, it is indeed difficult to see anything else than a success story.



Chile, Latin America's Miracle?

Since the end of the dictatorship, a series of moderate and progressive reforms to the Chilean constitution have sought to protect democracy and ensure political stability. These reforms have mainly focused on enclaves – legal anti-democratic mechanisms put in place under Pinochet's rule (e.g. elimination of non-directly elected senators or reduction of the autonomy of the armed forces), limiting the power of the President (e.g. reduction of the presidential term from eight to six to four years, without possibility of direct reelection), and including new constituencies (e.g. automatic registration for the youth or inclusion of foreign voters).⁸ This step-by-step approach to democracy building has contributed to the relative stability of Chilean political institutions and to the peaceful environment in which five democratic presidential elections have taken place since 1990. Meanwhile, a well-crafted system of checks and balances has ensured that corruption was kept at a very low level – Chile ranking 20th out of 176th countries (first among Latin American countries) in Transparency International's Corruption Perception Index.⁹

In the meantime, Chile has experienced rapid economic growth and impressive social development. Market-oriented policies and an export-based growth strategy put in place under the Pinochet era have allowed the country to grow faster than its Latin American neighbors. In only two decades, GDP per capita increased more than twofold, from USD 4,121 in 1990 to USD 9,073 last year.¹⁰ Over the same period, the Human Development Index increased from 0.698 to 0.805, well above Latin America's average of 0.731.¹¹ Inflation rates, very high during the dictatorship, were put back to healthy standards from the early 1990s and successfully maintained at low levels since then.¹² Social spending to the lowest quintiles of the population was also dramatically increased, thereby reducing the national poverty rate from 38.6 percent to 14.4percent in no more than 20 years.¹³

Chile's political stability and socio-economic growth allowed the country to join the OECD in 2010, becoming South America's first member of the organization. Today, many experts consider Chile as Latin America's most consolidated democracy and best-functioning economy. Nonetheless, some components of the Chilean model, like education, remain inherently unfair and flawed, at least compared to other OECD countries.

A Not-So-Perfect Model

The students' main grievances have been revolving around two main demands: free education for all and no more profit seeking among educational institutions. Indeed, even though access to tertiary education has expanded fourfold over the past 20 years, Chile's education system is still marred by important shortcomings.¹⁴ Elacqua and Gonzalez (2013) identified four of these. The first relates to the cost of education in Chile, which is among the most expensive in the world compared to GDP per capita.¹⁵ Besides, the gap between the financial resources made available by the government in the form of grants and loans and the actual tuition fees remains extremely large. A study from the OECD found that Chile is the country where university students have to finance the largest part of their schooling on their own, no less 85.4percent.¹⁶ The highest share of this, it turns out, comes from the households, which means that the average Chilean families have to face a heavy financial burden should they want to send their children to university. This situation has resulted in the indebtedness of removing authoritarian many Chilean students and their families. Meanwhile, with a Gini Index above 0.52, Chile remains a highly unequal economy.¹⁷ Consequently, while the rich are able to afford high tuition fees and receive a premier education, a lot among the poor are left behind, unable to pay for quality education and compete on the job market.

Another issue is the quality of tertiary education in Chile. According to The Times Higher Education World University Rankings 2012-2013, there is no single Chilean university in the world's top 400 institutions.¹⁸ Irrelevant of the actual importance that might be granted to this kind of ranking, several structural factors do undermine the quality of Chile's education sector as a whole. Renowned Chilean scholar Sebastian Edwards (2012), who teaches at UCLA, talks about a "university tragedy."¹⁹ Edwards lays out how Chile's higher education system is based on "a model from the past", which responds to "the necessities of the 20th and not the 21st century". He advocates for modular degrees, seeking to form professionals with large education grounds, which would allow graduates to adapt quickly to technological change and the evolving necessities of their country. Instead, Chile's majors are long and non-flexible, forming specialists with narrow capabilities. As a result, most of university graduates enter the professional world with limited



writing and reading skills, and an insufficient knowledge in sciences and statistics. This later precludes them from being effective problem-solvers in today's fast-evolving world.

In addition, the gap between public and private institutions remains alarming in Chile, especially in primary and secondary systems. A comparative study from the IDB (2007) found that Chile was the participating country where the socioeconomic composition of schools had the highest impact on international (PISA) as well as national (SIMCE and PSU) test scores, thereby revealing the discrepancy in achievement between private and public institutions.²⁰ The problem is that the degree of social segregation in Chilean primary and secondary schools makes access to quality education in the tertiary system extremely difficult for the most vulnerable parts of the society. This is especially true for aspirants from disadvantaged backgrounds and low-income quintiles, who cannot receive an education that allows them to score well in test scores so as to enter the best universities. To tackle this problem, a joint report from the OECD and the World Bank (2009) called for a drastic increase in government spending in the public sector that would also help to reduce regional disparities and support disciplines with low private returns but potentially important social returns, like humanities.²¹

Finally, the lack of regulations in the education sector has resulted in several issues regarding information, transparency, and accountability. The current situation has, in particular, allowed some private institutions that are de jure non-for-profit, to engage in de facto profit-making activities.²² Over the past years, several scandals regarding corruption and money laundering have broken out. A few institutions, for instance, were discovered to have structured deals with property developers who would build the school and then rent it back to the university.²³ The monthly rent, which was often paid to members of the same university management team, was used to strip money from the institution since Chileans universities, either public or private, are eligible for government funding once accredited. No later than December 2012, Justice Minister Teodoro Ribera was forced to resign after a corruption scandal that engulfed several private universities.²⁴ More or less at the same time, another scandal led to the closure of Universidad Del Mar, an institution counting more than 18,000 students.²⁵

This lack of regulatory framework around tertiary education, coupled with the increasingly high cost of tuition fees, the gap between public and private institutions, and the questionable quality of programs as a whole, shows that Chile's education system still suffers from major flaws, beneath OECD standards.

Obviously, student protesters have some reasons to take to the streets. But is the student movement merely about education? Wouldn't there be anything to look at deeper?

Beyond Education, A Clash Of Generations?

The median age in Chile is 31.7 years.²⁶ This is 10 years less than the average of other OECD countries, and 20 years less than the average in Chile's House of Deputies. Today, 90 percent of Chileans study in public or voucher schools, while less than 10 percent of deputies comes from public institutions (excluding Universidad de Chile).²⁷ Deputies and other policy-makers have all experienced Pinochet's rule and the delicate transition to democracy, while many young people, including those involved in the student movement, are born after the 1988 plebiscite or are too young to remember.

In other words, Chile's political elite is not representative of the Chilean population, and even less of the Chilean youth. While the former have remained committed to constitutional stipulations established during the Pinochet era, which they have sought to alter through a series of gradual reforms, most of the latter have largely rejected anything related to the dictatorship – what they consider as disgraceful for a 21st-century democracy. While the former have embraced neo-liberal policies seeking to increase GDP, raise income-levels, and tackle poverty, the latter have put forward post-materialist policies, highlighting rising inequalities and the downsides of capitalism. And while the former have always shied away from popular uprisings, believed to undermine political order – paramount for the success of the transition from authoritarianism to democracy, the latter have adopted modern activist strategies to advance their claims, taking to the streets in the wave of events like the Arab Spring.

This generation gap between the political elite and the students has important consequences for Chile's political environment. The different conceptions shared by these two groups about the concepts of democracy, institutions, capitalism, or activism have set the stage for the current conflict.

A Closed Political System

Interestingly, it can be argued that what is true for the youth is also true for other population groups: women, indigenous people, or members of the LGBT community. Women's participation in politics, for instance, is still a major issue in Chile. With only 16.67 percent of female representatives in the Senate and 14.17 percent in the Chamber of Deputies, the country is lagging behind several of its Latin American neighbors, like



Argentina or Costa Rica.^{28,29} During her presidency, Michelle Bachelet, elected in 2006 as Chile's first female President, strived to improve women's rights in the country. In particular, she appointed a cabinet that was composed of 50 percent women.³⁰ Yet, women's involvement on the political scene did not change drastically during or after her 4-year term.

Similarly, Park and Richards (2007) explain how the Mapuche, Chile's largest indigenous group, are underrepresented in political government entities, thereby finding themselves unable to defend their rights through the institutional framework.³¹ With regards to LGBT, Chile remains a conservative society – same-sex sexual relations having been considered illegal until the late 1990s.³² LGBT rights came to the political debate only very recently, following several incidents directed towards members of the homosexual community. During last Municipal Elections in October 2012, Jaime Parada Hoyl became the first openly gay political candidate to be elected in the country.³³ Those considerations show how Chile's political system is not only non-inclusive, but is also, in a certain way, led by an elite that is disconnected from today's social reality.

Social Movements For Structural Change

It is interesting to look at the relation between these emerging societal issues and the recent resurgence of social movements in Chile. In 2010, a popular campaign was initiated by some environmental groups to protest a consortium project seeking to install large thermoelectric plants next to Punta de Choros, a region considered as a natural sanctuary for many animal and vegetal species. The project was later vetoed by President Pinera himself. One year later, protests burst out regarding HidroAysén, a megaproject seeking to build several hydroelectric dams in Patagonia. Following a national controversy, the project has been put on hold and the debate still animates political discussions today. In June 2011 and September 2012, two "marches for diversity" brought together LGBT activists and supporters to the streets of Santiago.³⁴ With regards to student protests, the university movement initiated in 2011 can be traced back to the 2006 Penguins' Revolution, a series of voice protests carried out by high-school students across Chile. Those different protests have something in common. They were all organized by minority groups – youth, women, environmentalists, or LGBT supporters – who have found in social demonstrations and modern activism the best, if not the only way to advance their grievances and initiate change.

In fact, it is possible to draw upon the theory of social movements to explain, partially at least, the recent resurgence

of protests and popular uprisings in Chile. As laid out by Tilly and Tarrow (2007), existing institutions shape contention by their power structure and regime form. From this point, challengers seek to alter these institutions by promoting new ones based on different ideologies and world views.³⁵ Since Chilean political institutions are relatively close, non-inclusive, and elite-led, many citizens have rejected the social contract that is supposed to bind them to the State on the premise that they would submit to the authority of the government in exchange of the protection of their rights. Unable to act through the institutional framework, those citizens have found no other way than taking to the streets in order to put forward their claims. In calling for education reforms, student protesters are in fact challenging the entire system. Based on a different ideology and vision of the world than the demographically different elite that rule them, they call for a structural change in Chile's political landscape. They envision institutions that are more inclusive and representative. They seek a system that promotes participation and dialogue among the different constituents of today's Chilean society. Like women, indigenous populations, or members of the LGBT community, the students are advocating for an opening of the institutions that would allow them in, so that the rights that they consider as legitimate can be protected and preserved.

Conclusion

The ongoing student protests initiated in May 2011 contrast with the seemingly excellent socio-economic situation of Chile today. GDP per capita is high and inflation is low. Poverty has been reduced drastically, while the Human Development Index is the highest among Latin American countries. Besides, a series of moderate and progressive institutional reforms have succeeded in ensuring political stability, protecting democracy principles, and reducing corruption. Nonetheless, no solution to the student conflict has yet been found, and new marches are still organized on a regular basis. Partly explaining this paradox is the unfairness and several shortcomings that characterize Chile's education system. First, access to quality education remains extremely expensive, and government resources for low-income students are rather limited – what has resulted in the indebtedness of many Chilean families. Second, the quality of the whole education system has been put into question. Experts have pointed out its outdated curriculums, narrow majors, and non-flexible degrees. Third, the gap between public and private institutions has spurred social segregation in the country.



Finally, an overly unregulated legal framework around tertiary education has allowed many scandals to occur, leaving too many students high and dry.

Interestingly, other political and sociological factors can also explain the scope of the student mobilization. In particular, the political elite who is ruling the country is not representative of today's Chilean population. The different events experienced by the Chilean youth and the country's policy-makers have shaped different conceptions about the role of democracy, the institutions, or capitalism – thereby resulting into the establishment of a generation gap. It can be argued that what is true for the youth is also true for other minority groups – women, indigenous people, members of the LGBT community – who are all underrepresented in the institutionalized political framework. This observation helps to understand the recent resurgence of social movements in Chile. Indeed, feeling excluded from the political space, these groups have found in social demonstrations an ideal instrument to advance their claims and initiate change. Based on this premise, we can argue that when the students call for education reforms, they are in fact challenging the entire system. Rejecting the social contract that is supposed to bind them to the state, they advocate for increased inclusion, representativeness, and participation within the country's institutions. Like women, indigenous people, or members of the LGBT community, the students seek an opening of the political space that would allow their voice to be heard and their rights to be protected.

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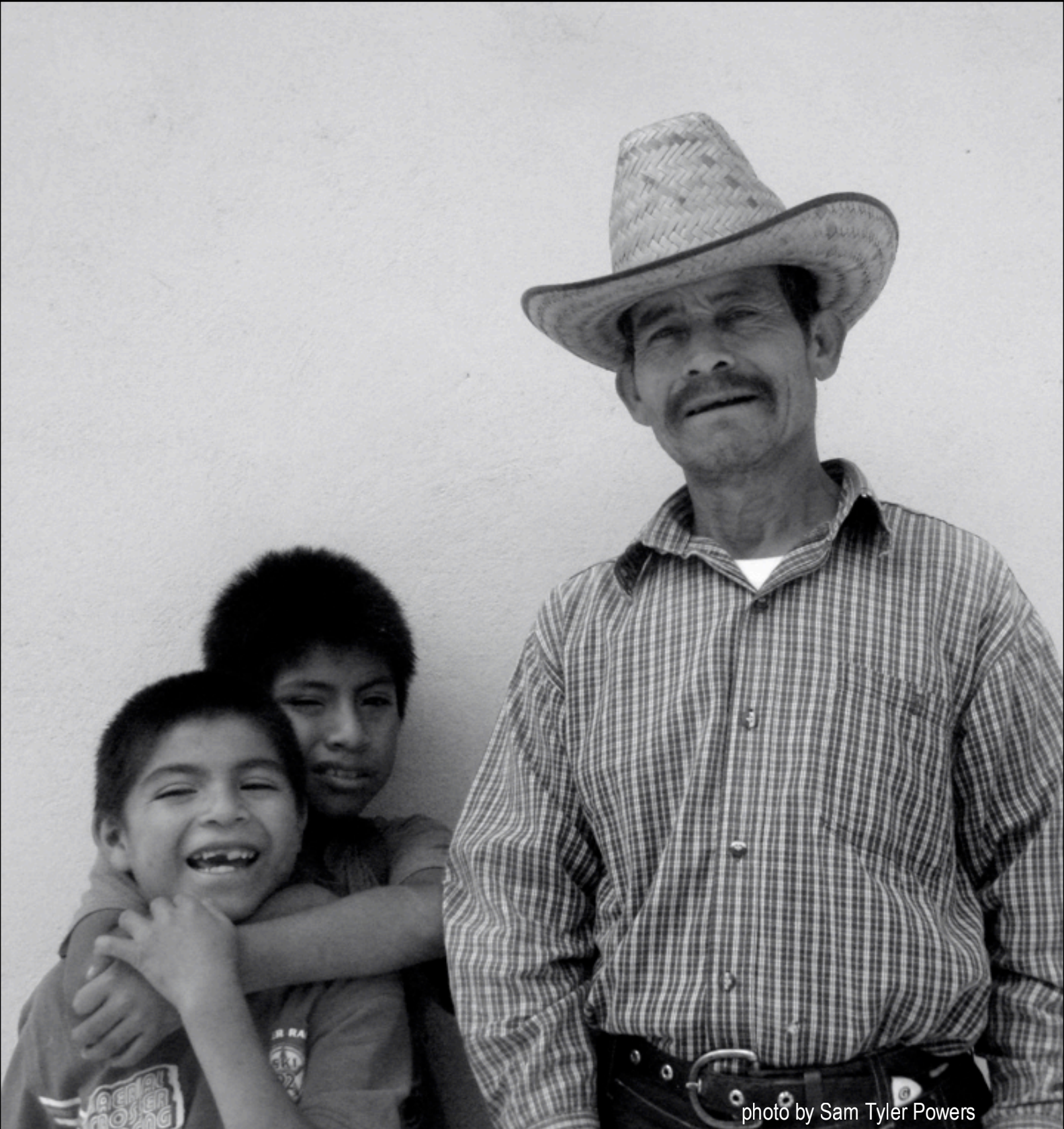


photo by Sam Tyler Powers



Pushing the Limits of the Freedom of Expression

by Elizabeth Morlock

In October 2012, the world watched, baffled, as U.S. President Barack Obama (himself often the target of hate speech) staunchly defended the YouTube release of an offensive video titled "Innocence of Muslims", depicting the Muslim prophet Muhammad as a fraud and a philanderer, which resulted in weeks of rioting across the Middle East and more than 50 deaths.¹ The international community rallied to request that President Obama place a ban on access to the video and to demand stricter restrictions on religious criticisms and other forms of controversial expression. As courts in Russia, Turkey, Brazil, Kyrgyzstan and Sri Lanka began banning online access to the video in an attempt to mitigate the violence, President Obama remained steadfast in his defense of the First Amendment principles – even in the case of hate speech.

Freedom of expression, and especially freedom of the press, is fundamental to a functioning, participative democracy (which the United Nations body considers all states should aspire to), but how can this be balanced against equally important citizens' rights to be protected from persecution? How much should freedom of speech be protected? For some this may be a matter of principle, as the Danish publication *Jyllands-Posten* declared of its provocative satirical cartoons depicting the image of Muhammad printed in conjunction with an editorial criticizing self-censorship in the Danish media or Obama's more recent defense of the video *Innocence of Muslims*. Should publication of discriminatory material be defended and even applauded on the principle of protecting freedom of expression and freedom of speech, or is there a social responsibility to prevent publication of anything that might offend to avoid igniting an already volatile relationship?

At its first session in 1946, the United Nations declared that freedom of expression was an essential component of democratic society: "Freedom of information is a fundamental human right and ... the touchstone of all the freedoms to which the United Nations is consecrated."² So what are the boundaries of human rights with regards to freedom of expression? Essentially, this often comes down to "where do my rights end and yours begin?" Zechariah Chafee once defined the boundaries of individual rights as: "Your right to swing your arms ends just where the other man's nose begins."³ Some boundaries are as easily agreed upon by the majority, but what about others that are not so neatly bound?

Freedom of expression is among the oldest debates of freedom and universal human rights, existing long before the proliferation of democracy, which has dominated contemporary political trends. Freedom of expression is considered one of the pillars of democracy, but even so, it is not an absolute freedom – certain limitations are observed even among its strongest proponents. As U.S. Supreme Court Justice Oliver Wendell Holmes Jr. once proclaimed, "The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic."⁴ With the emergence of new technology and new actors in the international relations arena, the debates are constantly evolving and presenting new perspectives to challenge the prevailing notions of the freedom of expression in the human rights domain. Rules designed for other media may not be appropriate for these new technologies, and any action taken by authorities to limit or prevent the spread of injurious or illegal content should be carefully designed to ensure that measures do not inhibit the positive potential of these technologies. Generally, in Western-dominated international society, the debate historically tends to follow John Stuart Mill's harm principle, which he articulated on Liberty:

"That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise, or even right... The only part of the conduct of anyone, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign."⁵

If this is where we begin, we first need a firm definition of the modern boundaries of the harm principle to meet the contemporary challenges of freedom of expression. Whereas in the past the debate of human rights has centered around the question of what are universal human rights, and has been the push to secure access to rights, the contemporary debate is often about pushing the envelope of human rights – how far is too far? Does freedom of speech really give an individual the right to say anything or should there be limits to what can be expressed? How much should freedom of expression be protected when it



infringes on another's right to privacy, right to reputation or right to not be persecuted? When we start pushing the limits of the universal freedoms we realize that they are not so easily defined after all.

From the legal perspective, the Universal Declaration of Human Rights (UDHR) aspires to exceptional protection for freedom of expression. It is considered the pre-eminent document of human rights protection to which all people are entitled and provides the basis for other major human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights (ACHPR), the American Convention on Human Rights (ACHR) and the European Convention on Human Rights (ECHR). In the UDHR, Article 19 undeniably protects the freedom of expression "to seek, receive and impart information and ideas through any media and regardless of frontiers," and the right to hold opinions "without interference," while Article 29 defines boundaries "solely for the purpose of securing ... respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society." In practice, however, since the document is non-binding, individual states' positions are much more diverse and complicated. Among the binding treaties, for which the UDHR serves as a template, there is variation as to what constitutes a legitimate purpose for restricting freedom of expression, but each document establishes basically the same three-part litmus test for determining the legitimacy of restrictions on freedom of expression: the restriction must be provided by law, the restriction must serve legitimate purposes (enumerated in the text of the document), and the restriction must be necessary. Of course, each of these qualifiers is open to interpretation, further complicating the matter.

The ECHR provides that a restriction must be "prescribed by law," but it does not have to be codified. In the regulating law, the restriction must be "formulated with sufficient precision to enable the citizen to regulate his conduct."⁶ Article 10(2) provides a list of permissible grounds, which a valid restriction must be legitimately aimed at protecting. To be deemed "necessary" ("in a democratic society")⁷ a restriction must be more than merely "desirable" or "reasonable," it must demonstrate a "pressing social need" proportionate to the legitimate aim pursued and the justifications must be relevant

and sufficient to the restriction.⁸ Restrictions are permissible only if the court is "absolutely certain" that the information would have the adverse consequences feared by the state.⁹

Whereas the European Convention allows a margin of appreciation, to be determined by the national authorities, for considering necessity of restrictions aimed at issues such as protection of morals,¹⁰ the U.S. Supreme Court provides much narrower permissible grounds for restricting freedom of expression: "Even though the Government's purpose be legitimate and substantial, that purpose cannot be pursued by means that broadly stifle fundamental personal liberties when the end can be more narrowly achieved."¹¹

Justice John Marshall Harlan warned that attempting to ban offensive speech or expression would dangerously establish a precedent for allowing the suppression of unpopular ideas, and held that the government may not punish expression merely based on offensiveness except where it intrudes into a private home or when it is imposed on a "captive audience."¹² The U.S. Supreme Court prescribes the "captive audience" principle to protect unsuspecting or unwilling viewers; however, since a search was necessary to find materials such as the Jyllands-Posten cartoons and the Innocence of Muslims video, it overrides this principle. The audience was not composed of unsuspecting or unwilling viewers, i.e. it was not forced upon them. The primary audience was composed of those who had searched for the materials.

The U.S. Supreme Court does place very narrow restrictions on freedom of expression – direct threats, incitement of crowds to lawless action and "fighting words," but most hate speech does not fall into these categories, and thus still falls under constitutional protection. The U.S. Supreme Court developed the "fighting words" doctrine to address the issue of offensive speech that might be considered advocating criminal activity or incitement to violence. The U.S. Supreme Court qualified "fighting words" as those which "by their very utterance inflict injury" or which "incite an immediate breach of the peace."¹³ It is not enough that speech makes an audience angry; incitement to violence is required to meet the qualification for the limitation to apply on the right to express. Speech that merely "invite[s] dispute" is protected: "A function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest,



creates dissatisfaction with conditions as they are, or even stirs people to anger.”¹⁴ Moreover, the incitement standard is generally reserved “for people on a soapbox,” explains Ruthann Robson, a professor of law at the City University of New York. “The notion behind it is that if you’re watching something or you’re reading something, you are alone – you are not being whipped up by a crowd.”¹⁵

There is some speculation that recent publications depicting offensive images of Muhammad may have passed without international violent uprisings if relations between Islamic and Western countries were less strained. There is also speculation that the violent outbursts might have been avoided if radical Muslims had not brought these and other even more offensive images to the attention of volatile communities. Sirajul Haq, a member of a religious alliance of six parties that rule the North West Frontier Province, described the violence following the Jyllands-Posten cartoon publication as a spontaneous outburst of Muslim distress at the offensive images.¹⁶ Given the nature of the violence, however, the length of time that passed between the publication and riots, and the way in which the material was brought to the attention of remote conservative communities, few were convinced that the demonstrations were the result of spontaneous incitement driven by public outrage at offensive images.

Alternatively, some have defended offensive publications on the basis that they reveal dangerous fault lines in evolving international relations that should be explored further. In reference to the Muhammad cartoons published by Jyllands-Posten, Stewart Lee, creator of the controversial musical “Jerry Springer” – The Opera, made a point about needing to fully understand a topic: “As a satirist you need to engage it on its own terms,” to avoid crisis situations borne out of misunderstandings: “They have tried to deal with a subject they don’t know enough about, and this is one of the teething problems of the cross-over of cultures in the world.”¹⁷

Speech that a government views as advocating hatred may be regarded by others as the legitimate expression of a political viewpoint, thus the rights that anti-hate speech statutes are meant to safeguard are often as fundamental as the right to freedom of expression. Western societies are being called on to reexamine the principle of free speech and to justify what are viewed as its hypocrisies – for example, why denial of the Holocaust is a punishable crime, but there are no similar protections for other religions. Should a tragedy like the Holocaust be necessary to enact legislature that protects all individuals and creeds from persecution?

The ICCPR, ACHPR, ACHR and ECHR each authorize governments to punish hate speech on religious, racial or national grounds. The strongest prohibition, however, is located in the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which obliges party states to declare a criminal offense “all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination,... provision of any assistance to racist activities,” participation in “organizations,” and “all other propaganda activities which promote and incite racial discrimination.” It also provides that “broadcasters ... have a responsibility to promote a culture of tolerance and ensure that their broadcasts do not become a vehicle for spreading hatred and contempt of minority groups.”

Some have proposed that even where there is a legal right to publish discriminatory material, perhaps there is a social responsibility not to. Dr. Yunes Teinaz, spokesperson for the London Mosque and Islamic Cultural Centre, stated of fellow European Muslims, “We do value the freedom of expression in Europe, but it shouldn’t be abused to provoke hatred and division between communities.”¹⁸ On the other hand, even some European Muslims have advocated the printing of Muhammad cartoons and access to the Innocence of Muslims video on the basis of freedom of expression. Munira Mirza, a commentator on Islamophobia, stated, “Many Muslims want the same freedoms as everyone else to debate, criticize and challenge their religion.... In Denmark, there are counter-demonstrations by moderate Muslims saying they don’t want the images banned.”¹⁹

In the cases in which content is likely to offend, is censorship preferred to prevent public outrage and protect innocents from violent attacks? To what extent should the producers of such offensive content be held responsible for the public riot that it incites, and to what extent is “blasphemy” merely a convenient excuse for disregarding the rule of law? The U.S. Supreme Court ruled “If there is a bedrock principle underlying the First Amendment, it is that the Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable.”²⁰ The court reasoned that a society’s belief in a cherished symbol would not be undermined by an act of disrespect, especially by an outsider, and that such offensive acts could be countered by respectful acts and opposing protest speech.

Condemnation or protestation against bigoted speech is also protected under freedom of expression, but only so far as it is peaceful. Thus the violent outbursts witnessed in supposed response to the Muhammad cartoons and the Innocence of Muslims video are not protected by the tenet of free speech.



When the French publication Charlie Hebdo published its own controversial Muhammad cartoons, the French government prohibited people from protesting, declaring that they were protecting the right to free speech from repression and censorship. However the flipside of allowing people to uninhibitedly express themselves is allowing others to respond, whether approvingly or disapprovingly. Expressing offense when someone has disrespected you or your beliefs is a natural reaction and should not necessarily be regarded as a form of censorship that threatens the freedom of expression.

The principle of freedom of expression puts much of the power of deciding what is published in the hands of the consumer – if a publication is deemed offensive one has the right not to view it. The U.S. Supreme Court ruled that the “ultimate good desired is better reached by free trade in ideas – the best test of truth is the power of thought to get itself accepted in the competition of the market.”²¹ Ruthann Robson explains, “the underlying idea is that ‘truth will prevail’ and that ‘bad ideas’ will suffer in a ‘marketplace of ideas.’”²² If enough of the population feels similarly, the publication’s readership will suffer, and ultimately (so long as the publisher cannot afford to continue to operate at a loss) the publication will be forced to alter its viewpoint or fail.

Rather than prevent abuse by limiting freedom of expression, democratic governments would do their citizens a greater service to instead follow the example of the U.S. Supreme Court in the landmark case *Cantwell v. Connecticut*, which justified upholding the First Amendment liberties even in situations where the decision of the press to publish backlashes in public outrage:

These liberties are, in the long view, essential to enlightened opinion and right conduct on the part of the citizens of a democracy. The essential characteristic of these liberties is, that under their shield many types of life, character, opinion and belief can develop unmolested and unobstructed.²³

As President Obama recently proclaimed in his address to the 67th United Nations General Assembly, “the strongest weapon against hateful speech is not repression – it is more speech.” Freedom of expression gives us the right to offend and berate one another if we choose, but this is rarely what makes the principle appealing to those who do not enjoy the freedom. Those who live in countries without freedom to express themselves know that one of the greatest values of free speech is the level of control it gives oneself over their own circumstances by requiring transparency in a government that

must be accountable for its actions, and the ability to refute inaccuracies and to repudiate slander and bias. The spirit of such freedoms is not about doing whatever we want just because can; it is more about creating a level playing field where all participants have equal freedoms to disseminate ideas and have the freedom to challenge and change what they find objectionable.

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photo by June Vutrano



Climate Change Skepticism

by Luis Orozco

In the past two decades the world has witnessed how the intense debate about climate change has evolved into a bitter political controversy over the veracity of the claim that human activities are directly correlated with the drastic shift in weather patterns. Thanks to mainstream documentaries such as Al Gore's "Inconvenient Truth" (2006) the discussion about climate change as a legitimate source of concern has reached ordinary citizens in America.

For some, global climate change is a hoax, for others it is the greatest transnational security threat the world has ever known. In the following pages I will contend that the utmost danger faced by countries around the world is climate change itself, a combination of natural phenomena from various human origins, but also the skepticism promoted by interests groups from around the world. Those groups taint and obstruct the formulation and implementation of needed environmental policies to prevent a catastrophic outcome that includes droughts, floods, famines, mass migrations and lack of fresh water. If nothing is done, all those consequences combined may lead to a new era of transnational instability and war due to subjective security threats, including a set of real vulnerabilities for countries related to the perception of their new comparative position in the world in the dawn of a new power paradigm. Crown Prince Mohammed Bin Zayed of Abu Dhabi, for example, said in 2011, "water is more important than oil for the United Arab Emirates as the region now faces this serious and highly critical issue,"¹ a rare statement that highlights the actual shifting nature of power.

First I will propose a conceptual framework to understand climate change as well as the risks of the agenda promoted by

its skeptics. Second, this paper will explore the measures that have been discussed in the U.S and inside the international system to fight against climate change, and how the skeptic movement has defeated them. Third, I will discuss the global security implications of climate change and the skeptics' movement to blockade strategies intended to reverse and control it. Finally, I will propose a set of policy recommendations to address the challenges posed by the skeptics' false dilemma between economic sustainability and preservation of the environment.

Wet, Hot and Bothered

Climate change is a scientific fact established after several decades of research from governmental and independent organizations. A few definitions are needed for the better understanding of the implications behind the campaign against the anthropogenic origin of climate change experienced by the Earth.

Often confused with "global warming," climate change is defined as the alteration "in the totality of attributes that define climate – not only surface temperatures, but also precipitation patterns, winds, ocean currents, and other measures of the earth's climate."² The same author observes that climate change has two components, "one of which is human in origin and coincides in timing with the industrial period of the past two centuries," which is at the core of what is disputed by those skeptical of any cause-effect relation between human activities and climate change (see Figure 1 below). On the other hand, "global warming" refers to the increase in world temperatures due to the greenhouse effect caused by the emission of fossil

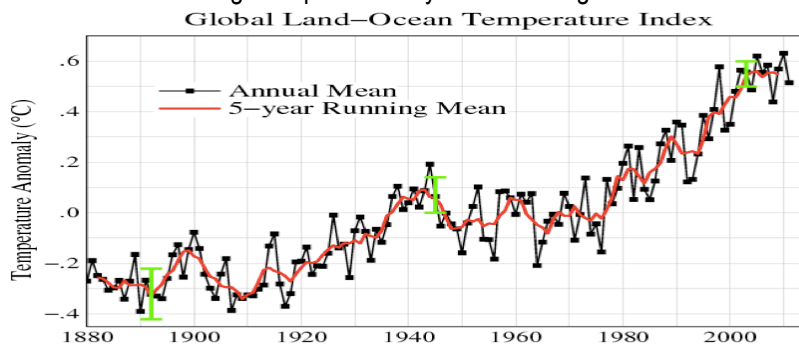


Figure 1: Global Annual Mean Surface Air Temperature Change: Line plot of global mean land-ocean temperature index, 1880 to present, with the base period 1951-1980. The dotted black line is the annual mean and the solid red line is the five-year mean. The green bars show uncertainty estimates. Source: Hansen, J., Mki. Sato, R. Ruedy, K. Lo, D.W. Lea, and M. Medina-Elizade, 2006: Global temperature change. *Proc. Natl. Acad. Sci.*, 103, 14288-14293, doi:10.1073/pnas.0606291103, as quoted by NASA, "GISS Surface Temperature Analysis (GISTEMP)." *Data. GISS:GISS Surface Temperature Analysis (GISTEMP)*. National Aeronautics and Space Administration, 19 Jan. 2012. Web. 17 Apr. 2012. <http://data.giss.nasa.gov/gistemp/>.



fuels.

In contraposition, a growing group of skeptical writers claim that global climate change is simply part of a natural phenomenon, not related to carbon dioxide pollutants and environmental degradation. Since climate has an unpredictable nature, no human interference could be argued because climate change is a “dangerous myth” with a political agenda behind it (Carter, 2007, p. 61). Politicians, multinational corporations from the fossil fuel, car, and agricultural industries, along with conservative think tanks, have been working hard to challenge environmentalists and policy makers in what McCright/Dunlap (2003) define as “the social construction of non-problematicity.”³ In this way, and using the support from professional lobbyists, interest groups counterbalance public awareness, framing the discussions around corporate interests. To do so, skeptics engage in activities that range from recruiting their own experts to write policy studies that will be disseminated by the mass media⁴ to lowering public consciousness of climate change and its veracity.

This contentious position against climate change became evident in the aftermath of the Kyoto Protocol debacle, where industrialized nations and emerging economies could not agree upon critical policies that must be implemented to reverse or contain the effect of climate change in the world. The Kyoto Protocol (1997), pursuing the objective of the U.N. Framework Convention on Climate Change (UNFCCC, 1992), is an international treaty that sets compulsory levels of reduction of greenhouse gas (GHG) emissions. Thirty-seven industrialized countries, including the United States, plus the European community signed the Kyoto Protocol. Through three mechanisms (emissions trading or carbon market, clean development, and joint implementation) the agreement attempted to cut emissions at a rate of 5 percent per year between 2008 and 2012. By contrast, the UNFCCC was signed by 194 nations but did not have the same obligatory mandate as Kyoto.

Despite its limitations, the meaning of climate change contained in the Convention is the result of a political construction after lengthy diplomatic negotiations, and the concept was primarily built through a scientific consensus on global warming since the 1970s.⁵ In that sense, anyone would have expected that an international agreement ratified by one

hundred ninety-four nations and in force since 1994, would have generated a less hostile reaction. Topics such as the stabilization of greenhouse emissions into the atmosphere, the alteration of the composition of the global atmosphere (UNFCCC, 1992, Article 1 (2)), and “the precautionary measures to anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects (UNFCCC, Article 3 (3)),” were intended to address the need to act promptly and swiftly to curtail the effects of natural disasters with a worldwide influence like no other seen before in history.

But, as explained by Aaron McCright and Riley Dunlap in *Defeating Kyoto: The Conservative Movement’s Impact on U.S. Climate Change Policy* (2003), “between 1990 and 1997 [the conservative movement] mobilized to challenge the global warming claims of mainstream climate science [and] aligned themselves with prominent climate change skeptics known for their staunch criticism [and] their affiliation with the fossil fuel industry,” with clear accomplishments in the following years, blocking important environmental legislation in the United States and elsewhere. For example, right before the U.S. House of Representatives voted on the American Clean Air and Energy Security Act (ACESA) in 2009, more than 1,150 lobbyists⁶ and advocacy groups registered with the Congress.⁷ That number includes farm owners, biofuel producers, the coal mining industry, natural gas companies, among others, that pursue the protection of their revenues through undermining environmental policies for the general good of the people. Case in point: one year after the ACESA passed, the Obama administration retreated from implementing legislation that would have made companies accountable for their greenhouse gas emissions.

A report by *The Wall Street Journal* on February 3, 2010 explains that members of both parties opposed the legislation because their constituents “whose local economies rely on fossil fuels, and smokestack industries like steel mills, and coal-fired utilities” might be hurt. Only recently has the Obama administration attempted to impose the legislation mentioned before by using his executive power to overpass the U.S. Congress’ obstruction.



Although the debate between these two contrasting parties – skeptics and environmental activists- may be seen as a mere theoretical controversy, its outcome extends beyond the confines of the scientific, political, and economic domains. Climate change is likely to evolve into a disaster of epic proportions because mitigation and adaptation strategies are put on hold. The importance of those two elements is critical because climate change is already having an impact on the environment and societies. Climate change’s irreversible effects make undertaking mitigation policies to decrease the current rate of GHG emissions urgent. Such policies must include strategies for sustainable development at global, state, and local level, as well as adaptation measures. In that regard, adaptation policies call for immediate action since, as the U.S. Environmental Protection Agency (EPA) has acknowledged, “some degree of future climate change will occur regardless of future GHG emissions.” The EPA quotes the Intergovernmental Panel on Climate Change (2007) definition of “adaptation” as the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.”⁸

In sum, the information available calls for immediate action to reduce the impact of these pressing issues.

To Live in Denial

Despite the gloomy scenario described above, some countries, at a moment when the Kyoto Protocol and the UNFCCC seem to have failed, have attempted to achieve some of the goals that are included in the international treaties acting

based on the agreements’ spirit. As a result, the United States, Mexico, Canada, Bangladesh, Ghana and Sweden, and the United Nations Environment Program, have pledged to tackle short-lived pollutants, which account for approximately 30 percent of global warming.⁹ However, a transnational threat requires a transnational approach, not individual initiatives based on self-righteousness and limited benefits. For example, Kyoto did not mandate China to cut its GHG emission in 1997, but in 2008 they were already responsible for 23 percent of worldwide GHG emission, while the United States emitted 18.11 percent,¹⁰ and its total emissions rose more than 10 percent during the period from 1990-2010,¹¹ emphasizing the need for a multilateral approach to tackle climate change.

In the meantime, skeptical theorists overlook the unexpected but expensive side effects of the do-nothing policy. They focus on discrediting the scientific support for the warnings on climate change. The skeptic movement chooses to ignore examples such as Pakistan where 660,000 people were displaced and 8.9 million people were affected by flooding in 2011.¹² This was caused by a stronger than ever La Niña phenomenon and it represents a clear threat to the stability of the region but also to the security of nearby India. Furthermore, by adding the pressure of a ballooning number of displaced people to the bilateral tensions between those two countries the geopolitical balance of a geographically distant United States might be affected as well, with additional sources of concern in an already explosive region.

In fact, the security risks behind climate change are manifold. Many predict water and food insecurity as the new cause of

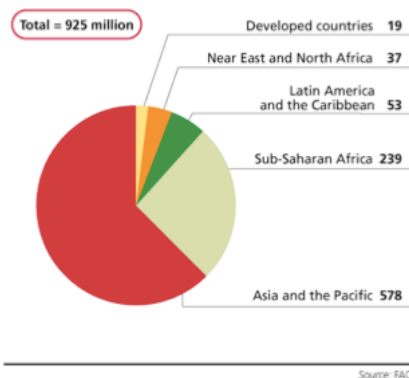


Figure 2: “The 2010 estimate, the most recent, says that 925 million people were undernourished in 2010 (FAO 2010)” as quoted by World Hunger Education Service. “2012 World Hunger and Poverty Facts and Statistics.” *World Hunger*. World Hunger, 2012. Web. <<http://www.worldhunger.org/articles/Learn/world%20hunger%20facts%202002.htm>>.



conflicts in the upcoming years.¹³ According to a framework document issued by the Food and Agriculture Organization of the United Nations (FAO), published in 2008:

"Climate change will affect all four dimensions of food security: food availability, food accessibility, food utilization and food systems stability. It will have an impact on human health, livelihood assets, food production and distribution channels, as well as changing purchasing power and market flows. Its impact will be in the short term, resulting from more frequent and more intense extreme weather events, and long term, caused by changing temperatures and precipitation patterns."

But the dire consequences go beyond the ones exposed by the FAO. As an illustration, the "Economics of the Arab Awakening: From Revolution to Transformation and Food Security", a policy brief document elaborated by analysts from

the International Food Policy Research Institute, suggests that food insecurity was one of the main causes of the historical developments behind the Arab Spring in 2011.¹⁴ The research points to social dissatisfaction, malnutrition, and high food price inflation as some of the principal elements fueling the uprising, which do not belong exclusively to the Arab world since they can be found in other regions like Central Asia and Latin America. A survey conducted by the International Monetary Fund in October 2007 has already warned of the sharp increase in the price of commodities, especially biofuels, and the surge in the price of food all around the world,¹⁵ but the consequences of climate change could easily dwarf these economic side-effects.

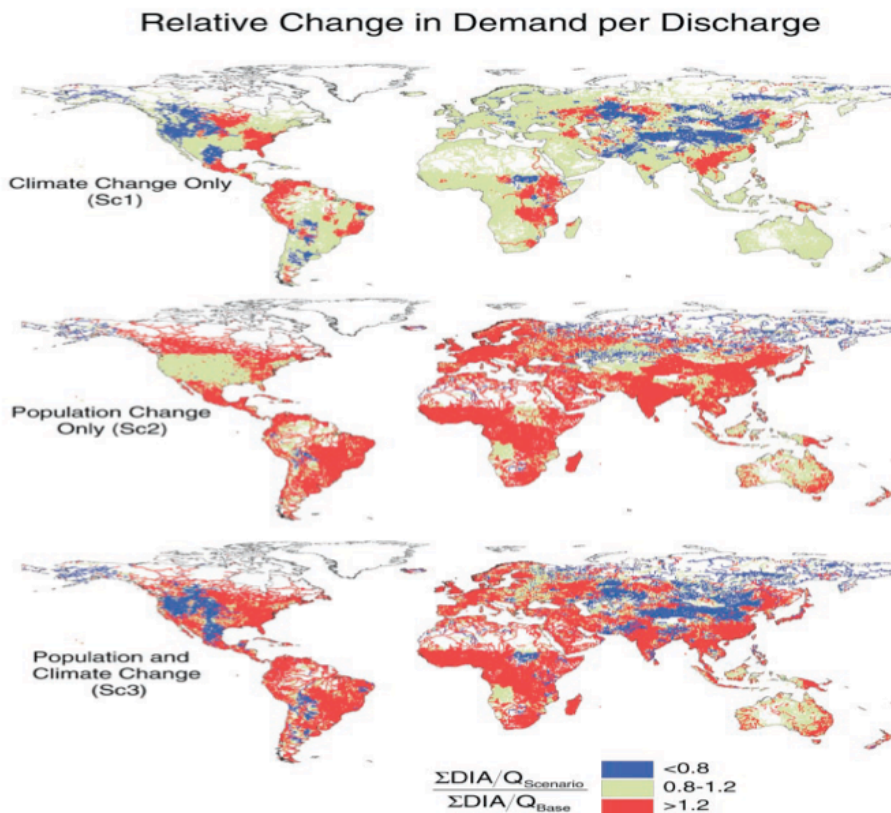


Figure 3: Shows relative Global water resources: Vulnerability from climate change and population growth. Source: Vorosmarty, Charles J; Green, Pamela; Salisbury, Joseph; Lammers, Richard B. *Science* 5477 (Jul 14, 2000), p. 287.



Due to climate change and environmental degradation, both of anthropogenic origin, the World Food Program estimates that 20% more people will be at risk of hunger by 2050. There were 925,000,000 hungry people in the world in 2010 with the vast majority located in Africa and Southeast Asia (see Figure 2).¹⁶

On the other hand, an expected increase in the water needs in South America and Africa on the order of 95 percent and 70 percent, respectively, predicted since 1993¹⁷ and reiterated with subsequent research during the following decade (see Figure 3), adds stress in regions with already strained or weak governance structures. In those regions, scarce financial resources to develop appropriate policies to counterbalance the effects of the lack of water supply for human consumption, agriculture, and livestock alike, becomes a supplementary source of security risks for them. In this sense, it is possible to find cautionary tales such as Ethiopia and Somalia, countries ravaged by famine as a result in the shifting patterns of climate, but also by a lack of rule of law and government institutions, or Central America whose physical infrastructure is severely battered by hurricanes every year while they also try to build stronger democracies.

However, during the past decade, scientists, environmental activists, and international organizations have been under attack by the conservative movement in the United States and abroad. They claim that “climate change is not occurring, and if it is, human causes are at best uncertain.”¹⁸ This is in contradiction to authoritative voices such as U.N. Secretary-General Ban Ki-Moon, who “warned that climate change may pose as much of a danger to the world as war.”¹⁹ The Nobel Prize Committee stated that “climate change may induce large-scale migration and lead [to] increased danger of violent conflicts and war, within and between states.”²⁰ The European Commission and the High Representative for the Common Foreign and Security Policy, see climate change as “a threat multiplier which exacerbates existing trends, tensions and instability” (ibid).

Referring to the seminal case of *Massachusetts v. EPA*,²¹ points to the Bush administration deliberate avoidance of the U.S. Supreme Court decision to cap greenhouse gas emissions. Daniels describes systematic dismantlement of EPA and budget cuts, as well as a smear campaign from senators and think tanks are behind a strategy aimed at supporting municipalities and states that rely heavily on pollutant industries.

The real issue lies in the failure to implement effective policies to manage the various kinds of emergencies that all countries will have to face due to the consequences of climate change. By questioning the scientific consensus which links climate change

to the augmentation in the number of natural disasters in the world,²² those groups also weaken the international support - especially from developed countries- needed to begin the emergency management policy process: formulation, adoption, implementation, and evaluation.²³ This must be done not just at the national level but on the global scale since phenomena such as the melting of the ice sheets, more frequent and stronger hurricanes, droughts, fires, and death by extreme temperatures are not confined to state borders. The multilateral system, subject of frequent critiques due to its bureaucratic structures, has the know-how to cope with the kind of emergency management that climate change demands, which is essential for the mobilization of economic and human resources, emergency assistance for victims, and short and long-term recovery efforts.

4. Policy Recommendations

In discussions about climate change the main controversial issue is not whether it is happening but where it originates. Conservative think tanks and some scientists state that it is comparable to natural patterns of the Earth that have always occurred, such as temperature oscillation, with the warming and cooling of the planet every few thousand years (Carter, 2007). Others even maintain that the interference of humans has no impact, for better or for worse. Most mainstream scientists disagree, as explained earlier. However, the need remains to implement measures that allow countries to actively engage in stopping the degradation of the planet. This is not to say that the current disagreement is unimportant, but that based on the common ground that climate change is a fact -whether anthropogenic or not - some policies could be recommended.

Using two concepts - the “maximalist” and “minimalist” approaches - coined by William Rosenau, the scope of the notions he uses is, in my opinion, broad enough to encompass the complexity of the negotiations concerning climate change and to propose at least two strategies that aim to unblock the current standoff between environmentalists and skeptics. Rosenau, who is senior research analyst at the CNA’s, Strategic Studies Stability and Development Program, as well as a professor in the security studies program of the Walsh School of Foreign Service at Georgetown University; wrote a article in 2011 that alludes to the challenges posed by intelligence operations against insurgency.²⁴ In his article, Rosenau discusses the limited options that countries like the United States find when facing non-traditional enemies that are not open to negotiate. In that context, Rosenau suggests engaging



in a case-by-case basis approach within his two concepts with a pragmatic vision, which translated into the climate change discussions goes down to those open and willing to implement new policies to curtail its effects and those who do not want to.

4.1. Maximalist Approach

The precautionary principle states that when in the presence of a situation that would cause a risk to the public or the environment, it is the responsibility of policy makers to take the necessary steps to prevent any harm from occurring, even in the absence of scientific consensus. In that sense, countries should use “the full spectrum of capabilities”²⁵ to fight against the potential impact of climate change, addressing sustainable programs for the economic sectors that will be affected by the reduction of carbon footprints and balancing developed and under- developed nations’ contributions (Wilson et al., 2011). The maximalist approach, as a policy prescription, also implies that the reduction of damages caused by climate change is a goal that could be accomplished by curtailing GHG emissions.²⁶ That task must be done through a combination of environmental policies that include increasing the efficiency of fossil-fuel energy, and developing economic measures capable of creating a new economy that could absorb the job cuts that the end of a pollutant economy will produce. In this sense, China and the United States must lead any maximalist approach in order to make it feasible since those two countries are the principal pollutants of GHG. By making concessions of the same type, they will set examples for other nations to follow. However, I understand that this scenario is more idealistic since China and the U.S. have divergent positions about what each should be doing with respect to climate change. Additionally, the enormous political cost in the U.S. of addressing climate change from the precautionary perspective seems delusional in the current toxic, bipartisan gridlock that characterizes Washington, D.C today.

4.2. Minimalist Approach

If the Maximalist Approach is the shock therapy, the Minimalist Approach would seek to create a minimum consensus about the need to act against climate change, disregarding its anthropogenic or natural origin. This policy recommendation is structured around the idea of pushing current negotiations on climate change beyond their actual stagnation.

Governments should compromise and continuously adapt their local policies while they exploit and conserve their resources carefully, doing no more, but more importantly, no less than what is required of them. Such policies should include

the articulation of national policies with those from multilateral agreements. Currently, governments that rely heavily on fossil fuels, such as some of the members of the Organization of the Petroleum Exporting Countries (OPEC), engage in boycotting any all-encompassing proposals related to climate change. However, it is encouraging that in the absence of a binding environmental global policy toward global¹⁵ warming, states like California, and many cities across the United States, are urging the federal government into action. On the other hand, the European Union and countries like Canada, and even China, are speeding up the research and development of clean technologies, paving the way to new forms of energy and industrial production.

After a mine explosion in the United Kingdom in 1947, rescue teams began to use canaries as instruments to detect toxic gases in the air.²⁷ The canary’s death came as the first, but lethal, sign of danger, and eventually the expression “canary in a coal mine” developed into some sort of ominous early warning for an even worse outcome. The Earth does not have such an early warning system regarding climate change, but the steps that must be adopted by governments across the globe are already prescribed. The tactics used by skeptics and interest groups have been effective so far in impeding the progress of negotiations in multilateral scenarios during the last decade, but it is not sustainable in the long run.

The reluctance to accept the scientific evidence has transformed the biggest transnational security threat ever witnessed by humans into a philosophical discussion. Climate change has become a risk to the existence and viability of our species; however, the blatant political construct of skepticism makes the effective and prompt solution of the problem difficult. Until today, massive extinction was considered a matter of flora and fauna, but this is an issue of such a large magnitude that industrialized countries and emergent economies have chosen to develop now and think about the cost later, opting to ignore the measures that are required.²⁸

One thing is sure: governments cannot deliberately ignore the scientific evidence and they must begin to push forward unified policies to mitigate the impact of the kind of natural disasters that accompany climate change. The strength of entire countries and regions could be put to the test if they see their infrastructure destroyed by the forces of nature as the current GHG emission pace continues. The next step for the international community is to acknowledge the issue beyond rhetoric, while climate change continues to be a solvable problem. As a result of climate change, hurricanes have become



increasingly more powerful and destructive.²⁹ Katrina shook the Bush administration and the United States. It is not far-fetched that several category five hurricanes like Katrina, hitting in a short span of time, could shake the financial and political stability of an entire nation, even that of the United States. If it that happens, there will be no more skeptics and no chances for fixing our planet.

Luis Orozco is an established diplomat and attorney, has served in the Ministry of Foreign Affairs of Colombia since 2003. He has served as advisor to the deputy Minister of Multilateral Affairs and as political counselor for US affairs. He represented Colombian government as vice consul, head of legal office in the Colombian Consulate General in Miami, where he was responsible for legal relations between Colombian and US local and federal law enforcement agencies and served as key advisor on relations with the US. Mr. Orozco participated in negotiations on several bilateral treaties with the US, served as US desk officer, and organized large-scale meetings with US officials and diplomats and interagency meetings with other Colombian ministries. He is currently a Master Candidate of Science in Global Affairs from NYU and Legal Counselor at the Permanent Mission of Colombia to the United Nations.

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photo by Sam Tyler Powers



Pakistan's Energy - Terrorism - Politics Nexus

by Tanya Malik

Though Pakistan's security situation is rapidly deteriorating, international attention on the matter has been misplaced. Much of the diplomatic and scholarly emphasis is put on Taliban insurgency and intricate organized crime, related to the global War on Terror and the American war in Afghanistan. What seems to be missing from the discourse is the rampant street crime and extremist activity unrelated to the northern regions, and further the root causes of such crime, particularly the severe electricity crisis that is plaguing all levels of the economy and society. What were once seldom outages occurring so infrequently, they were hardly noticed, are now scheduled blackouts that persist throughout the day for averages of 6-8 hours in urban areas and 12-15 hours in rural parts of the country. Most concerning of all is that the unreliable electricity supply shaves about 3 percent annually off the national growth rate. These stark economic losses underscore just how detrimental the electricity crisis is to Pakistan's future.

This paper works to explore the link between increased nation-wide crime and the acute energy crisis, which has in turn lead to an economic and social crisis. Bankrupt policies and government disconnect from the plight of the average Pakistani, all rooted in rampant corruption since the inauguration of the current administration has lead the country's downward spiral towards social, economic, and political devastation. These poor policies and lack of long term vision have essentially stunted the exploitation of Pakistan's vast energy potential through multiple fuel sources including hydro, shale gas, coal, and renewables. Harnessing this energy potential would easily make up for the nearly 5000 MW electricity deficit and allow for electricity supply to keep up with the ever-increasing demand while ushering in economic growth. Yet, no concrete plans have been made to achieve these ends and the failure to do so thus far is causing much of the social unrest and exacerbates the economic crisis. The second half of this paper will examine one of Pakistan's most promising but least developed domestic energy sources, coal, and discuss how the energy-terrorism-politics nexus has prevented its growth. But first, Pakistan's failed potential must be understood. How does a country blessed with an abundance of fuel sources, coastline, and ample human capital find itself suffering from an energy crisis and on the brink of failed statehood?

Origins of the Crisis

The key features of this energy crisis are increasing demand, inefficient transmission and distribution, and most importantly, government mismanagement. These problems have led to a downward spiral of circular debt to the tune of 400 billion Pakistani rupees or roughly \$4 billion.¹ The sector's troubles boil down to government mismanagement, expensive oil imports, and transmission losses. All these problems have culminated into what was mentioned above as circular debt. The debt is characterized as circular because the electricity sector is owned and operated primarily as a monopoly by government agencies. The root of Pakistan's circular debt problem arose as a consequence of government subsidies on electricity. Subsidies were given as a short-sided means to gain political capital, however, once the government became unable to finance the commitments to the distribution companies, along with low payment collection rates from consumers, the debt cycle began. Distribution companies could not pay generators who were in turn unable to pay fuel supplies, thus, supplies began to be cut off. Circular debt is the crux of Pakistan's electricity reliability deficiency. The government owes upwards 340 billion Pakistani rupees to private power producers, and 70 billion Pakistani rupees to state-run entities.²

Costs of the Energy Crisis

Now, although installed capacity can technically meet demand, inability to produce enough electricity has led to extreme power shortages that are growing worse and causing social unrest. Pakistanis are becoming more and more frustrated, as they lose their jobs and incomes because no one can keep the lights on. In the heart of Pakistan's textile industry, the province of Punjab, over 330,000 jobs have been lost, as intermittent power outages have caused factories to stand idle or shut their doors.³ This is a significant blow to the overall economy as manufacturing and textiles make up the bulk of Pakistan's economy, accounting for 60 percent of total exports.⁴ Textile companies have begun to shift their factories out of Pakistan to other countries in response to the electricity deficits.⁵ The government reported almost \$2 billion in revenue losses in the industrial sector alone, which were again attributed to these disruptions.⁶ Further, almost 36 percent of Pakistan's GDP is from the informal economy, representing three-fourths of the



entire workforce.⁷ From self-employed tailors to shopkeepers to clinics, small businesses that cannot afford backup generators powered by expensive diesel fuel face hits to their livelihoods when blackouts force everything to a standstill. Similarly, the medical field also suffers, as hospitals are unable to provide proper and timely care.⁸

On a micro level, the situation is just as severe, as perpetual blackouts interrupt domestic activity. Food goes bad because refrigerators switch off, water runs out because pumps do not work, and children are forced to study by candlelight or lanterns. Fans and air conditioners become luxuries during the extreme heat in the summer months and productivity diminishes, with recent record highs of more than 120 degrees Fahrenheit this past summer. Urban and rural populations alike suffer from load shedding which has moved beyond discomfort, as frustration turns to anger, and anger turns to violence.

Energy Induced Violence

In order to fully understand the depths of the energy crisis on Pakistani society, it is important to deconstruct the extent of violence it brings about. Though not actually classified as terrorism, reactionary violence due to the energy crisis or “energy poverty terrorism” has consequences that parallel those caused by traditional terrorism. Increasing unemployment, fuel shortages, and high electricity bills have prompted Pakistanis to take to the streets to voice their frustration. Daily protests began in 2008, and have gotten progressively worse. In 2010, the government agency responsible for most of the country’s water and electricity sector, Water and Power Distribution Authority, had multiple portions of its infrastructure and office space torched.⁹ Yet, this was not an isolated incident, and such riots have become commonplace throughout the country. Mobs of angry citizens regularly set fire to cars, government offices, trains, and engage in bloody altercations with police. Every “major city including Karachi, Quetta, Lahore, Peshwar, Rawalpindi, Faisalabad, Gujranwala, Sialkot and Shaiwal” has reported recurring protests or riots over the last four years.¹⁰ Not only do the blackouts themselves disrupt daily life, but the subsequent protesting further exacerbates the problem resulting in road closures, infrastructure damage, and an overall fear of violence.

Correlation between Energy Poverty and Crime

In addition to collective protesting and rioting, heightened energy poverty has also coincided with increased street crime. Though this paper cannot make a direct causal link in the case of Pakistan at this time, it is difficult to deny a correlation between increasing energy poverty, economic poverty, and increasing crime, during the tenure of the current administration. In 2008, average power outages lasted approximately four hours and 36 minutes.¹¹ Firm supply was 15,055 MW with peak demand at 17,689.¹² Of course not perfect in 2008, the situation was more favorable than the current deficit, where generation decreased to 13,000-14,000 MW and peak demand increased 18,000 MW.¹³ This supply/demand gap has caused for peak outages of 16 hours in urban areas and 22 in rural areas. Corresponding with increased power shortages are increased unemployment rates. Unemployment rose from 7.4 percent in 2008 to 15 percent in 2012.^{14 15} During the same time period, localized crime increased as well. This year alone, more than 2,000 deaths have been reported in Pakistan’s largest city, Karachi, embattled by religious, political, and sectarian clashes.¹⁶ Members of competing political parties engage in violent altercations daily, and extremists “methodically” kill minorities.¹⁷ Further, incidences of petty crime like armed car-jackings, muggings, and burglaries are also on the rise. “Motorcycle bandits” have become such a serious threat, that Parliament instituted a temporary ban on motorcycles in an attempt to control the number of muggings and motorcycle bombs.¹⁸

Most international emphasis is placed on the Pakistan’s transnational terrorist networks; the micro-level energy poverty induced terrorism is overshadowed. Indeed spill over from Afghanistan led to the creation of the Pakistani Taliban and rise of the Haqqani Network whose anti-western violence and violence against women have gained attention throughout the international media. However, growing street crime and violent protests are more dire for Pakistan. Violent manifestations of anger against the government and utilities caused by the energy crisis gives Pakistan an almost civil-war characteristic.

Macro-Economic Effects of the Nexus

Though not an actual civil war, the surge of violence in Pakistan can be likened to civil war as it produces the similar results, particularly the notion of “development in reverse.”¹⁹



GDP growth slows during times of civil war. The energy crisis coupled with the growth in violence has had this exact consequence, each causing cuts of 4 percent and 2 percent on GDP respectively.²⁰ Further, foreign direct investment is severely affected by unreliable power and security concerns and it becomes difficult to decipher which has a greater impact, thus the two are examined together. Instability and uncertainty lends itself to lowered confidence by investors. In the 2011-2012 fiscal year, FDI in Pakistan fell to \$812 million, the lowest amount of FDI since 2003 after peaking in 2007 at 5.1 billion.²¹ Given how domestic industry has suffered, investors are unwilling to put their own money into a country where the lights are only on less than half the day. Additionally, the power generation sector was once the greatest recipient of FDI, but experienced dramatic declines in beginning in 2008.²² Investors continue to cite the inefficient energy sector, lack of rule of law, and growing security concerns as reasons for shying away from tapping into Pakistan's investment potential.²³ Poor governance is a key concern, particularly with regards to the energy sector and FDI. Politics, and more specifically corruption, underlies the whole system. Bankrupt policies and mismanagement of essentially every sector has lead to the energy crisis.

Politics and Corruption

Often we see the most economically vulnerable countries are the ones most plagued with high levels of corruption. It comes to no surprise then that as Pakistan consistently rates among the lowest in the world on international corruption indices, ranking 138 out of 179 in Transparency International's annual report, it simultaneously reports below target growth rates.²⁴ Further the Islamic Republic is ranked number 12 in the world in Foreign Policy's Failed State Index 2011, with their leadership indicator leveling out with a "weak" classification²⁵. Studies show that growth rates and corruption are inversely related.²⁶ The perverse incentive structure caused by bad governance has crippled Pakistan's economy.

As mentioned above, a main driver of economic growth is foreign direct investment, however, "Nobody wants to invest in a corrupt economy."²⁷ Corruption tends to scare away investors because the guarantee of funding streams being properly directed is deficient. "Good governance can lead a country to achieve high and sustained economic growth by establishing conducive environment for saving and investment, risk taking, providing incentives to producers, creating certainty in markets, increasing the size of markets by removing barriers to international trade and improvements in competitiveness."²⁸

Therefore poor governance produces opposite results, as seen with the case of Pakistan. The reputations of Mr. Zardari and most other politicians have created a sense of helplessness and frustration among the Pakistani population. The current administration is seen as "hopelessly inept and irredeemably corrupt".²⁹

This rampant corruption is at the root of the energy crisis. At the heart of this story is the current Prime Minister Raja Pervez Ashraf. He was sworn in as Prime Minister this past summer when his predecessor, Yousef Raza Gilani, was ousted after refusing to reopen a corruption case against the President, Asif Ali Zardari – "rampant corruption" is not merely hyperbole. Prior to becoming prime minister, Mr. Ashraf was the minister of Water and Power, and had been inaugurated into that position in March of 2008. This was also the same time the power crisis began, and certainly not due to coincidence. As minister, Mr. Ashraf is accused of receiving kickbacks from a rental scheme on privately financed power projects, which were intended to increase electricity generation, but have made no such progress, and have earned him the nick name of "Rental Raja."³⁰ Because rental power projects are meant only to meet short term energy needs, renting instead of installing long term generation was a gross misuse of funds in Pakistan. Further, of the 2,700 MW that was supposed to be installed through the rental arrangement, only 800 were actually added.³¹ In a report by Pakistan's auditor general, many of the installations were outdated and technologically incompatible with existing capacity.³² What's more, it was discovered that many of the rental plants that had been paid for did not actually exist. In theory, the rental power plants should have helped to alleviate the energy woes in the short term, but because majority of the plants were oil and gas run, high fuel prices hampered operations and increased costs were passed down to consumers. Additionally, cabinet members, including Mr. Ashraf, granted excessive licenses, as each license meant an additional kickback. In 2011, the Supreme Court eventually ruled the rental power projects illegal and mandated they be shut down, deeming them "non-transparent".³³ Most recently, the prime minister has once again made news, after spending his entire discretionary budget in the first 3.5 months of his term. The Planning Commission has decided to slash funding to FATA, the most under-developed area in Pakistan, and redirect it to the prime minister's allocation.³⁴ Needless to say this action has already caused red flags to go up in the already unstable FATA territory.

Not only does this high profile corruption deter investors,



businesses, and international aid from flowing into the country, it further heightened government distrust among Pakistanis. With electricity bill payment rates at a meager 1 percent, Pakistanis refuse to pay for power when their own government does not pay its power bills.

Effects of the Energy-Terrorism-Corruption Nexus: The Case of Coal

Coal has historically been the cheapest and most reliable source of energy, as well as the most environmentally unfriendly. It makes up about 40 percent of the world's fuel mix and is responsible for one-third of global carbon emissions.³⁵ All rapidly developing countries today, like China and India have done so by the prudent exploitation of cheap coal. With increasing oil prices, the non-existence of coal in Pakistan's energy mix is perhaps the largest wasted potential the energy deficient country is currently facing. Pakistan has approximately 175 billion tons of coal reserves in the Thar desert, which could generate 100,00MW of electricity for 300 years.¹ Extraction and gasification remain the main obstacles to achieving any kind of progress and Lack of federal policies and investments have stunted the industry. To surmount these hurdles, the Government of Pakistan recently labeled the coalfields in Thar as a Special Economic Zone to attract investors.³⁶ Yet no other tangible plans have been set. To understand just how important coal can be for Pakistan, a review of coal in the global context is necessary.

Growing demand for electricity is driving growing demand for coal. A study done by MIT suggests that over the next 30 years, price of coal will increase almost 50 percent.³⁷ In the last year alone, the EIA reported a 5 percent increase.³⁸ Despite growing concerns over climate change policy and carbon emissions, rapid urbanization and economic growth will sustain demand over the medium to long term. Estimates suggest that 1,400 GW of new coal plant capacity will be developed by 2030.³⁹ To address the environmental concerns, research and development in clean coal technologies have gained traction. Research is also being done on combined coal combustion and carbon capture.⁴⁰ These types of technological advances allow for coal use to be more efficient and environmentally friendly. It would behoove Pakistani policymakers to explore these technologies.

The coal in the Thar fields is watery low-grade coal, similar to the type found in Indonesia, and is categorized to be somewhere between bituminous and lignite. Currently Indonesia is the world's largest exporter of coal. The top ten international users of coal still import significant amounts of their capacity.⁴¹ Among those,

China and India hold the top spots, both of which share significant borders with Pakistan. India imports the bulk of its coal from Indonesia and South Africa, which rose 31 percent this year and totaled a record 99 million tones in 2012.⁴² Given the location of the Thar coalfields, right on the border of India in the province of Sindh, even simply extracting and exporting would be highly lucrative for both Pakistan and India, as this coal can be easily surface mined.

In the short term, exportation and direct production of electricity from coal would alleviate some of the current energy pressures, but in the long term, investment in gasification technology and building such plants would be especially beneficial. Not only would this method be better for the environment and more efficient, but coal by-products like chemicals and fertilizers could be exported.⁴³ Companies like MicroCoal Inc. in the United States have developed technologies to enhance the type of coal found in Pakistan to produce higher grade coal that dries out the water content and collects it as a usable by-product.⁴⁴ Although this process is still in the testing phases, Pakistan would greatly benefit from such developments. Further, switching to coal from oil imports would save Pakistan \$495.31 million in foreign exchange, and has the potential to create at least 20,000 jobs.⁴⁵

Obstacles with Thar Coal Production

With such promising prospects, why has nothing been done to utilize Pakistan's coal reserves? The energy-terrorism-politics nexus plays an important role. First, politics surrounding ownership is a key impediment. There have been longstanding disputes between provincial and federal government on who exactly has ownership rights over the coalfields, and how profits would be allocated. In addition to the politics surrounding Thar coal, red tape, rule of law, and "legislative inconsistencies" have been cited as hindrances to international intervention in the sector.⁴⁶

The coalfields have been divided into 11 blocks, with Blocks I-IV allocated to four different companies, including one from China and one from the UK, however all projects remain at pre-construction stages.⁴⁷ These projects are being held up because bureaucratic procedures caused licenses to expire. Although feasibility reports and licenses continue to be produced, the incredibly slow speed of government activity has caused some to abandon their projects.

In 2010, The World Bank backed out of a \$25 million Thar coal project. Officially, the World Bank stated it was due to environmental concerns, and it felt that investments in coal



plants were not in line with the global push towards a greener world. However, some in Pakistan question this reasoning because the Bank along with the Asian Development Bank jointly supported a coal project in Gujarat in 2009. According to the United States Institute for Peace, it has been suggested that the World Bank backed out due to concerns over transparency.⁴⁸

China has always had a strong economic presence in Pakistan. In addition to being granted portions of Thar blocks and bidding for additional blocks, Chinese participation in the Pakistani coalfield was hampered because of the increased security situation in Karachi. The company, King Hu, was set to invest \$3.5 billion but then rescinded its financing bid.⁴⁹ More generally, China has been reevaluating many of its Pakistani investments, in light of security concerns after Chinese workers were targeted in a number of different projects in Gwadar and Peshawar. For this reason, China has been more cautious in pursuing coal projects in the Thar fields.

Looking Forward

Given the vast energy and investment potential in Pakistan, there is still foreign interest in the country. The United States held talks with Pakistani officials this week during the US-Pakistani Energy Working Group to strengthen their partnership on energy projects like the Daimar Bhasha Dam and the TAPI gas pipeline. A delegation from the China Investment Corporation met in Karachi to discuss plans to move forward on Thar coal projects.⁵⁰ Japan expressed interest in investing capital in transmission projects.⁵¹ Nevertheless, concerns discussed in this paper including power sector governance and oversight, as well as the circular debt have been highlighted in each of these cases. It remains to be seen if these new initiatives will bear fruit despite the nexus. What is certain, however, is that unless the energy-terrorism-corruption nexus is directly dealt with, Pakistan's energy and human potential will continue to be squandered to the detriment of state sovereignty.

Further Research

Due to limited access to information and data for this research, the following is a list of areas that should be further explored to strengthen the arguments of this paper and provide a deeper understanding of the effects of the energy crisis on Pakistan's society and economy:

- Poverty rates from 2007-2012
- Relationship between youth unemployment and poverty
- Investigate motorcycle bandit culture and the root causes
- Spillover from Afghanistan and the flow of weapons into Pakistan

- Develop the concept of "energy poverty terrorism"
- Power outages by region and city
- Number of extreme heat and cold related illnesses from 2007-2012
- In-depth analysis on line losses and transmission theft culture
- Breakdown of economic losses across different sectors related to electricity shortages in both the formal and informal sector
- Mini case studies on informal sector participants: How revenue is effected by outages
- Electricity market structure analysis and policy review
- Review of other energy investments abandoned from 2007-2012
- Financial analysis of Thar Coal extraction
- Cost/benefit analysis of coal trade with India
- A case study analysis of another country against the energy-terrorism-politics nexus.

Tanya will be graduating from the CGA in Spring 2013. During her tenure at the CGA, Tanya discovered her passion for energy and its relevance in development and the private sector. Her research interests lie within this space, while regionally focused on the Middle East and South Asia. She recently completed her graduate thesis entitled "The Geopolitics and Market Dynamics of the Evolving Energy System of the United Arab Emirates". Tanya holds a BA from the University of California, Berkeley, where she studied Economics and Middle Eastern Studies. She is an avid fan of audiobooks and her Economist and Rachel Maddow Show podcasts, as well as Bikram yoga and attempting to learn Arabic.

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Photo by Guillaume Kroll



Gendercide in India

by Marielle Ali

“She should be recognized as the key factor, the nucleus, and the genome that keeps the oils of the India economic engine burning...”¹

The strong preference for the male gender in India can be felt in all levels of society. In the Indian context, boys and men provide a survival strategy since they are more closely linked with lineage, property and continuation of male-headed family households. Males are often viewed as strong protectors of their families and household; on the other hand, females are more vulnerable. Females are seen as liabilities. In addition they are seen as sexual individuals, this is possibly due to the fact that males cannot give birth.

The strong son preference creates a discriminatory and ostracized environment for women; as a result, female fetuses and young girls are subject to high levels of violence. Son preference strongly influences Indian society, and in turn, these actions have led to a decreased sex ratio in India.

Although the Indian government became concerned with the imbalanced sex ratio, in the 2001 Census, the British were concerned about these issues decades ago. Dr. Navtej Purewal, a professor with extensive research on gender in South Asia, points out the “inexorable authority with which anti- infanticide and anti-foeticide proclamations”² were made by the British colonial administration in the nineteenth century.

During the British rule, they tried to address the issue through public meetings, reports and naming actual infanticide cases.

Below is a table with some of the sex ratio dates dating from 1901 to 2011 in increments of 10 years. These figures represent the number of females per one thousand males, and they show that India’s sex ratio has been declining since 1901. When Amartya Sen wrote his bombshell article, “More Than 100 Million Women Are Missing,”⁴ he was referring to the low figures like 927 females per 1,000 males in 1991. ABC News anchor and correspondent, Elizabeth Vargas spent a month in India and noticed some of the stark differences pointed out by Sen’s article.

Table 3 : Trends in Sex ratio in India : State wise composition

	1901	1911	1921	1931	1941	1951	1961	1971	1981	1991	2001	2011
INDIA	972	964	955	950	945	946	941	930	934	927	933	944
J & Kashmir	882	876	870	865	869	873	878	878	892	896	900	887
Him. Pradesh	884	889	890	897	890	912	938	958	973	976	970	983
Punjab	832	780	799	815	836	844	854	865	879	882	874	899
Chandigarh	771	720	743	751	763	781	652	749	769	790	773	812
Uttaranchal	918	907	916	913	907	940	947	940	936	936	964	975
Haryana	867	835	844	844	869	871	868	867	870	865	861	885
Delhi	862	793	733	722	715	768	785	801	808	827	821	866
Rajasthan	905	908	896	907	906	921	908	911	919	910	922	935
Uttar Pradesh	938	916	908	903	907	998	907	876	882	876	898	910
Bihar	1,061	1,051	1,020	995	1,002	1,000	1,005	957	948	907	921	912
Sikkim	916	951	970	967	920	907	904	863	835	878	875	883
Arun.Pradesh	NA	NA	NA	NA	NA	NA	894	861	862	859	901	913
Nagaland	973	993	992	997	1,021	999	933	871	863	886	909	929
Manipur	1,037	1,029	1,041	1,065	1,055	1,036	1,015	980	971	958	978	995
Mizoram	1,113	1,120	1,109	1,102	1,069	1,041	1,009	946	919	921	938	976
Tripura	874	885	885	885	886	904	932	943	946	945	950	962
Meghalaya	1,036	1,013	1,000	971	966	949	937	942	954	955	975	989
Assam	919	915	896	874	875	868	869	896	910	923	932	953
West Bengal	945	925	905	890	852	865	878	891	911	917	934	946



SKewed SEX RATIO: GENDER POVERTY ALLEVIATION IN INDIA

Jharkhand	1,032	1,021	1,002	989	978	961	960	945	940	922	941	948
Orissa	1,037	1,056	1,086	1,067	1,053	1,022	1,001	988	981	971	972	985
Chhatisgarh	1,046	1,039	1,041	1,043	1,032	1,024	1,008	998	996	985	990	995
Mad.Pradesh	972	967	949	947	946	945	932	920	921	912	920	933
Gujarat	954	946	944	945	941	952	940	934	942	934	921	923
D& Diu	995	1,040	1,143	1,088	1,080	1,125	1,169	1,099	1,062	969	709	589
Dadra & Nagar Haveli	960	967	940	911	925	946	963	1,007	974	952	811	752
Maharashtra	978	966	950	947	949	941	936	930	937	934	922	931
And.Pradesh	985	992	993	987	980	986	981	977	975	972	978	997
Karnataka	983	981	969	965	960	966	959	957	963	960	964	971
Goa	1,091	1,108	1,120	1,088	1,084	1,128	1,066	981	975	967	960	973
Lakshadweep	1,063	987	1,027	994	1,018	1,043	1,020	978	975	943	947	951
Kerala	1,004	1,008	1,011	1,022	1,027	1,028	1,022	1,016	1,032	1,036	1,058	1,099
Tamil Nadu	1,044	1,042	1,029	1,027	1,012	1,007	992	978	977	974	986	1,000
Pondicherry	NA	1,058	1,053	NA	NA	1,030	1,013	989	985	979	1,001	1,047
A&Nicobar	318	352	303	495	574	625	617	644	760	818	846	868

Source : <http://www.educationforallinindia.com/chapter5-gender-composition-of-population-2011-census.pdf>

If they find it's a girl, hundreds of thousands of mothers-to-be abort the fetus. 50,000 girl fetuses are aborted every month in India. And it has created whole villages where there are hardly any women. We went to one such village in the province of Haryana. Everywhere we looked, we saw boys, young men, old men, but very, very few women; a result of the deliberate extermination of girls.⁵

India is the world's largest democracy, and for this reason, India must address injustices toward its people.

Issues with Gendercide

Son preference is common in many parts of the world because there is a belief that male children will provide property, inheritance and social security in their parent's old age. In addition to these reasons, sons perform the last rites in Indian Hinduism. Dowry can also play a role when parents decide whether to keep their female child, as in January 2013, where a father was accused of killing his daughter for not having a son.⁶ Furthermore, dowry payments become an easily disputed topic, and these disagreements can lead to violence. For example in October 2012, an Indian woman and her 13 month old daughter were set on fire by her husband and father-in-law over a disputed

dowry payment back.⁷

There are a plethora of consequences associated with gendercide, and it is important to recognize the long-term impact it can have on a society. For starters, there are fewer women, and this can be examined through an economic scope. In basic economics, when there is a shortage of a good, the demand goes up. Gendercide increases the demand for women. Since there is a shortage of women for men to mate and marry, men are more likely to resort to mail-order-brides, child marriage, and even become customers of sex trafficked women and girls. Interestingly enough, most of the Hindu Gods are females, yet there is continued discrimination and violence toward women and girls.

With the advances of technology, it is possible for women to be informed of the sex of their fetus and its health status. While these technological strides are great, they also encourage abortions for families who prefer sons. Slevi, for example, is an Indian woman who refused an ultrasound, knowing that a female fetus would result in an abortion.

'I refused to have an ultrasound...Would they have found out I was carrying a girl, my husband and my mother in law would have forced me to have an abortion.' But Selvi's strong will enraged her husband. He beat her, kicked her in the stomach,



forced her to do hard labor. Anything that would make Selvi lose the unwanted baby girl.⁸

The Indian government can issue laws to prevent sex selective abortions; however, laws affecting reproductive rights and health are very difficult to implement. Additionally, many women may use “local methods of sex determination”⁹ to learn the sex of their baby.

If and when women decide, or are allowed to keep their babies, girls are more common to experience negligence than boys. Neglect is a leading factor in mortality rates in India. It is found that female children born in India aged from 0-6yrs suffer from: “neglect in medical attention of the girl child except in serious situations, harder household work, and often-decreased food and nutrition inputs.”¹⁰ Below is a line graph using DevInfo technology, a United Nations tool that graphs data on political, social, and economic factors all over the world, which displays India’s under age 5 mortality rate. While the chart below shows a decline in under 5 mortality, this table below shows the sex ratio in children ages 0-6years, and since 1961, the sex ratio in this age group has decreased dramatically. In 2011, there were about 914 girls to every 1000 boys.

Human Trafficking

The shortage of women creates a demand and a market for women. It is not uncommon to find women from Nepal and Bangladesh in the red light areas. Human trafficking carries significant implications that can affect political and socio-economic affairs on the domestic and international level. First, it threatens border integrity and national and international security. Millions of people are crossing national borders with false pretenses, and it is believed that many traffickers are members of organized crime who commit other illegal activities.¹² Second, human health is also menaced due to the spread of HIV/AIDS and other sexually transmitted infections to clients and those sexually active with the client. Most importantly, human trafficking is dangerous to the health of our global human conscience. We like to boast about slavery ending in the 19th century, when in fact, human trafficking is a form of modern day slavery.

In order to address the lack of economic opportunities for women, social attitudes must change. Patriarchal societies play a major role in how women are viewed. In some countries, like India, women are sometimes considered property. Economically, there are few opportunities for women in South Asia. Mostly in rural settings, many women are restricted to the traditional roles of childrearing and household chores.

India Under-five mortality rate

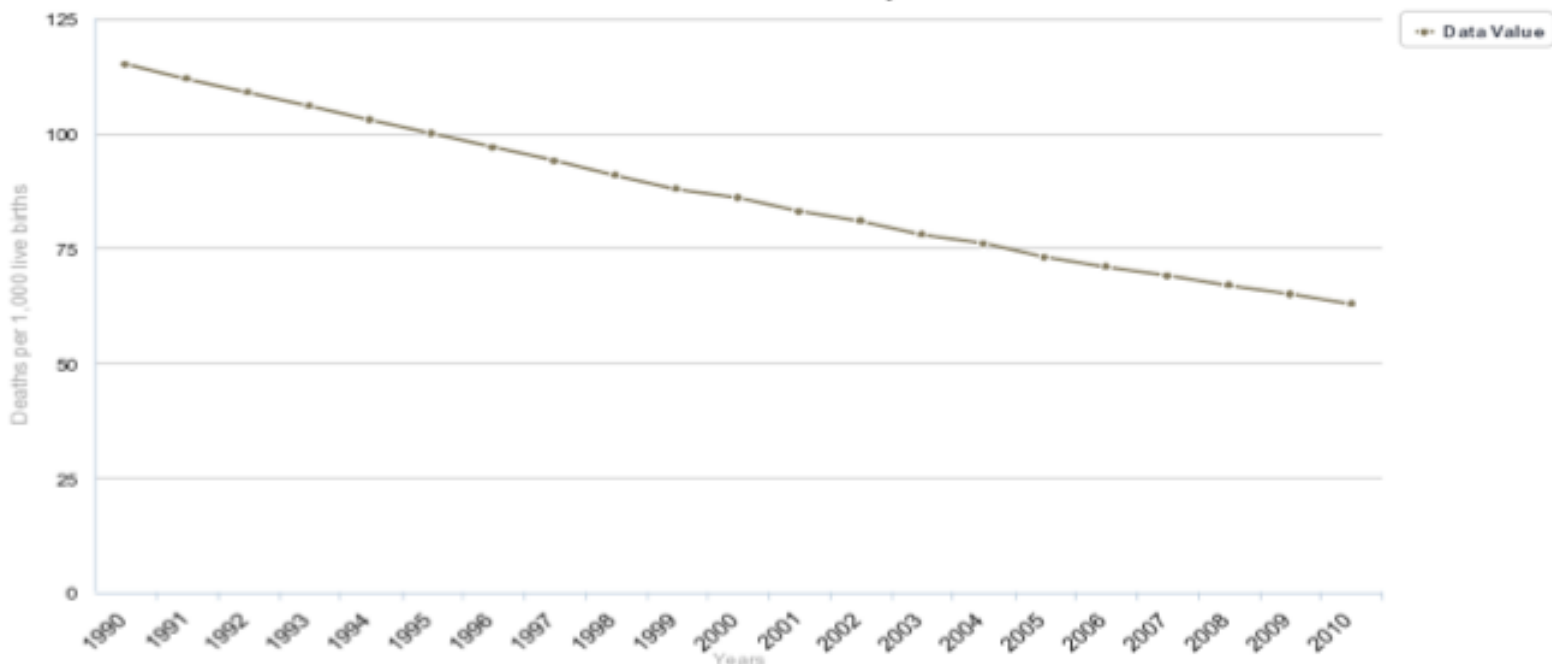




Table 2 : Overall sex ratio and sex ratio in the age group of 0-6 yrs (1901 to 2011)

Year	Sex Ratio	Sex Ratio in Children (0-6yr)
1901	972	-
1911	964	-
1921	955	-
1931	950	-
1941	945	-
1951	946	-
1961	941	976
1971	930	964
1981	934	962
1991	927	945
2001	933	927
2011	940	914

Unfortunately, these societal perceptions prevent women from reaching their full potential; as a result, women are seen as second-class citizens.

Ruchira Gupta, founder and president of Apne Aap, an Indian NGO working to end sex trafficking, asked, “What about the responsibility to ensure that female citizens get equal access to jobs and education as men do, so that prostitution is not the only option available for women?”¹³ The Indian government is not fulfilling its part of the Hobbesian contract, and if and when women are provided with the education and skills for employment, they can succeed. The Indian government must work to ensure that women can have access to jobs and education, but there must be political will and a desire to end the inequality.

Recommendations

Under the Universal Declaration of Human Rights, every person is equal. This means that girls and boys and women and men should be treated equal under the law.

In addition to not fulfilling its international duty, the Indian Government is not fulfilling its social contract: although considered a western notion, many citizens put their trust into the state in return for protection. How can India expect to continue its rise up the development ladder when its own citizens do not feel protected?

In order to address this issue, the Indian government, civil society, and the international community must act. With the use of information, education, and communication, these various levels of society can successfully meet the needs of the people they are meant to serve. Education is a symbol of development, and India must make more effort to include girls and women in education. For women, education can address and target fertility, infant health, and reduces mortality: some of the main issues surrounding gendercide.

Education efforts should be implemented at the local, regional, and national level, and it should include members of civil society and the Indian government. Dr. Purewal mentions, “Women, it was acknowledged, were sinned against as infants, in their youth, wives and daughters-in-law, and as widows...Education came to be intricately entwined with the upliftment of women and with the notion of nation building.”¹⁴ The Indian government should continue to work with civil society organizations, law enforcement and the international community to address these issues.

Indian Government

Aside from moral responsibility, it is in the best interest of the Indian government to address gendercide so that it may not hinder its own political and economic development. Unfortunately, most of these initiatives must begin with political



will. If there is no will or desire, it will not get done. India must realize that including half of its population in the workforce will significantly improve its standard of living, GDP per capita and much more, all of which should be in the interest of any state government. The Indian government must also address corruption. If women are afraid of the same people who are supposed to protect them, how can the Indian government get to the bottom of these issues? Since India is part of the political and economic grouping of the BRICS (Brazil, Russia, India, China, and South Africa), it is pertinent for India needs to set an international standard. In order to be a successful and thriving democracy, India should be able to protect its women and girls from violence and put human rights on its agenda. India cannot expect to further develop its political and economic influence when half of its population is subject to violence on a daily basis.

As Nick Kristof stated in *Half the Sky*, women must be included in the development cycle, after all women hold up half the sky¹⁵. In order for women to be included in the development agenda, the stigma towards women must end. When women are viewed and treated as second-class citizens, this mentality creates an acceptable culture of violence against women. In response to the Delhi rape protests, a member of the Indian Government's Planning Commission, Syeda Hameed, proclaimed, "The issue has now got into front and center."¹⁶ The Indian government just passed a bill on crimes against women. Although the bill "...expands the definition of rape, substantially increases the punishment for sex crimes like gang rape, introduces the death penalty for repeat offenders and criminalizes activities like disrobing and voyeurism," some activists are disappointed with it. Sandhya Valluripally, president of the Progressive Organization of Women, thought the bill has fallen short of complete protection for women from sexual harassment.¹⁷ Only time will tell the impact this bill will have on women and girls in India.

Civil Society: NGOs

Movements that are trying to build the gap between the policy makers and those who the policies are supposed to protect. This is where the role of civil society comes in to fill in the void that the Indian government leaves open. With proper resources and training, NGOs can make a huge impact in the daily lives of citizens. As Professor Gupta said during a class lecture in New Delhi, "They (girls and women) are invisible... you have to go to where people are and you have to do something that is possible in their eyes. That is where the movement starts."¹⁸

In addition to the plethora of NGOs promoting girls education

like Aga Khan and the All Bengal Women's Union and others, organizations can help change societal thoughts of female inferiority. Non-profit organizations are best equipped to address some of the root causes of gendercide by involving boys and men in the fight to end violence against women. As Sabina Dewan from the Center on American Progress mentioned, "changing the mindset of the men and women in society to afford women the rights they deserve is a long-term proposition..."¹⁹ If more boys and men are involved in this movement, it could be the start of a domino effect. Ultimately, boys and men can be involved through educational programs and advocacy.

Another key idea is to involve religious leaders. It is often found that the incorporation of religious leaders in societal movements can make a difference and an impact on the affected population. Lastly, and most importantly is that organizations should strive to work together and avoid the duplication of efforts. Cooperation is key. There are hundreds of Christian missionaries throughout India leading social reformist activities. Their participation in Indian society is also a great opportunity for collaboration between all religious leaders since violence against girls and women affects people from all walks of life; therefore, Sikhs, Hindus, Muslims, and others should all get involved. By incorporating religious groups, NGOs can continue their reach to those at the bottom of India's social ladder.

Some NGOs are connecting Indians to donation and advocacy. They are reaching to the new generation of Indians in large cities such as Mumbai, New Delhi and Kolkata. This is very important step in addressing violence against women in India. By involving Indians in the movement, it sets a precedent that gendercide and violence against women and girls is an Indian problem. It gives the Indian society the responsibility to take ownership of the issue and to act to end these injustices.

International Community

The systemic violence against women and girls is an age-old form of discrimination. Unfortunately, it was the rape of the young medical student in New Delhi that brought international attention to violence against women in India and addressed the elephant in the room.²⁰ This elephant represents the social denial of the violence women and girls face daily in India. The Indian society was well aware of these issues but the Indian government has tried to ignore it. The media frenzy after the Delhi rape precipitated the immediate response of the international community. It is time for the international community to hold India accountable to the millions of women and girls.



India is already a recipient of international grants to support women's movements, but they have not done as much as they were intended to.²¹ Instead of just giving away money, UN agencies like UNICEF and UN Women can do more to train NGO and government officials on how to better protect women and girls. Even Secretary General Ban Ki Moon is a staunch proponent to end violence against women. In addition to the various agencies and offices within the UN system that already address gender inequality and violence against women and girls, SG Ban Ki Moon has declared international days of recognition, such as The International Day of the Girl on October 11, to continue to bring international attention to these issues. National governments should also get involved and pressure India to reform its laws. For instance, the United States posthumously awarded the Delhi rape victim referred to as Nirbaya, meaning fearless, the International Women of Courage award.²²

Conclusion

Every person has a right to be protected and treated equally. In order to address the root causes of human trafficking, activists, academics and government officials must examine India's patriarchal society and stir change. If attitudinal changes stir Indian society, views on pregnancy and son preference can evolve for the better. More girls will be born. More girls will go to school. More women will have opportunities and jobs, and more women will contribute to India's development. By starting at this end of the spectrum, attitudes towards girls and women can change and decrease the supply and demand side of human trafficking.

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photo by Hannah Mora



Russia and the Global War on Terror

by Nadiya Kostyuk

Abstract

The attacks of Sept. 11, 2001, provided an “unexpected gift”¹ for President Vladimir Putin of Russia. In response to 9/11, the United States set the precedent of intervention in sovereign states under the framework of a Global War on Terror (GWOT). President Putin used this same precedent to intervene in Georgia in 2008, under the guise of peacekeeping forces. Even though the legality of the U.S. intervention in Afghanistan is still debatable (for a variety of reasons including the scale of the attack), the United States has set a precedent for the international community involving a military response to terrorism. The Russians followed this example to expand the fight against Chechens and other real or perceived destabilizing forces in what now would appear to be a newly justifiable manner.

Introduction

The events of Sept. 11, 2001, changed not only the U.S. position toward international terrorism but also influenced other countries’ positions toward the threat. For instance, Russia began vigorously fighting its domestic opponents – mainly separatist groups in Chechnya – using the 9/11 attacks as an opportunity to develop an innovative geopolitical script that “asserted the identity opposition ‘civilized/barbarian’ as a fundamental axis in world politics, (re)located Russia within the West as ‘civilized power’ and gave Russian geoeconomic interests priority over traditional territorial geopolitics.”² Additionally, Russia followed the U.S. example and intervened in the territory of Georgia as a peacekeeping force, even though this intervention violated international law norms. President Bush’s Global War on Terror has arguably set the precedent of legitimizing interference in sovereign states, and Russia was the first country to follow it.

This research paper will focus on Russia’s position on terrorism and its part in the GWOT. Part I will discuss the definition of terrorism as an international crime and a crime against humanity, outline the main tenets of Resolution 1373, which focuses on the suppression of terrorism, and introduce the GWOT framework used by the U.S. and followed by Russia. Part II will discuss Russia’s position on terrorism and its post-9/11 GWOT using the war framework. Additionally, it will explore Russia’s initial response to the September 11 attacks and

increased cooperation with the U.S. in the fight against global terror, as well as Russia’s fight against “terrorism” in Chechnya and Georgia. It will also discuss how Russia implemented Resolution 1373 by adopting it as domestic law. The paper concludes by suggesting ways of defeating terrorism and recommendations for future approaches to the problem.

1. Fighting Terrorism as International Crime

1.1. Definition of Terrorism

There is no consensus in the international community on how to define terrorism, a term politically and emotionally charged. Carlos Diaz-Paniagua, who was in charge of the negotiations of the Comprehensive Convention of International Terrorism, highlights this problem in his “Negotiating Terrorism: The Negotiation Dynamics of Four U.N. Counter-Terrorism Treaties, 1997-2005,” by advising that in order to create an effective legal regime against terrorism, it would be necessary to formulate a comprehensive definition of that crime, on the one hand, provid[ing] the strongest moral condemnation to terrorism activities while, on the other hand, ha[ve] enough precision to permit the prosecution of criminal activities without condemning acts that should be deemed to be legitimate. Nonetheless, due to major divergences at the international level on the question of the legitimacy of the use of violence for political purposes, either by states or by self-determination and revolutionary groups, this has not yet been possible.³

Various legal sources, international organizations and political figures provide their own definition of terrorism. Terrorist attacks are often defined as serious offenses punishable under national legislation by national courts.⁴ In November 2001, President

Bush expanded the definition of terrorism to include entities that “produce weapons of mass destruction.”⁵ Then Mary Robonson, then the U.N. High Commissioner for Human Rights, former U.N. Secretary-General Kofi Annan and former French Minister of Justice Robert Badinter all defined the Sept. 11 attacks as a crime against humanity.⁶ The 2004 Security Council Resolution 1566 defined terrorist acts as:

criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons,



*intimidate a population or compel a government or an international organization to do or to abstain from doing any act, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.*⁷

Sri Lanka, Algeria, India and Turkey all suggest treating terrorism as a crime against humanity. The United States, however, argued that terrorism should not be a crime against humanity under the jurisdiction of the International Criminal Court, citing four reasons: a) the lack of an official definition; b) the inclusion of terrorism might politicize the I.C.C.; c) some acts of terrorism are not serious enough to be prosecuted in the I.C.C.; and d) prosecution of terrorism by national courts can be more effective.⁸ Many developing countries emphasize the importance of distinguishing between terrorism and the fight for self-determination.⁹

This lack of a universal definition complicates the fight against and full identification of terrorist groups by the international community. Additionally, negotiations have effectively been deadlocked on ratifying the 1996 Comprehensive Convention on International Terrorism.¹⁰ Despite this, Security Council resolutions require the international community to fight against international terrorism that is a potential threat to international peace and stability, specifically resolutions 1267 (1999),¹¹ 1373 (2001),¹² and 1540 (2004),¹³ among others.

1.2. Resolution 1373

The most significant U.N. Security Council resolution on terrorism was Resolution 1373, unanimously adopted on Sept. 28, 2001, which says “states are obliged to take all measures under Chapter VII to suppress terrorism.”¹⁴ This resolution marks a shift in international law, as the Council automatically imposed it on all U.N. members. It also established the Security Council Counter Terrorism Committee (CTC) to monitor state compliance with the provisions of resolution 1373. The resolution calls on states to a) adjust their national laws accordingly, specifically “all states should also ensure that terrorist acts are established as serious criminal offences in domestic laws and regulations and that the seriousness of such acts is duly reflected in sentences served,”¹⁵ b) share

intelligence on terrorist groups; c) restrict immigration laws, specifically “before granting...refugee status, all States should take appropriate measure to ensure that... asylum seekers had not planned, facilitated or participate in terrorist acts.”¹⁶

1.3. Precedents Set by the United States

The arguments in favor of U.S. intervention in Afghanistan stem from its justification by using Resolutions 1268 (1999) and 1373. J.M. Spectar supports this point and believes that the United States developed a proper military response to terrorist threats within the framework of international law, specifically using Article 51 of the U.N. Charter regarding self-defense.¹⁷ The scale of the event, as well as the “green light” objection from the Security Council, justified the U.S. intervention as an act of war.

The opponents of this approach suggest that even though Resolution 1368 (2001) recognized “the inherent right of individual or collective self-defense in accordance with the Charter,” and that the Council expressed its readiness to act and “to combat all forms of terrorism”¹⁸ in paragraph 5 of its preamble clause, the United States did not wait for Security Council cooperation and assistance. Furthermore, in the first paragraph of the resolution, the 9/11 attacks are defined as a “threat to peace,” not as “an armed attack,” as the United States defined it.¹⁹ Italian jurist Antonio Cassese²⁰ argues that the U.S. response occurred almost a month after Sept. 11, constituting another violation of international law, and the United States attacked a country, not Al-Qaeda, which blurred the distinction between the 9/11 attackers (Al-Qaeda) and those who harbored them (the Taliban government of Afghanistan).²¹ Thus, the U.S. intervention in Afghanistan did not follow international law and procedure.

University of Denver professor Tom Farer speculates that “this deviant behavior and justification [for intervention in sovereign countries] can be copied by the other countries.”²² Farer discusses the possibility that if international actors copy such actions, deviant behavior can become the norm.²³ Furthermore, he asks whether countries could start a war on terrorists as a retaliatory act, using the United States as an example.²⁴ Joanne Mariner²⁵ offers an answer to this question: “We have set the precedent”²⁶ by violating human rights. She highlights that the reputation of the United States fell and it is much less of a model in terms of human rights. The United States



is pointing at other countries' violations of human rights, and, in return, the United States sees fingers pointing back at them. For instance, "when we were pointing at Mubarak's human rights violations, he pointed back at Guantanamo,"²⁷ where hundreds of detainees had been tortured by the United States. Naz Modirzadeh²⁸ presented a similar point of view, stressing that the 2008 Russian intervention into Georgia is a good example of how a state applied the bad example set by the world hegemon.

In 2003, Secretary General of Amnesty International Irene Khan delivered a speech mentioning that many governments, including the Russian government, justified their violations of human rights in the fight against terrorism as a way of providing security and liberty to their population. Thus, many dissidents worldwide, including Chechens in Russia, have been tortured in different parts of the world as a result of the so-called war against terrorism. Khan continues this point by referring to a 2002 massacre in Burundi,²⁹ during which almost 200 people died at the hands of armed groups and the military. President Pierre Buyoya, however, defended the actions of the military as the price for security.³⁰

Khan also referred to the Bush doctrine, which was used to justify the war in Afghanistan.³¹ The U.S.'s response to 9/11, by fighting a war, and by denying the applicability of human rights and liberties,³² has set a precedent to the international community. Russia is an excellent example of a country that did not waste time and applied this doctrine through its 2008 intervention in Georgia.

2. Russia's position on terrorism after 9/11

2.1. Initial Response and Cooperation with the United States

Russian President Vladimir Putin was one of the first world leaders to offer condolences and support to the U.S. president after 9/11. In his speech on the First Russian Channel, he stated:

What happened today underlines once again the importance of Russia's proposals to unite the efforts of the international community in the fight against terrorism, against this plague of the twenty-first century. Russia knows firsthand what terrorism is, so we understand more than anyone else the feelings of the American people. In the name of Russia, I would like to express our solidarity.³³

A few world leaders commented on this statement. Specifically, former U.S. national security adviser and geo-strategist Zbigniew Brzezinski mentioned that it was in Russia's interest to ally with the U.S. as the latter provided them with an opportunity to embark on "domestic errands"³⁴ in a legal manner.

Lithuania's Vytautas Landsbergis supports Brzezinski's point by saying, "This friendship will give time for the Putinist Russia to build a new military, weaponry, and new [world] force...[and] to get a nice cover for the Russian atrocities, even the Russian genocide in Chechnya."³⁵

Furthermore, the head of the Antiterror Foundation in Moscow, Ruslan Martagov, called the Sept. 11 attacks an "unexpected gift for Mr. Putin."³⁶ Before those attacks, Putin was perceived in the West as "[someone using aggressive jargon] like 'strangle, kill, wipe out,' whereas after the events of September 11 he managed to enter the league of those combating international terrorism."³⁷

Since the terrorist attacks of Sept. 11, 2001, Russia played a key part in the efforts of the Bush administration to build an international coalition to conduct the war on terrorism. In May 2002, Russia signed an agreement in Pratica di Mare, which created a new mechanism for cooperation within the Russia-NATO Council to combat terrorist activities.³⁸ Putin also offered cooperation with the U.S. invasion of Afghanistan and opened Russian airspace to humanitarian flights.³⁹ But like many European leaders, he openly opposed the U.S.-led invasion of Iraq in 2003 and has called for the withdrawal of foreign troops from the country, straining relations with Washington. And by maintaining working ties with Iran – a country once described by Washington as a point on the "axis of evil" – Putin has clearly shown that his agenda for the global war on terror is not perfectly parallel to that of Washington, D.C.

2.2. Implementation of Resolution 1373

Even though Resolution 1373 was automatically imposed on all U.N. members, Russia decided to go even further by transforming it into a national law. On Jan. 10, 2002, President Putin translated the resolution into Russian and enacted this translation as a law, called The Decree of the President of the Russian Federation No. 6 on Measures Towards the Implementation of the U.N. Security.⁴⁰ Putin's enthusiasm, however, could be explained not by his passion to fight international terrorism, but by finally receiving the chance to "fix" his domestic errands, such as fighting the Chechens.⁴¹ Chechnya is a valuable territorial asset to Russia, as it possesses oil and has access to the sea; therefore, Russia does not want to "let such a piece to go."⁴² Significantly, however, many in the Chechen population (including radicals and extremists) no longer wanted to be part of the Russian Federation. To combat this, Russia now had the precedent of a U.S.-created military response to terrorism, which it could adopt



and use in its operations in Chechnya.

2.3. Chechnya

2.3.1. Terrorism before 9/11

Before the 9/11 attacks, Russia experienced several terrorist attacks by Chechen militants, such as the hospital takeover in Bydionnovsk (1995) and bombings in Moscow (1999), among others. In July 1995, radical Chechen militant Shamil Basayev, with a team of 80-200 terrorists, intruded into the city of Bydionnovsk and captured up to 2,000 civilians, keeping them hostage at the city hospital. The terrorists hung their Chechen flags everywhere and issued an ultimatum to Russia to stop the First Chechen War (1994- 1996). They threatened to kill the hostages unless Russia complied with this ultimatum and commenced direct negotiations with the Chechen regime.⁴³ Not paying attention to the threat, Russia used military and police sources, including the Federal Security Service (FSB) and Alpha Group, to cope with that crisis. The Chechens then began killing civilians and used them as shields to show the seriousness of their intentions to Russia and the rest of the world. The Bydionnovsk hospital hostage crisis ended with a ceasefire between the Chechens and Russians that marked the beginning of their negotiations.⁴⁴

In 1999 there was another series of bomb explosions that destroyed apartment buildings in Moscow (Sept. 9 and 13), Buinaksk (Sept. 4) and Voldodonsk (Sept. 16). More than 200 people died and more than 1,000 were injured. Moscow called the bombings “terrorist acts,” labeling the Chechens as the culprits, and began Russia’s Second Chechen War (1999-2009). The film *Disbelief – 1999 Russia Bombing*⁴⁵ and Alexandr Litvinenko’s⁴⁶ publications, *Blowing Up Russia: Terror from Within* and *Lubyanka Criminal Group*, present a conflicting version of the September 1999 events. In these sources, the Russian secret service is said to be responsible for the apartment bombings in an effort to bring Putin to power. The journalist John Sweeney⁴⁷ also supports this interpretation and believes that the FSB planned the explosions in Moscow and “blamed them on the Chechens terrorists.”⁴⁸

2.3.2. Chechen Attacks after 9/11

In response to the First and the Second Chechen Wars, Chechen extremists organized a series of attacks on civilian populations in various cities all over Russia. In October 2002, for instance, the Chechen rebels, mostly black widows,⁴⁹ stormed a Moscow theater and took almost 900 people hostage. The purpose of this hostage crisis, also known as the Nord-Ost crisis,

was to issue an ultimatum to the Russian government to stop the Second Chechen War. The Nord-Ost crisis ended unsuccessfully for the Chechens; 129 civilians who died during the Russian rescue operations.⁵⁰

Attacks have continued. On Aug. 24, 2004, 39 people died and more than 100 were injured in subway bombings in Moscow.⁵¹ In September of the same year, more than 300 people died “after the Chechen rebel sympathizers seized a school in the southern Russian city of Beslan.”⁵² The most recent attack by the Chechen rebels was the 2010 Moscow subway bombings, which resulted in the death of at least 38 civilians and the injury of more than 60.⁵³ Islamist extremist Doku Umarov claimed responsibility for organizing the attacks and warned that attacks will continue unless the Russian government grants independence to the Muslim republics in the North Caucasus.⁵⁴

2.3.3. Russian Response: Mass Violations of Human Rights

On Sept. 24, 2001, in his televised address, Putin described the 9/11 attacks as “global Chechnya” and compared the civilized world (Russia) with the uncivilized world (Chechnya) – a response similar to that of President Bush. Since 9/11, the Russian- Chechen conflict has been presented almost exclusively as “Russia’s frontline in the international war on terrorism ... and all Chechens who oppose Putin’s policies in Chechnya are called and treated as ‘terrorists and bandits.’”⁵⁵ Additionally, in the aftermath of the Beslan tragedy, Putin pushed through Parliament a package of purported antiterrorism measures that considerably extended the Kremlin control over Russia’s sprawling regions. These measures included the abolition of popular elections of regional leaders, replacing them with Kremlin appointees.⁵⁶

As a result of the GWOT, Arabs and Asians became easy targets of Islamophobia in Russia.⁵⁷ Bush’s comparisons, such as “good and evil,” “you are with us or against us” and “the axis of evil” set the tone of the war on terror that Russia gladly applies to its minorities. This Islamophobia led to discriminatory behavior by Russian police toward Russian Muslims. The media also depicted Muslims negatively, leading to discrimination by the larger Russian population. The media thus “played into this [governmental] strategy, dehumanizing and demonizing refugees, asylum seekers, foreigners, and even foreign-born citizens. Those who need their rights protected the most become the ones most targeted for attacks.”⁵⁸

In response to the terrorist attacks, “organized mostly” by the Chechens (according to Russian media sources), the Russian army often raids refugee camps and arrests “suspected



rebels” (despite the fact that those actions compose serious human right violations). For instance, after the 2004 Moscow subway bombings, the Russian military took refugees from camps in Ingushetia “in revenge for our [Russia’s] metro... [because] it is our payback time,”⁵⁹ as Putin commented. Moreover, Deputy Head of the Parliament Security Committee Victor Yukon commented on those actions by saying that “our special forces are working on finding terrorists and destroying them.”⁶⁰ In fact, as a result of 200 Russian “cleansing operations,” many Chechen people disappeared without any trace, and those who remained in the refugee camps lost everything that they possessed (e.g., gold, valuable items).⁶¹

The guilt of the abducted Chechens, however, was never proven. In fact, the majority of them were most likely innocent; their only guilt was having been born Chechen.⁶² According to Human Rights Watch and Amnesty International (AI),⁶³ the ongoing operations against the Chechens constitute human rights violations. Head of the Chechen Committee for National Salvation calls the Chechen atrocities “genocide” and encourages the international community to act.⁶⁴ However, even though the international community knew about the situation in Chechnya, they cared more about their economic or military interests in the region. For example, when Irene Khan met with the Foreign Minister of Germany in 2002 and mentioned to him the AI’s findings on Chechnya, the foreign minister replied that he could not do anything about it as Germany was using “the military facilities in Daghestan for its operations in Afghanistan.”⁶⁵

Only one Russian atrocity in Chechnya was officially condemned. Russian officer Yuriy Badanov was punished for committing war crimes after he raped an eighteen-year-old Chechen girl. Despite the conviction, he became a hero in Russia.⁶⁶ Putin’s Chechen campaign has huge support among the Russian population, who believe that Putin is doing everything needed to guarantee the security of the country. Director of the Moscow Institute for Political Studies Sergei Markov praises the Chechen campaign for its successes and recommends that the U.S. should “study the Chechen campaign carried out by [the] Kremlin and take lessons from it.”⁶⁷ Others, however, contended it is the war(s) in Chechnya that have fueled extremism and thus terrorists in Russia.

Despite mass human rights violations and the deaths of innocent civilians, the international community has not acted and a satisfactory resolution to this conflict appears distant. Russia’s attempts at the “Chechenization” of the conflict appear to have transformed into “Palestinization.”⁶⁸

2.4. Georgia

2.4.1. The Peculiarities of the 2008 Russo-Georgian War

Precedent set by the U.S. post-9/11 also has echoes in Russia’s 2008 incursion in Georgia. A few days before the start of the 2008 Russo-Georgian conflict, Putin stated, “Russia ha[s] the right to launch preemptive strikes against foreign countries if it [feels] that a terrorist threat [is] emerging there.”⁶⁹ Soon afterwards, Putin claimed that the terrorists responsible for the bombing of the Russian apartment buildings were located on Georgian territory. Russia invaded Georgia on Aug. 8, 2008.

Georgian President Mikheil Saakashvili blamed the start of the war on Russia, providing a taped phone conversation as proof. Russian Foreign Minister Sergei Lavrov, however, responded that the Russian military acted as “peacekeepers” and that “this tape is nonsense.”⁷⁰ Despite the argument on who started the war, Russian intelligence did an excellent job of preparing for a successful attack by the Russian military. First, former KGB financial department officers⁷¹ were appointed to most of the ruling positions in South Ossetia. Then, Russia’s siloviki (“men of force”),⁷² who became extremely important under Putin and were used for foreign and defense policy, strengthened Russian military capacities in Georgia. South Ossetia then kept the name “KGB” for its national intelligence agency as a way of reminding the population of “good” Soviet times.⁷³ Finally, Russia provided South Ossetians with Russian passports, which guaranteed local support by the population when Russia intervened militarily.

The war, in which, according to the Russian media, the Russian forces were “fighting for their motherland,” lasted only a few days. Russia bombed the Georgian military next to the Roki tunnel,⁷⁴ deployed warships to occupy Georgia’s Black Sea coast, and ground forces to occupy several Georgian cities. Georgia’s defeat was swift because its intelligence and military were woefully unequipped, while Russian intelligence also made some exceptionally deceitful moves: a facade that Russia wanted to attack Tbilisi, to disguise its attacks on Kodori and Gorge,⁷⁵ and a recommendation by Russian “peacekeepers” for Abkhazia to make the UNOMIG observers leave.⁷⁶ Russia used another effective move, as analyzed by U.S. analyst Robert Kagan, in that they encouraged South Ossetian rebellions, providing local rebels with weapons. They tricked Saakashvili into “[falling] into Putin’s trap.”⁷⁷ Georgia attacked South Ossetia first, without realizing that the South Ossetians were well-prepared and supported by Russia. This made Georgia look like the aggressor.



2.4.2. The End of the Military Operation

On Aug. 8, Russian President Dmitry Medvedev announced the end of Russian operations in Georgia, claiming that peace had been achieved and the “aggressor” punished. Various international observers provide different explanations of Russia’s intervention in Georgia, which include “coercing Georgia to accept Russian conditions on the status of the separatist regions, relinquishing its aspirations to join NATO”⁷⁸ and replacing Saakashvili as president.⁷⁹ Another reason for the military intervention in Georgia, offered in the CRS Report for Congress, was punishing the West for recognizing Kosovo’s independence, “for seeking to integrate Soviet successor states (which are viewed by Russia as part of its sphere of influence) into Western institutions such as the E.U. and NATO,”⁸⁰ and for building oil pipelines that will bypass Russian territory.

2.4.3. Russia’s Reasons for Intervention in Georgia

Russia provided two arguments justifying its intervention in Georgia:

- We are not intervening first, but rather responding to “bad acts” by the Georgian government;
- We have a right to defend our “co-national.”⁸¹

International law scholar Chris Borgen finds a few problems with these justifications. First, a few years after Russia called NATO’s intervention into Kosovo illegal, they used the same reasoning to intervene in Georgia.⁸² He suggests the change of position is simply useful as a way for Russia to attempt to justify its actions in Georgia as peaceful. Borgen also questions the Russian claims that they acted as “peacekeepers”⁸³ while authorizing bombings on Georgian territory. He further points out that the pre-existing secessionist conflict as an internal conflict should have been settled without intervention by a third party. Russia acted as such in the case of both Georgia and Ossetia.

2.4.4. International Response to Russian Actions in Georgia

While the international community participated in a peace plan, few countries were willing to endorse Russian actions. French President Nicolas Sarkozy came up with the European Union peace plan, which was endorsed by Medvedev. The plan called on both sides to stop hostilities and pull their troops back to their pre-conflict positions. Interestingly, this plan also allowed the Russian “peacekeeping forces” to remain on Georgian territory to maintain peace and security in the region.⁸⁴ The Security Council tolerated the Russian intervention because Russia is a P5 member,⁸⁵ so any condemnation would have

failed. This fact contributed to Russia’s actions in Georgia. On Aug. 25, Russia recognized the independence of Ossetia and Abkhazia, based on claims of “humanitarian reasons,” supported by Tuvalu, Kiribati and Vanuatu. University of Auckland foreign policy expert Stephen Hodli, however, asserts that Russia paid those countries for their official recognition of Ossetia and Abkhazia.⁸⁶

The United States, meanwhile, strongly supported Georgia. On Aug. 13, President Bush put Defense Secretary Robert Gates in charge of U.S. humanitarian aid shipments to Georgia and made Secretary of State Condoleezza Rice responsible for assisting Georgia with its peace process. On Sept. 3, Secretary Rice announced a \$1 billion aid plan for Georgia, and on Sept. 4, Vice President Dick Cheney visited Georgia and reaffirmed continuing support. During the conflict itself, several members of the U.S. Congress visited Georgia and “pledged ongoing U.S. support for Georgia’s independence.”⁸⁷ Interestingly, the United States did not intervene to prevent the conflict; it just observed how Russian “peacekeepers” were maintaining peace and security in the region. Over a five-day period, they had killed more than 200 civilians and injured more than 500.

2.5. Control of the Russian Media Source and Political Posturing

Russia’s version of the events in Chechnya and Georgia were also portrayed in a positive light because the Russian media is controlled by the government and security services.⁸⁸ For instance, journalists have not been able to report freely on the conflict in Chechnya since the Second Chechen War began,⁸⁹ and access to the country was also closed to international humanitarian organizations. Ingushetia was also off limits to media. Those who revealed the truth covered their identities for fear of “disappearing” or being “found dead.”⁹⁰

A Russian soldier in Georgia recalled his participation in the “peacekeeping” operations in the country. He said that the lack of food and money during those operations made soldiers steal, drink lots of vodka (“no one could stand much pressure”), and kill each other and civilians.⁹¹ He said Russian state-controlled television depicted the soldiers as brave troops, who were fearlessly fighting in Chechnya to restore the regime. He finished by saying, “They were lying.”⁹²

Russian media sources also often use denial and deception to produce mixed signals for Russian opponents.⁹³ For example, during the South Ossetian conflict, the Russians accused Tbilisi of “trying to recruit other Russians of Georgian ancestry by threatening their relatives.”⁹⁴ Another accusation against



Georgia was made by the Russian Foreign Ministry: "Saakashvili's regime suffers from chronic spy mania and an anti-Russian bias."⁹⁵ Additionally, state-controlled media portrayed Putin as the dominant figure in the Russian government, because he "suggested the courses of action to Medvedev" and was in charge of the military operations in Georgia.⁹⁶

2.6. Is Russia a weapons supplier for terrorists?

Russia also fuels terrorism inadvertently because it is a source of weapons for terrorists and rebels from South Asia, such as Al-Qaeda.⁹⁷ The weapons are available due to unsatisfactory border controls and high-level corruption.⁹⁸ Another opportunity that exists in Russia for terrorists is creating a so-called dirty bomb because the components are accessible and cheap, and the bomb is easy to assemble. For example, in preparation for a terrorist assassination attempt on Putin in Odesa, Ukraine, three terrorists were creating a "dirty bomb" in their apartment. It exploded due to their inaccuracy and lack of skills. Special Forces from Ukraine and Russia apprehended Adam Osaiev, Mr. Piazin, and Ryslan Madaiev for the attempted assassination; they arrived in Ukraine from the United Arab Emirates.⁹⁹ They received instructions from Doku Umarov, an Islamist leader and Russia's most wanted man, who claimed responsibility for the January suicide bombing of Moscow's busy Domodedovo airport, "an atrocity that left thirty-seven people dead."¹⁰⁰

Conclusion

The Sept. 11 attacks changed the world's perception of terrorism and the possible ways to combat it. The United States used a war framework to respond to the terrorist attacks. Those actions have set the precedent for a military response to terrorism, thereby encouraging Russia to use a similar framework for its domestic (e.g. fight against the Chechens) and international challenges (e.g. its 2008 intervention into Georgia).

Additionally, the actions of these influential nations have raised the concern that such behavior might be adopted by developing countries, leading to disastrous results. Russia is fighting a war with terrorists (at least vis-à-vis Chechnya) in order to provide security to their populations. But as Khan highlights in her speech, it is important not to fight "terror with terror."¹⁰¹ Fair trials of suspected terrorists, as well as respect for human rights, need to be part of the effort. Both the U.S. and Russia could heed these recommendations and set new precedent for the international community to follow.

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Mediation During the 2008 Russo-Georgian Conflict

by Livinia Mouries

In 2008, rising tensions between Georgia and the separatist region of South Ossetia provoked a five-day military conflict opposing Georgia, on the one side, to Russia and the separatist regions of South Ossetia and Abkhazia on the other.

The Russo-Georgian conflict was the culmination of long-held animosities between the two countries. Ever since the Russian Empire had engulfed and annexed Georgia in 1881, Georgia had started expressing “feelings of “national liberation and modern democratic statehood,”¹ which, despite Bolshevik repression, eventually resulted in Georgia’s declaration of independence of April 1991.

Following Georgia’s independence, the Russian Federation actively tried to “establish a privileged zone of interest in its ‘near abroad,’ where developments and events thought to be detrimental to Russia’s interests were not easily accepted.”² As such, many have argued that Russia was partially responsible for fostering a deadlock in the conflict opposing the pro-Western Georgia to the pro-Russian separatist regions of South Ossetia and Abkhazia, and brought active support to the insurrectionists.

Due to the instability in the region, the Group of Friends of Georgia was established in 1997 in order to promote peace between Georgia and Abkhazia. Members included European countries such as the United Kingdom, France and Germany, as well as the United States and Russia. The latter became the main peacekeeper and facilitator in Georgia, with a policy that the Georgian government criticized as being “not peacekeeping, but keeping in pieces.”³ On the other hand, under the leadership of Georgian President Mikheil Saakashvili, many European countries established close ties with Georgia.

Despite peace efforts, Georgia saw “the territorial integrity of their country and the reintegration of Abkhazia and South Ossetia [as] a matter of unquestionable national consensus,”⁴ and Russia believed that non-Georgian citizens residing in the separatist regions, many of which were offered Russian passports, “were to be protected as ‘Russian citizens’ against possible ‘Georgian aggressions’.”⁵

As a result, on Aug. 7, 2008, after tensions and fighting started in South Ossetia, Georgia responded by launching a military attack in order to regain control over South Ossetia; Russia soon intervened by sending troops against the Georgian army, and quickly entered and occupied Georgian territory.

Georgia declared that the military response was defensive in nature, and aimed at protecting its peacekeepers and citizens from South Ossetian attacks, and eventually aimed at resisting Russia’s illegal and unjustified “large-scale invasion on Georgia’s sovereign territory,”⁶ which was a breach of Georgia’s “political sovereignty and territorial integrity.”⁷ Russia, on the other hand, claimed that the military attack aimed at defending Russian citizens of South Ossetia against an aggressive invasion from Georgia.

Recognizing that the situation was quickly deteriorating, French President Nicolas Sarkozy, under his presidency of the Council of the European Union, decided to intervene on behalf of the European Union and act as a third party in an effort of mediation.

Berridge explains that, “mediation is particularly necessary in long, bitter disputes in which the parties are unable to compromise [...] [and] retain the most profound distrust of each other’s intentions, where cultural differences present an additional barrier to communication, and where at least one of the parties refuses to recognize the other.”⁸ The mediator must be impartial and must actively search for a settlement, which typically “means drawing up an agenda, calling and chairing negotiating sessions, proposing solutions, and [...] employing threats and promises in order to promote resolution.”⁹ Under this definition, Sarkozy was seen as an efficient impartial third party, whom stood in contrast “to the failure of the international community, including the U.N. Security Council.”¹⁰

During the Russo-Georgian conflict, Sarkozy’s mediation efforts led, on Aug. 12, to a six-point ceasefire agreement negotiated between Russian President Dmitry Medvedev and Georgian President Saakashvili. The two parties agreed to “refrain from the use of force,” “end hostilities definitively,” “provide free access for humanitarian aid,” and while Georgian forces agreed to “withdraw to their usual bases,” Russian forces agreed to “withdraw to the lines held prior to the outbreak of hostilities,” as well as organize peacekeeping forces to “implement additional security measures.” Lastly, both parties agreed to open talks about the situation of Abkhazia and South Ossetia, both of which signed the plan on Aug. 14.¹¹

In September of 2008, due to the persistent and continuous efforts of Sarkozy, a follow-up agreement was signed in order to discuss in greater detail the ceasefire plan. Sarkozy wanted to



ensure the withdrawal of armed forces and the establishment of monitoring mechanisms. As such, international observers were deployed from the European Union, and Sarkozy called for international monitors to replace Russian peacekeeping forces. In 2011, Sarkozy made an additional visit to Georgia after the country complained that Russian troops had not pulled back to pre-war positions to which Sarkozy responded: "France sees Russia as its friend, as a strategic partner. But to restore confidence, threats, intimidation, and attempts to destabilize (the situation) are fully unacceptable."¹²

Sarkozy's involvement was recognized as the president's "great moment,"¹³ but was also undeniably recognized as the French president's move to promote his own leadership. Berridge explains that, "the most important mediators in international relations are states [...]. The major powers see mediation as a means of generally raising their prestige."¹⁴ Indeed, many have argued that by brokering a deal Sarkozy was regarded as "one of the important world leaders. The crisis allowed him to gain a larger scale."¹⁵ During the Sixteenth Conference of the Ambassadors, Sarkozy himself stated that his diplomatic victory "showed that the E.U. could, if it wanted to, be a first-line actor in conflict resolution [and] that the European Union had emerged as a major player even in regions where one would not expect the E.U. to be active."¹⁶

Thus, it is clear that Sarkozy was an efficient leader in halting a conflict that was endangering the Caucasus' stability, but it is also evident that the French president used his role as an impartial actor in a conflict involving two countries that had maintained good relations with France to promote his and the European Union's leadership.

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photo by Matt Becker



photo by June Vutrano



Education of Afghan Girls

by *Caroline Dzeba*

When the Taliban regime fell in 2001, Afghan girls had the first opportunity in recent memory to consistently attend school. While this step was monumental, nearly twelve years later, girls pursuing an education in Afghanistan still face extreme odds. Afghan society in general supports traditional gender roles – and extremist segments of this society take this as their cue to brutally squash attempts at gender equality and wildly discriminate against women. Notwithstanding the broader abuses of women’s rights in the country, the Afghan government has taken steps to ensure the education of girls, and has faced extraordinary challenges in this particular realm. However, the Afghan Ministry of Education continually falls millions of dollars short of securing a working budget for Afghan schools and the small proportion of girls who are not too poor, or live not too far away from a schoolroom, must confront physical blockades in their quest for education. Poisoned drinking water, acid attacks and suicide bombings are just a sample of the tactics recently used by Taliban members and other extremists that vehemently oppose girls’ education.

The United States has supported Afghanistan’s stated commitment to women’s rights and the right to education in particular, but policies undertaken in the past ten years have lacked effectiveness in realizing the goal of education for all Afghan girls. Prioritizing education for all, and in so doing emphasizing gender equality, will strengthen Afghan society & Afghanistan’s relationship with the international community. In this memo I will describe the current status of education for Afghan women, and make recommendations for U.S. foreign policy on this issue.

Educational Opportunities for Afghan Women: 2001 – Today

Under the Taliban, educational opportunities for young Afghan girls and women were bleak. 6.4 percent of all school-aged women were enrolled in school by 2001, and the vast majority of schools have been closed.¹ The opposition to education for women was contextualized in a society where women’s rights were routinely ignored.

Taliban defeat in 2001 and the consequent military occupation of Afghanistan by US and allied forces occasioned a gradual but promising reversal in the fortunes of Afghan women. The Constitution adopted by the government in 2004 guaranteed

equal rights for men and women and required Afghan girls attend school.² However, while the letter of the law has changed dramatically, the spirit of Afghan society is slow to recognize the rights of women.

A report in March 2012, by Human Rights Watch condemned the government’s failure to curtail discriminatory practices such as forced marriages for girls as young as 10 and imprisonment of girls for “moral crimes” such as running away from home or zina, defined as “sexual intercourse by two individuals who are not married to each other”.³

In such a context it is not a stretch to imagine the hurdles girls face in pursuit of an education. While nongovernmental organizations have identified factors such as poverty, insecurity and lack of infrastructure - namely, school buildings - as obstacles for all school-aged children, girls face unique barriers. Early or forced marriage, lack of family and community support and lack of female teachers are all factors described as preventing access to girls’ education.⁴ Particularly because of the Afghan cultural tradition that disapproves of women mixing socially with unrelated men, schooling can be prevented by a family or community that disapproves of girls associating with unrelated male teachers and classmates.⁵

Even in the face of such roadblocks, great progress has been made since 2001, with the training of 100,000 new teachers and construction of 4,000 schools.⁶ The new government’s Back to School program increased total student enrollment from 900,000 to 6.7 million, and female enrollment grew from 5,000 under the Taliban to 2.4 million in 2011 (see Figure 1, Appendix).⁷ Afghan Ministry of Education spokesman Abdul Sabour Ghofrani announced that “All Afghans, including those in armed opposition to the government, support education for the children of this country and we see no opposition from anyone to girls’ education,” suggesting that the Taliban had at least informally shifted its policy in prohibiting female education.⁸ However, attacks against schools – particularly those serving female students – point to the opposite conclusion. In 2011, there were 185 attacks on schools or hospitals, which marked a decline from the 283 attacks on schools in 2008 (see Figure 2, Appendix).⁹

The gains in access to education for girls in Afghanistan are promising, and no statistics are more encouraging than those describing the desires of young Afghan women for education. In



the 2011 Joint Briefing Paper, *High Stakes: Girls' Education in Afghanistan*, 71.8 percent of interviewees wanted to continue their education, 61.4 percent wanted to obtain a university degree and 50.8 percent of parents wanted their daughters to attend and complete a university degree.¹⁰ Given the facts, what should the United States' foreign policy position be? I next critically investigate past U.S. policy actions and recommend future pathways to success.

U.S. Policy on Women's Education in Afghanistan

The State Department's chief instrument of policy on girls' education in Afghanistan has been the U.S. – Afghan Women's Council (USAWC). Formed jointly in 2002 by then-U.S. President George W. Bush and Afghan President Hamid Karzai, the USAWC funded scholarships and literacy promotion, instruction in artisan-based employment and business and management training as well as fostering mentoring and leadership exchanges for Afghan women.¹¹

At the 10th anniversary of USAWC last March, Secretary of State Hillary Rodham Clinton applauded the program for the impact the American people and private sector had made in supporting Afghan women through USAWC initiatives.¹² Clinton stressed that though "many are worried that in whatever future negotiations that might occur, women, their rights, their roles, and their concerns will be sacrificed, and the old days will return [...] the United States cannot and will not let that happen."¹³

However noble the goals of the USAWC, it is disappointing that women's rights do not figure more prominently in U.S. foreign policy toward Afghanistan. At the NATO summit last May in Chicago, during discussions about the transfer of responsibility for Afghanistan from international to domestic control, no mention was given to education for girls, or to any substantive women's issues for that matter.¹⁴ Neither was the role of education for women mentioned at the Bilateral Commission hosted by Secretary Clinton October 3.¹⁵

The failure of the Department of State to recognize the fundamental importance of allowing girls access to education is troubling. While diplomats pay lip service to this right, Afghan President Hamid Karzai supported the Ulema Council's edict last March stating that women are secondary to men.¹⁶ The Afghan government's flouting of international laws that demand equal rights for women, including equal access to education, is

unacceptable and weakens both the state's civil society and the international community it hopes to rejoin by 2014.

USAID's education program in Afghanistan has a three-pronged approach to address educational issues in the Afghan state. The international development branch of the U.S. government seeks to support basic education, support higher education and promote literacy. Education for women is an overarching goal to each of these missions. Working in partnership with the Ministry of Education to help adult Afghans catch up on years of missed schooling, USAID supported accelerated remedial learning programs for 7000 women. In a project critically important to encouraging female students to attend classes, USAID trained more than 16,000 female teachers, and used a community-based education project to bring lessons to over 70,000 girls living in remote areas without schools. USAID reported that 37 percent of all Afghan students are female, and is working to encourage women to enter the field of teaching, as well as pursuing university degrees. Eight women were part of the first graduating class of the American University of Afghanistan in 2011.¹⁷

While USAID has made strides in promoting access of education for girls – addressing factors that prevent Afghan girls from attending school, like lack of female teachers and location in remote areas – their progress has slowed in recent years under the persistent threats of Taliban opposition. Around 500 schools have been closed after intimidation by the Taliban, drawing consternation of nongovernmental organizations like the Humanitarian Assistance for the Women and Children of Afghanistan (HAWCA).¹⁸ HAWCA Director Selay Ghaffar points to the fundamental importance of girls' education to the stability of Afghanistan as a state and as a member of the international community: "If half of the population are not educated and are not part of the economic sector, the education sector, then how can we manage to have a peaceful, democratic society?"¹⁹

USAID also faces problems via the Afghan government's mismanagement of funds. In 2008, for instance, the Ministry of Education was \$216 million short of its necessary budget.²⁰ By neglecting to address corruption in the Afghan government efficiently, more and more funds are being allocated away from the critical goal of education in general and women's education specifically.



Policy Recommendation: Contextualize the Issue in International Law

The United States must increase pressure on the Afghan government to conform to international treaties and regimes governing rights of women and rights of girls to education. The stability of Afghanistan as an actor in the international system will necessarily stem from Afghanistan's domestic stability. Without ensuring and enforcing the fundamental rights of women, particularly by guaranteeing the right of young women to attend school, Afghan domestic society is crippled and the state cannot reach its full political or economic potential: the exclusion of half the population from access to education stymies progress. Afghanistan has ratified the United Nations treaties the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). These international law treaties can work to constrain practices, like preventing girls' access to school, that threaten domestic, regional and international stability. Incentivizing Afghan cooperation on this issue will make the Afghan government a comfortable and familiar player in international organizations such as the United Nations, and can in turn create more incentives for the Afghan government to cooperate on many issues in the international community.

The United States must encourage conformity to the laws set forth in the Convention on the Rights of the Child. Article 28 (a) of the CRC states that States Parties must "make primary education compulsory and available free to all."²¹ The 2004 constitution already made primary education required for girls, but more pressure must be placed on the government to address the intimidation tactics of the Taliban and other extremists to safeguard the young women who will be attending school, as well as their teachers, both male and female.

The United States must also demand compliance with the Convention on the Elimination of All Forms of Discrimination against Women. Article 10 of CEDAW stipulates that States Parties must "eliminate discrimination against women in order to ensure to them equal rights with men in the field of education." Again, CEDAW falls in line with Afghanistan's 2004 constitution, and it should be U.S. policy to encourage Afghanistan to comply with CEDAW as it has already ratified the treaty.

The United States must recognize that the treatment of girls and women in Afghanistan is an inextricable component of Afghan stability: their mistreatment represents a national security threat for America. Former U.S. Secretary of State Madeleine Albright recently expressed her dismay at the lack of

discussion of women's issues during the 2012 NATO Summit: "Still the discussion of women's issues and women's protection within the international system always seems to be an afterthought, when the bottom line is that the way women are treated is central to American foreign policy."²² Albright and others recognize that if women are denied rights in Afghanistan, this destabilizes the entire country and makes the international community more vulnerable. Now that human rights have become the hegemonic discourse, it is the vital interest of the United States to uphold international regimes governing them.

Policy Recommendation: Divert Aid from the Afghan Military to Afghan Schools

Although USAID's successful program increased the proportion of female teachers in Afghanistan, there is still much progress to be made. 26.4 percent of girls interviewed in the Joint Briefing Paper "High Stakes: Girls' Education in Afghanistan" reported that lack of a female teacher was a major barrier to education. Further, the Afghan Ministry of Education is seriously lacking in buildings to house students. Investing in resources like female teachers and infrastructure to facilitate young women's attendance at school will bring positive results to the Afghan state – not least by promoting the domestic stability and increased economic productivity occasioned by women joining the workforce in a meaningful way in greater numbers.

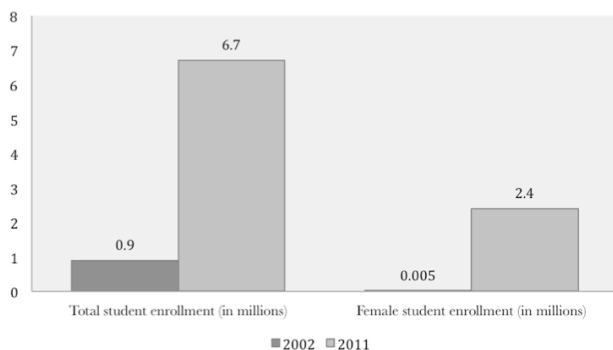
The loss of millions of dollars destined for the Ministry of Education discussed above is just one example of corruption in the Afghan government hurting the needs of the Afghan people. By instituting stricter accountability in aid dealings with Afghanistan, USAID can be more successful in furthering its mission to increase accessibility of education for all Afghans, including young women. Furthermore, by carefully monitoring how and where funds are spent, less money will be diverted from military spending while still managing to prepare both a stable Afghan army and an educated population before the exit of the United States in 2014.

The education of Afghan girls needs to be a priority for the United States' foreign policy in Afghanistan. By increasing pressure on Afghanistan to align its domestic legal and educational system to international standards, the U.S. can help to create a more stable – and thus safer – Afghanistan for the Afghan people and for the international community. The obvious weakness in the aforementioned policy suggestions is that the United States opens itself to accusations of hypocrisy by urging Afghanistan to comply with two international conventions – CRC and CEDAW –



which the U.S. itself has not ratified. However, the articles in each convention pertinent to the education of girls are followed in American society, despite the non-ratification. The potential benefits of the U.S.' pressure on Afghanistan to comply with international law outweigh the risks of damaging American reputations (and egos). By modifying spending and emphasizing the importance of international law, America can take a leadership position in promoting a single policy issue – the education of Afghan girls – that can lay the foundation for a

Figure 1. Post-Taliban Gains in Afghan Education: The Back to School Program²³



Attacks on Schools & Hospitals in 2011

- IED and suicide attacks
- Burning of schools
- Intimidation of educational personnel
- Forced closures of schools
- Killing of educational personnel
- Abduction of educational personnel
- Looting

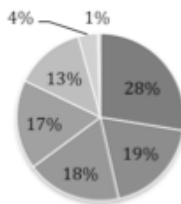


Figure 2. Attacks on Schools & Hospitals in 2011.²⁴

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photo by Matt Becker



Iran's Nuclear Ambitions

by Karim Shanahan

Iran's defiance of the international community in its bid to develop nuclear weapons technology has resulted in a crisis with long-reaching effects. As Iran continues to inch closer to enriching uranium sufficient to create a viable weapon, the region is faced with an uncertain future. This paper will construct and deconstruct three diverging future scenarios pertaining to the Iranian nuclear program. The main endgames are obvious— Iran will either develop the ability to build a nuclear weapon, or the international community will thwart its efforts. The plausible contingencies presented in this paper will analyze the various drivers and implications that lead to and/or result from each endgame.

Sources of Possible Change

Presently, there are several significant factors driving state behavior and shaping the future of Iran. These drivers include, first and foremost, the burgeoning nuclear program; international sanctions and the health of the Iranian economy; and Iran's foreign policy and status within the region and the world.

Iran argues that, as a party to the Nuclear Non-Proliferation Treaty (NPT), it has the undeniable legal right to enrich uranium for peaceful, civilian purposes. For the last decade, the international community has been suspicious of Iran's true intent in developing nuclear technology, with many believing the government's long-term goal is the production of nuclear weapons. Iran has encouraged these doubts by failing to comply with certain NPT guidelines and by stonewalling the International Atomic Energy Agency (IAEA) inspectors. The discovery of well-fortified nuclear facilities buried underground and in mountains has left Israel and the United States with little doubt that Iran's true intention is to shield itself from attack until it has successfully become a nuclear power.

The strength of Iran's economy plays a vital role in the behavior of both the state and its people. The U.N. Security Council has imposed sanctions on Iran in response to its nuclear defiance. The European Union agreed to enact an oil embargo, depriving Iran of one of its primary oil purchasers. The primary goal of these actions is clear — to economically isolate Iran to such a degree that it can no longer bear to continue on its current course, forcing it to scale back its nuclear program. As sanctions tighten and Iran's currency plummets in value, the United States

and its allies hope that the wrath of an angry Iranian public might pressure the government to comply with the international community's request, or, perhaps, produce regime change.

The foreign policy implications of becoming a nuclear power are encouraging Iran to stay on their defiant course. Currently, the government finds itself virtually surrounded by American military personnel stationed in neighboring countries and the Persian Gulf.

Geographically, it sits between two nuclear powers — Pakistan, a Sunni dominant state, and Israel, its most recognized and avowed enemy. Iran's only known Arab ally in the region is Syria, which is presently consumed by instability and civil war. Iran urgently wants to assert itself as a regional power, while simultaneously possessing a viable deterrent against Israel, the United States and other foreign states.

Scenario 1: Israeli-U.S. Military Action Against Iran

Frustrated with the inability of sanctions and viewing a nuclear Iran as an existential threat, Israel launches an attack on Iranian nuclear facilities. The attack results in a preventive war against Iran with Israel backed by American military power. Iran responds by attacking Israeli and American interests, as well as by closing the Strait of Hormuz, with devastating effects on the global economy.

In this scenario, Iranian defiance and Israeli insecurity take center stage. Despite Iran's claims of pursuing only peaceful nuclear energy, Western powers, particularly the United States and Israel, believe their true goal is to develop nuclear weapons technology. The introduction of Iranian-controlled nuclear weapons into a region as volatile as the Middle East has been a source of insecurity for Israel from its inception. Iran's President Mahmoud Ahmadinejad has spewed anti-Semitic rhetoric, famously denying that the Holocaust occurred, as well as by calling for the destruction of Israel. Understandably, with such blatant anti-Semitic vitriol coming directly from the Iranian leadership, along with strong ties to Hezbollah, a nuclear Iran is viewed by Israel as an existential threat.

The IAEA has struggled to gain Iranian cooperation despite numerous meetings. Iran has refused to grant IAEA inspectors full access to nuclear facilities. Inspectors want access to the Parchin military complex because, despite Iranian denials, it "believes Iran may have experimented there with blast tests



used to trigger a nuclear charge.”¹ Evidence of a cover-up at Parchin does exist, according to the U.S. envoy Robert Wood. While speaking to the IAEA board, he stated:

“Iran has been taking measures that appear consistent with an effort to remove evidence of its past activities at Parchin [and] ... is blatantly hampering the [IAEA's] ability to carry out its mandate by systematically demolishing the facility that has been identified by the IAEA as meriting inspection at the Parchin site.”²

In addition to the cleanup operations and stalling tactics implemented at Parchin, the IAEA discovered that uranium enrichment and overall enrichment capacity has dramatically increased at both the Natanz and Fordo nuclear sites. The IAEA “expressed alarm over the increased pace” due to the fact that by increasing its enrichment capacity, Iran would have the ability to produce weapons-grade uranium much more quickly.³

The international community remains skeptical of any significant progress or a divergence from the status quo. These feelings were bolstered by the November 2012 quarterly report from the IAEA, which states that the number of centrifuges at Fordo has now increased to more than 2,700. The significance of the Fordo facility lies in the fact that it is a fortified, underground bunker buried hundreds of feet deep inside a mountain. This site and other fortified facilities would likely not be completely destroyed or even significantly damaged in an airstrike by Israel. Former CIA director Michael Hayden explained:

“I do not underestimate the Israeli talent, but geometry and physics tell us that Iran's nuclear program would pose a difficult challenge to any military. Israel's resources are more limited than those of the U.S. They will have to be revisited — which only the U.S. Air Force would be able to do.”⁴

The best Israel can hope to accomplish on its own is to simply delay Iranian progress, while also likely giving them a reason to openly pursue the development of weapons technology.

Prime Minister Benjamin Netanyahu of Israel has made no secret of his desire to confront Iran using military force. While his words have become increasingly threatening and hawkish, he ultimately knows that a strike will not be successful without the help of the United States. This is a source of frustration, as President Obama has been steadfast in his attempts to solve this crisis diplomatically, leaving Netanyahu to declare, “those in the international community who refuse to put red lines before Iran

don't have a moral right to place a red light before Israel.”⁵ While Obama has stopped short of a strict red line, Netanyahu has made his position clear to the world: “In Netanyahu's world, if Iran crosses the 20 percent enrichment threshold, it will be 90 percent complete with having weapons-grade uranium,”⁶ John Hudson wrote in *The Atlantic*. Moving beyond this threshold would be a clear indication to Netanyahu that Iran is seeking to enrich uranium above what is necessary for civilian energy.

While Netanyahu has stuck to 20 percent purity as his red line, he has not forgotten that in May 2012, U.N. nuclear inspectors found trace evidence of uranium enriched at 27 percent at Fordo;⁷ Iran said it was accidental. The trend at Fordo is capacity growth. Since the summer of 2012, Fordo's enrichment capacity has nearly tripled. While the facility still pales in size to the nuclear plant at Natanz, enrichment at Natanz is less than 4 percent. Meanwhile, the “20 percent material being produced at Fordo is of greater concern to the international community because it can be turned into weapons-grade uranium of 90 percent purity much more quickly.”⁸ Mark Hibbs of the Carnegie Endowment for International Peace, predicted, “We are going to be seeing a very considerable, uninterrupted build-up of enrichment capacity [at Fordo]... far exceeding any need that Iran could justify on the basis of its research reactor program.”⁹ While Netanyahu initially believed Iran would be on the cusp of building a bomb by the summer of 2013, the November 2012 IAEA report indicates that Iran is set “to ramp up its production of 20 percent enriched uranium,” essentially doubling its current output and reducing the time necessary to produce an amount necessary for a nuclear weapon to approximately three months.¹⁰ This sudden production increase at a nuclear facility relatively safe from their military capabilities has left Israel on edge.

Despite hoping for a “framework of cooperation,”¹¹ the latest scheduled talks brake down and conclude with Iran's refusal to allow IAEA inspectors immediate access. Thoroughly frustrated, and convinced that their suspicions have merit, the IAEA reports to the Security Council, warning of uncertainties, fears and doubts about Iran's true nuclear intentions. The Security Council understands that even if Iran were to approach the necessary amount of 90 percent uranium necessary for a single warhead, it would still need significantly more time to fully develop the warhead technology. Russia and China also warn



strongly against any military action against Iran. In the end, the council offers to gradually soften economic sanctions against Iran in exchange for full IAEA access to all nuclear facilities, as well as Iran's complete suspension of 20 percent enriched uranium production.

Iran, perhaps predictably, balks at the offer, leading to a strengthening of sanctions to their most crippling levels yet. However, Israel has long been unsatisfied by the effectiveness of economic sanctions as a deterrent to the Iranians. With the Hamas cease-fire in effect, Netanyahu secretly authorizes a preemptive attack on Iranian nuclear facilities. Netanyahu green lights strikes on Fordo, Natanz, Arak, Isfahan and the Parchin military complex. He only informs the United States of Israel's impending attack a mere hour before it is set to begin. Weary of being drawn into another war after more than a decade of fighting in the region, the United States unsuccessfully attempts to reason with Netanyahu, pleading with him to delay the attack. Netanyahu refuses, fearful of being seen as a disgraced Israeli leader who allowed nuclear weapons to fall into the hands of those calling for the destruction of Israel.

As predicted, Israel's attack heavily damages the more exposed Iranian facilities at Isfahan and Arak, and is able to penetrate the buried plant at Natanz using its bunker-busting GBU-28 bombs. However, it is unable to significantly affect the deeply fortified Fordo plant. Israel knew ahead of time that without U.S. military technology, which the United States is still reluctant to provide, they would not be able to fully disable operations at Fordo, the site that causes them the highest levels of anxiety.

Iran responds to the attack by immediately implementing action to close the Strait of Hormuz, while, after assuming the United States was complicit in planning the airstrikes, also attacking nearby U.S. bases in the region located in Qatar and Afghanistan. Closing the Strait of Hormuz, "through which 90 percent of Persian Gulf oil flows to the outside world,"¹² has a disastrous effect on the oil market. The price of oil quickly soars to more than \$200 per barrel. The U.S. Fifth Fleet confronts Iranian naval forces in the gulf, neutralizing them with relative ease, but the financial implications are already realized. The global economy reels from the growing conflict in the region, and the U.S. has become an unwilling participant in yet another Middle East conflict, angering both U.S. officials and the American public. In addition to attacks on U.S. bases in the region, Iran fires missiles into Israel and uses proxy organizations such as Hamas and Hezbollah in its retaliation.

Israel, while ambitious and bold in its attack plans,

understood that the key to its mission was the destruction of Fordo, and operated under the assumption that American intervention would be inevitable. Iranian General Amir Ali Hajizadeh warned in September 2012 that Tehran believes any attack by Israel must have the support of the United States, and "for this reason, we will enter a confrontation with both parties and will definitely be at war with American bases should a war break out."¹³ Israel counted on this response from Iran because the United States is in possession of the GBU-57 Massive Ordnance Penetrator (MOP), a bunker-busting bomb capable of penetrating more than 200 feet below the surface before detonation. In 2012, Pentagon officials received funding from Congress to further enhance the MOP's penetration ability with the Fordo nuclear plant specifically in mind. America retaliates against Iranian attacks on their interests in the region by utilizing the MOP and completely destroying the Fordo facility. Having seen its facilities at Fordo, Natanz, Isfahan and Arak in ruin, Iran halts its attacks on the United States and Israel.

With the primary objectives of the mission achieved, Israel and America quickly act to deescalate the conflict with the help of the Security Council. Iran suffers a humiliating defeat, and accepts new stipulations that it not enrich uranium in its remaining nuclear facilities above 3.5 percent, while also accepting regular and severely intrusive IAEA inspections. The financial consequences of the conflict will continue to be felt until the region regains its stability, but for Israel, that is a consequence worth dealing with.

Scenario 2: Stronger Sanctions Lead to Total Economic Collapse

The United States pushes to expand economic sanctions against Iran, which have caused the currency, the rial, to plummet in value, but have not deterred Iran's nuclear ambition. More intense U.N. sanctions devastate the Iranian economy, leaving it in total collapse and ruin. Widespread political unrest follows, with citizens questioning the need for a nuclear program if it costs them their livelihood. Supreme Leader Ayatollah Ali Khamenei never contemplates ending Iran's nuclear program to save Iran's economy and appease his people. Instead, he forges on while unleashing a repressive crackdown reminiscent of the violence following the 2009 presidential elections.

This scenario begins with Iran in the midst of perhaps its most dire economic crisis. Crippling sanctions placed upon Iran have been incredibly effective at deteriorating its economy, even if they have yet to convince the regime to scale back its nuclear program. The stubbornness of the regime in this regard creates



a two-fold problem with grim consequences. First, it has encouraged further strengthening of sanctions. During the Congressional recess prior to the November 2012 U.S. presidential election, Democratic Senator Robert Menendez, of the Senate Banking and Foreign Relations Committee, remarked, "It seems to me we have to completely exhaust all the tools in our sanctions arsenal, and do so quickly, before Iran finds a way to navigate out of its current crisis."¹⁴ Secondly, dangerous levels of civil unrest are brewing within Iran. Citizens are frenzied over the rial's plummeting value — a loss of approximately 80 percent since the end of 2011.¹⁵ The main problem for Iran stems from its reliance on oil exports. With an oil embargo in effect in addition to U.N. and U.S. sanctions, Iran is suffering from a dearth of hard currency. In October 2012, the rial's value plummeted by nearly 40 percent in a single week.¹⁶ Citizens in Tehran and other cities took to the streets in protest, blaming the government for its ineptitude during the current crisis. Riot police quickly controlled and suppressed the protests using tear gas, but it seems clear that these demonstrations might soon become more frequent.

With the election behind it, the Obama administration, because of its reluctance to engage Iran militarily, is banking heavily on the prospect of regime change as a result of domestic instability and turmoil. The United States recalls the large public demonstrations in response to the 2009 Iranian presidential election, and knows that the Iranian people are willing to fight for their beliefs. With this in mind, the United States pushes through measures in early 2013 that they hope will trigger the collapse of the regime in Tehran. The United States implements a policy to freeze up to 80 percent of Iran's remaining foreign currency reserves until Iran immediately acquiesces to the international community's demands about its nuclear program. The economic effects are felt immediately. Inflation surpasses 70 percent. Unemployment hovers close to 50 percent. The people of Iran are frantic. As holders of a worthless currency with little to no options, Iranians realize that the Khamenei regime does not hold their best interests in high regard.

The popularity of President Ahmadinejad, already in a downward spiral since the middle of 2012, continues to fall. When the currency crisis reached new lows in October 2012, Ahmadinejad publicly offered to resign, but Khamenei would not accept his resignation. Instead, the ayatollah secretly hopes that the majority of the blame will fall on Ahmadinejad's shoulders as long as he remains president and a figurehead for the regime. The Soufan Group agrees with this notion, stating:

"[Ahmadinejad's] term ends in 2013, and he cannot run

again in the June 14, 2013 presidential elections; therefore, removing him would accomplish little in political terms for his opponents. Additionally, Ahmadinejad's continuation as president allows public anger over the currency collapse to center on him rather than the Supreme Leader."¹⁷

Khamenei notably deflected blame and played down the role his nuclear program has had in the implementation of current sanctions in a speech in the North Khorasan Province. He said, "The issue of sanctions is not a new issue and has existed since the victory of the Islamic Revolution. But the enemies are making efforts to blow the issue of sanctions out of proportion, and, unfortunately, certain people inside are assisting them."¹⁸

As the spring of 2013 approaches, hyperinflation takes hold and purchasing power completely disappears for the majority of Iranians. The price of food and other necessities rises to levels that many are unable to afford. Supreme Leader Khamenei continues to distance himself from Ahmadinejad. In a clear departure from his support of the president following the 2009 election, Khamenei publicly rebukes Ahmadinejad for interfering with nuclear negotiations and provoking the economic wrath of the international community. The supreme leader is more than comfortable allowing Ahmadinejad to be the scapegoat for Iran's crisis. In fact, it is almost a necessity for him to take this course of action because his people are aware of his position as the final decision-maker in all Iranian affairs. He attempts to assuage the Iranian people by highlighting the upcoming June election as an opportunity to move forward from the mistakes of Ahmadinejad's latest tenure and to evoke change and progress. Despite his efforts, many within Iran understand that their economic struggle is a result of Khamenei's nuclear defiance. Millions of Iranians recall him once saying, "The nuclear program is a native achievement and is a source of pride for Iran and the Islamic world;"¹⁹ however, those same people are left questioning if pride is worth their livelihood.

As the election draws closer, conditions worsen from mental anxiety to physical abuse, starvation and death. Iranians flood the streets. While a youthful minority spurred those protests, the civil unrest of 2013 is driven by all segments. Iranians recall, with hope, that only two years prior the Arab Spring uprisings in Egypt and Tunisia successfully overthrew autocratic leaders.

Meanwhile, the international community watches the widespread protests intently, counting on the "big assumption that economic collapse could break the supreme leader's nuclear will."²⁰ Unfortunately, Khamenei never seriously



considers scaling back the nuclear program. He orders a lethal response to the protests. The Revolutionary Guards beat, torture and kill protesters, provoking an international outcry similar to the one aimed at Bashar al-Assad in Syria. The United States and its allies soon realize they miscalculated and underestimated the resolve of the supreme leader. Their hope was that domestic unrest could eventually overthrow the regime, or that, as Stephen M. Walt says, “a tightening vise of economic pressure [would] convince Iran to do what the late Muammar Qaddafi did in Libya in 2003 and abandon any interest in a nuclear capability.”²¹ Khamenei, however, is no fool and has witnessed the unfortunate fate of leaders such as Qaddafi and Saddam Hussein after having abandoned their quests for nuclear power.

Lost in the violence is the fact that Iran has continued to enrich uranium at 20 percent levels, leaving it at the brink of weapons capability. At this point, an attack by Israel or the United States would be too little too late, and would serve only to temporarily delay the inevitable fact that Iran will soon become the world’s tenth nuclear power.

Scenario 3: Nuclear Iran Destabilizes the Middle East

Despite the devastating effect to its economy, Iran defiantly withstands crippling U.N. sanctions long enough to develop a viable nuclear weapon. Nuclear weapons technology in the hands of the world’s most active state sponsor of terrorism results in a destabilizing nuclear arms race in what is already the world’s most unstable and turbulent region. After years of relentless attacks by the U.S., terrorist groups are revitalized by the thought of nuclear weapons in Iranian hands.

The inability of sanctions to discourage Iranian nuclear development creates the foundation of this scenario. With the November 2012 IAEA report detailing rapid increases in enrichment capability, particularly in its most secure plant at Fordo, it is clear that Iranian resolve and determination is unwavering and resolute. Gabe Fisher states, “Western economic sanctions against Iran appear to be having little effect on the Islamic Republic’s drive to develop nuclear weapons, with a report surfacing ... that Iran has completed the installation of some 2,700 centrifuges in its Fordo nuclear power plant.”²² Not only have sanctions been ineffective in slowing down Iran’s nuclear program, but they have also had little effect in eliciting a positive change in the state’s behavior. Upon closer examination, claims that sanctions are working are not entirely accurate when one realizes that the true goal of sanctions is to induce change in Iran’s nuclear development. Elliot Abrams, former advisor to President George W. Bush explains:

“Sanctions hurt Iran’s economy, but that is not our goal; forcing change in their nuclear program is the goal and sanctions have not achieved it. Iran continues its nuclear weapons program, supports terror, builds missiles, and most recently is supporting the Assad regime’s murderous policy in Syria. The sanctions have failed to deter the Iranian regime from any of this pernicious and dangerous activity.”²³

Indeed, Iran’s continued ability to supply arms to the Assad regime and other proxies in the Middle East is further evidence of the limited effectiveness of sanctions against it.

Many experts believe that Iran is relatively safe from the direst consequences of economic sanctions, and is more than capable of surviving the collapse of its currency. Mark Dubowitz, executive director of the Foundation for Defense of Democracies, believes, “Tehran likely has sufficient foreign exchange reserves to last well beyond the date that Iran will become a threshold nuclear power, which according to [Israeli Prime Minister Benjamin] Netanyahu is in the spring or summer of 2013.”²⁴ According to the IAEA, the latest increase in centrifuges at Fordo, bringing the total to nearly 3000, can potentially cut that timetable in half.

The international community watches intently as scheduled talks between Iran and the IAEA, set for mid-December 2012, approach. The meeting is initially hailed as a success when Iran agrees to continued inspections at its Parchin and Fordo sites, but the world soon learns that the agreement was yet another stalling tactic implemented by the regime.

When IAEA inspectors arrive to each location, they are once again denied access. U.S. and Israeli intelligence agencies soon gather evidence that, as predicted in the IAEA November 2012 quarterly report, Iran has activated more than 700 additional centrifuges at Fordo to enrich uranium at 20 percent. The increased production would allow Iran to have enough uranium for a single nuclear weapon by the end of Summer 2013. In response, the Security Council advocates the most stringent sanctions to date, but Israel is not satisfied.

The prevailing feeling within the international community is that Israel will strike shortly before Iran has breakout capability. Iran is convinced that if they can come close enough to the necessary amount of 20 percent uranium needed for a nuclear weapon, they can avert an Israeli/U.S. attack. So Iran once again increases production at Fordo, doubling the number of activated centrifuges. With their current stockpile at 135kg, Iran’s new production numbers bring them dangerously close to achieving breakout capability. With average production already at 15kg per month before the activation of additional centrifuges,²⁵ new production rates of 60kg per month would allow Iran to reach the



necessary 250kg threshold to produce a warhead by Summer 2013 without much difficulty. The gamble pays off as Iran's stockpile of 20 percent enriched uranium approaches 250kg before Israel manages to preemptively strike. With increased confidence, Iran taunts the international community and revels in their newfound stature on the world stage. While they would still need to further enrich their stockpile of 20 percent uranium into the 90 percent needed to create a nuclear weapon, along with perfecting nuclear warhead detonation, Iran now feels immune from potential attack. Breakout capability in itself is a deterrent, and Iran knows that Israel understands any attack is now futile. An attack will at worst delay Iran and, more than likely, will increase their resolve and the pace at which they turn their 20 percent enriched uranium stockpile into an actual nuclear weapon.

The regional effects of a nuclear Iran are felt immediately. The United States has long labeled Iran as the greatest state sponsor of terrorism in the world. With nuclear power in their possession, the potential for strife rises. As James Lindsay and Ray Takeyh write:

*"The dangers of Iran's entry into the nuclear club are well known: emboldened by this development, Tehran might multiply its attempts at subverting its neighbors and encouraging terrorism against the United States and Israel; the risk of both conventional and nuclear war in the Middle East would escalate; more states in the region might also want to become nuclear powers; the geopolitical balance in the Middle East would be reordered; and broader efforts to stop the spread of nuclear weapons would be undermined. The advent of a nuclear Iran — even one that is satisfied with having only the materials and infrastructure necessary to assemble a bomb on short notice rather than a nuclear arsenal — would be seen as a major diplomatic defeat for the United States."*²⁶

Iran's increasing geopolitical power in the region has left its immediate neighbors, particularly Sunni dominant states, feeling insecure. The regime is now also able to threaten Israel and others in the region despite still being a year or two away from having enough material for more than one warhead. Nevertheless, possession of just one warhead alone provides the Iranian regime with increasing global power. Maintaining influence and stature in the region is of utmost importance to Middle Eastern states. Saudi Arabia, Egypt, Jordan and Turkey scramble to harness the technology and begin development of their own nuclear programs. Indeed, it seems the end of nuclear nonproliferation is near.

Respect for Israel, the United States and even the Security Council has diminished greatly in the wake of Iran's successful

defiance. Iran has now given the world a prime example of how to restrict American and Israeli aggression in the Middle East; a nuclear-armed Iran feels increasingly safe from attack and invasion due to the inherent deterrence of nuclear weapons. The demands of the West are increasingly challenged and ignored. Terrorist organizations are emboldened, becoming increasingly audacious in action and rhetoric. As 2014 approaches and Iran develops plans to test its nuclear weapons, Hezbollah and Hamas grow bolder and more aggressive in their antagonizing of Israel, as they have just witnessed Israel fail to back up years of threats against Iran. The Western world has become more worried than ever about nuclear materials falling into the hands of terrorist organizations such as Al-Qaeda, which view a nuclear weapon's destructive capabilities, rather than its usefulness as a deterrent, as the end goal.

Insecurity is now the prevailing theme on the international stage. Hindsight has proven the prescience of men like Ari Shavit, senior correspondent for Haaretz, who summed up the current state of affairs back in March 2012:

*"An Iranian atom bomb will give radical Islam overwhelming influence. Once nuclear, the rising Shiite power will dominate Iraq, the Gulf and international oil prices. It will spread terror, provoke conventional wars and destabilize moderate Arab nations. As Iranian nuclear warheads will jeopardize Israel, they will imperil Europe. For the first time, hundreds of millions of citizens of free societies will live under the shadow of the nuclear might of religious fanatics. The union of ultimate fundamentalism with the ultimate weapon will imbue the world we live in with a hellish undertone."*²⁷

By the end of 2013, Iran has never been in greater control of its own destiny. This is the new reality for Israel, the United States and the rest of the international community.

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photo by June Vutrano



Domiz Refugee Camp - Iraq

by Sarah Hallonquist

The U.N. High Commissioner for Refugees officially has 722,139¹ Syrian refugees registered as of Feb. 20, 2013. Iraq currently has a total of 96,270² refugees with 52,000³ living with the Domiz Camp alone. As of Feb. 18, 2013, there were an estimated 862,819 refugees waiting for official registration.⁴ Since March 15, 2011, conflict has raged within Syria; a violent rebellion amongst the Syrian civilians against the totalitarian Bashar Al-Assad regime, which continues to displace families who have fled to neighboring Turkey, Lebanon, Jordan and Iraq to seek refuge. The death toll from the Syrian rebellion is estimated by the United Nations to be 70,000⁵ people as of Feb. 22, 2013.

From Jan. 3 until Jan. 23, 2013, Zeravan Amin Abdullah of Dohuk University and I, Sarah Hallonquist from New York University, conducted research in the Domiz Refugee Camp located within the Domiz village in Iraqi Kurdistan. In August 2012, we spent two weeks preparing a research project consisting of a 10-question survey, included in Appendix A. The survey was translated by Zeravan from English into Arabic and Kurdish; 90 percent of the surveys were completed in Arabic. While the camp is located in the Kurdistan region of Iraq, there were few refugees within the camp who identified as a Kurd or who spoke Kurdish. "About 20 percent of arrivals to the camp manage to find relatives within Dohuk to stay with instead of staying in the camp,"⁶ according to the office of the Directorate of Displacement and Migration, and those who were Kurdish were proud to show it by painting the Kurdish flag on the side of their stone houses or by buying a large Kurdish flag to display from their tents. There were no comments from the surveys about hostilities due to political or religious tensions; all ethnic groups appeared to be welcome in the camp.

Refugees continued to arrive at the camp during January 2013, yet UNHCR⁷ stated that there were no plans of closing the camp or opening a new camp in the region.⁸ Approximately, 250-600⁹ people a day were arriving at the camp daily. At this time, the Turkish and southern Iraq's borders had started to close,¹⁰ causing a higher number of refugees to come into northern Iraq. January experienced heavy rain and a rare high amount of snow causing delays in construction. Weather conditions left the Domiz Camp with muddy roads, collapsed tents and health issues. An estimated 50 percent of patients reported cough or cold symptoms to medical clinics.¹¹ The camp

did have grocery stores, barber shops, money exchanges, bakeries, cellular phone stores and clothing store; the refugees themselves launched many of the stores. There were a range of skills within the camp ranging from unskilled illiterate factory workers to medical doctors who remained unemployed. There were 54,000 refugees living in a camp that was originally planned for 1,000,¹² leading to housing discrepancies, a lack of roads and a rush to get sanitation facilities up and in order.

Prior to each interview, Zeravan memorized a legal notice explaining that we were in a joint research partnership studying violence within the camp and that the participants were not required to fill out the surveys and would not receive any promise of jobs or compensation. The survey did not ask for names; we asked for age, if they were a resident of the Domiz Camp, their gender, and additionally added the "phase" each resident lived in. The phases correspond to what section of the camp individuals live in (see Appendix B for Phase map). Phase 1 includes individuals who have lived in the camp the longest, one and half years, while Phase 7 houses recent arrivals. Our surveys ranged from individuals arriving fifteen minutes prior to when the survey was given in a Phase 7 section, to individuals who had arrived in the camp one and half years ago in a Phase 1 section. We interviewed individuals from Phases 1 (49 surveys completed), 2 (eight surveys completed), 3 (34 surveys completed), 4 (four surveys completed), 6 (10 surveys completed), and 7 (seven surveys completed), due to lack of time and the distance of Phase 5 from the main street of the camp, we were not able to interview any residents from this phase.

When going to each phase, a section leader accompanied us from the Directorate Displacement and Migration (DDM), the local partner organization from the official government of Dohuk. DDM volunteered two of their section leaders' time to assist us in completing the research. The majority of employees of DDM and the Official Immigration in Duhok were refugees within the Domiz Camp or were former refugees. The Head of the Immigration Office explained his background:

As a former refugee I understand [the plight] of the people in the Domiz camp. I was refugee in Iran in the 1970s, Turkey in the 1980s and then Switzerland in the 1990s. I have been a refugee for 30 years of my life, so I understand and do everything I can to help the people of the Domiz camp.¹³



The individuals who completed the survey were chosen randomly; it appeared that if someone was acquainted with the section leader, if someone wanted his attention, or every third or fourth home we would knock on the door and be invited in. Two couples were very angry and refused to fill out the surveys, both couples were in Phase 1 and had been living in the Domiz camp for a long time, they were fatigued by the amount of surveying they had experienced and felt it lead to little positive increase to their lives within the camp. Zeravan and I had visited the camp on ten different occasions, on other days we would interview members of government, translate the surveys into English or wait for the snow to melt so we could have access to a closed camp again.

This study is based off 104 surveys in total; 59 males and 55 females. More than half of the women were illiterate and needed the surveys to be read aloud by their children, husbands, by Zeravan, or the local DDM section leader. The majority of survey takers had families with children under 18 and only one elderly couple was interviewed. Four of the interviewees were business owners: two sold cell phones in the camp and the other two jointly owned a grocery store in the camp. The first four questions (Appendix A) were a combination of “Yes and No” questions with an additional rating of a 1-10 scale (1 being the lowest and 10 being the highest) for structural violence questions. The questions asked if the resident had received shelter, water, food, and medical care and how satisfied he/she was with the services the camp was providing. Those who did not care to answer the questions were given “N/A” as the answer within the data set.

Question five asked a general question if the resident was satisfied in general with the provision that had been provided to them, only eight men and men women mentioned they were not satisfied.

Structural Violence

The data shows approximately 90 percent of the refugees were satisfied with the provisions and approximately 80 percent did not experience direct violence within the camp. Residents who lived in stone houses were satisfied with their living arrangements, sometimes getting a kitchen with a sink attached to their houses. Those living in tents were not satisfied and tended to rate their housing experience lower. The tents could

easily break and leak from the rainy and snowy conditions, and it was much harder to keep out the cold and to cook for a family in the tents. Few individuals claim to have not received tents at all¹⁴ while the United Nations claim “all tents have been allocated among refugee families awaiting shelter.”¹⁵ It’s difficult to understand if residents are receiving tents and selling the pieces for extra money or the United Nations is running out of supplies or not delivering them efficiently. On the 1-10 scale, the average for the survey answers was 6.2, the majority of refugees felt more than satisfied with their living arrangements. However, there was one extreme case had more than 20 individuals living in one tent with 10 children under the age of 15. The interviewees from this particular tent seemed very upset and expressed that they had not received the proper provisions from the United Nations although they were there in Phase 1, the longest period of time for a one and half years.

Water turned out to be a major concern for the United Nations and the residents of the camp, not only due the Middle Eastern desert climate but because the water had been contaminated due to poor sanitation policies. There were 10 comments on water issues stating: “there is no drinkable water”¹⁶ or “the water is not good for children it makes them sick.”¹⁷ The 1-10 scale average for water had a 6.7, the residents who received water purification systems rated very high, possibly skewing the results. The Medical Sans clinic admitted to taking in patients who were ill due to water contamination,¹⁸ and the United Nations had they were behind in providing water purification systems to all the residents.¹⁹ The water purification system was safe; I personally drank from several and never got ill. The Iraqi government suggested bringing water into Domiz from the city of Dohuk or from neighboring villages. This was seen as a temporary solution, however, as the water needs to be clean and the refugees need to be self-sufficient in obtaining their own water; however, it received the lowest rating on the 1-10 scale with an average of 4.5 satisfaction rating.

There were comments about items such as mattresses or blankets: “My daughter is sick, we need shelter because we live in the camp now” and “We would like the U.N. to provide us with gas and heaters and we will be thankful for it”²⁰ and “We need mats and a carpet.”²¹ When we asked the warehouse manager of DDM about the conditions of the camp, he was mostly positive:

Happy, everyone is happy. Two or three people may not be



happy, but all them seem to be happy. Because if they want to go outside they go, if need a doctor he or she could go to the doctor... We don't have a problem with food supply, blankets or clothes.... Tents, just more tents, it's a big problem. Families come here and say where do I go, I don't have a place to sleep. We have blankets, mattresses, have everything but we don't have a tent.²²

Several families had satellite televisions; everyone we interviewed had a cellular phone and two households had laptop computers. Food was available in several small shops containing: fruits, vegetables, snacks, chocolates, sodas, fruit drinks and breads. Meat, spices and prepared foods were very hard to find within the camp. The World Food Program's (WFP) efficiency in food aid was praised by several residents. The World Food Program provides a "care package" containing simple foods such as rice and cooking oil to each household. The package is less than 50 lbs so residents can easily carry it. The packages tend to go very fast, especially when one has a family of more than four in the household. The WFP additionally provides \$31 a month for food supplies to each household.²³ This money is paid in cash due to Iraq's lack of banking industry – it's impossible to use a credit card, find an ATM or cash a check or money order in northern Iraq. The cash, in theory, can be used for purchasing non-edible items. The extra money could also be used to provide transportation to neighboring Dohuk city, where some refugees have begun looking for employment opportunities or have started begging crowds for money in the local Souk market. It has been reported that men in the camp are being recruited for the Kurdish KRG Party's security forces: "...Iraq's Domiz refugee camp, which now house around 25,000 Syrian Kurds ... are now in military training with the KRG...and are paid a small allowance by the KRG..."²⁴

UNHCR brought up issues with corporate donors, particularly the local Korek cell phone company. Korek, as part of their corporate responsibility program, tried to donate food items off of their trucks into the camps.²⁵ The employees of Korek did not know how to distribute the food in an ethnical manner; this ended up humiliating the residents, who ran after the trucks as packaged food was thrown at them. The strongest ended up with the additional supplies while the weakest were left with nothing. UNHCR is educating private donors on the ethnics of food aid and training private distributors to prevent future imbalance in food supplies in the camp.²⁶

For medical care, there was a clinic operating with seven doctors. One doctor is a gynecologist and one is a psychologist²⁷ for a camp of 52,000 residents. On the 1-10 scale, the refugees

were satisfied with the care with medical care by rating it a 6.2 on the 1-10 scale. While surveying, two of the refugees mentioned they were doctors, a general practitioner and a dentist. Both claimed they could not find work in the city of Duhok or within the camp itself. During the interview with a doctor who worked for Medecins Sans Frontieres, he mentioned they were "not hiring any more doctors at this time"²⁸ although the demand for medical care seemed to be rising with the high influx of refugees coming into the Domiz camp daily.

The reports were on coughs and colds due to the cold weather conditions: sickness due to contamination in the water, and reports of children having accidents due to falling into the areas where pipelines were to be built.²⁹ The lack of hygienic products and need for more latrines was expressed by UNHCR.³⁰ There were three comments in the surveys about doctors: "We would like more doctors provided to us,"³¹ "There is no medical care for dental work,"³² and "We need the doctors to be more humane, there must be doctors hired from the refugees who are in the camp."³³ There were comments about specific mediation, which was inaccessible in the camp: "We need drugs for asthma"³⁴ and "The drugs are not available for thrombus and hemiplegia."³⁵ One family we surveyed was preparing tea with the "Cold Flu" medicine already in it to prevent a cough or cold outbreak in their home. Over the counter medicines could be seen in many homes, and several residents took cold medicine during the surveys.

Direct Violence

The second half of the survey asked if the residents of the camp were experiencing direct violence. These questions were in a "Yes or No" form, asking if they had experienced: violent harm, theft or mugging, or sexual violence in the camp. The last question asked if the resident felt safer living the camp than their last living arrangement in Syria. Additional comments could be written at the end of the survey; these comments are listed in Appendix 3. The direct violence survey revealed: eight men and eight women admitted to experiencing violent harm within the camp; five men and four women admitted to experiencing theft or mugging within the camp; three men and one woman admitted to experiencing sexual violence within the camp; six men and 11 women admitting to feeling safer in the conditions of the Syrian civil war than within the Domiz Camp. When asked about violence in the Domiz Camp the Head of Immigration said:

"There is a lot of violence between the refugees because there are many public [political party] groups. Big parties and small



parties commit violence against one another. There is also violence between men who commit acts of violence on women and children. These are not reported, this is [my] opinion. He knows from hearing stories being one of the heads of the camp and the director of the immigration office."³⁶

Two men admitted to experiencing sexual violence, direct violence and theft or mugging; yet felt safer living in the camp than their last living arrangements. A larger number of women may have experienced violence within the camp, however, due to being illiterate, it may have been too humiliating to admit in front of her children, husband or section leader about the violence she had faced within the camp when she was reciting her answers back out loud. One of the goals of UNHCR for 2013 is:

"Strengthening the protection capacity from refugee registration to the response to reported violation, including sexual and gender based violence, and child protection concerns, by in parallel addressing the specific needs of the refugees."³⁷

Additional psychologists, STD testing facilities, and support groups should be set up to serve men and women who have

experienced violence in the camp.

Moving Forward in The Domiz Camp.

By using this data and following these suggestions, organizations within the camp can work on violence prevention, provide services to those who already have experienced violence and build a safe community within the Domiz Camp.

Other concerns from the refugees included the need for: paved roads, cleaning the litter and providing books for the residents to read in the camp. While the paved roads are up to the city of Dohuk, cleaning the litter may require the donation of additional trash bins. Zeravan and I were moved by the idea of providing books to read in the camp. There were no adult education classes and no local library from the Domiz village that the refugees could visit. The idea of economically empowering the illiterate with an adult literacy program and building a library for those who could read became appealing to the camp directors. With the assistance of American University-Sulaymaniyah, a nearby city within northern Iraq, university students there were already planning a clothing drive for the residents of Domiz. We are working on setting up the space for shelving and to begin a library at the Domiz camp in DDM's office building.

Providing books to read and a space for adults to continue their education is a way for the residents of Domiz to be self-sustaining and to build higher skill sets. There were seven comments in the surveys saying, "We want work."³⁸ In neighboring camps in Iraq, such as the Turkish Atrosh camp³⁹ through the camp's 20 years of existence the residents there have not been able to improve their skills, they have not been given the opportunity to learn to read or expand knowledge, the individuals at DDM within Domiz agree that this should not happen with Domiz, that Domiz should be a model camp and should give its residents more opportunities instead of leaving them behind. We have communicated with a staff member of American University-Sulaymaniyah and asked if the students could also plan a book drive for the residents of Domiz, the program is completed and going through April 2013.

The Domiz Refugee Camp, per this study, has achieved its goal of providing safe refuge for a population undergoing civil war. The lack of direct violence and abundance of food aid is a high achievement for the organizations that are managing the camp. Although the camp must work on replenishing its water sources, ensuring everyone who enters has shelter and



photo by Sarah Hallonquist



increasing medical aid, for a camp that rapidly increased its population from 1,000 refugees to more than 52,000, the employees of the camp have been working tirelessly processing paperwork, distributing perishable and nonperishable items and in creating a city where there was once only desert.

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photo by June Vutrano



Human Trafficking in the U.S. and Abroad

by Ana Defillo

Introduction

When one hears the phrase, International Human Trafficking, most likely they'll think about the countless 20/20 specials on young girls trafficked into the sex industry, or perhaps, one of many melodramatic Hollywood films capitalizing on its current social "popularity." Rarely would they think about where the cocoa in their chocolate bar came from, or whether or not the farmers who cultivated the coffee beans in their daily cup of coffee were exploited, or if children picked the cotton for their t-shirts. No one likes to think about how they might possibly be fueling human trafficking; it's much easier to watch the CNN special about poor Eastern European girls being trafficked into Italy for prostitution. While European girls trafficked for sexual exploitation is a massive and abhorrent issue, it's not the only form of human trafficking currently in practice. For us to finally end this inhumane industry, we need to not only educate ourselves about all the different forms of trafficking currently taking place, we also need to reorient our intervention and preventative methods towards the underlying causes of human trafficking. Despite international awareness of trafficking since the early twentieth century, it's still in existence. We must be doing something wrong if this industry manages to grow and stay extremely profitable with little to no risk for the perpetrators.

In this paper, I will first define and discuss human trafficking and the different forms currently in practice. Then I will discuss and analyze the key issues in the current

1 human trafficking movement and how states and the human rights community have tried to address them. Finally, I will give my own speculations on how to better address the issue with a focus on human rights as opposed to the current states centric approach.

Definitions and Background

Until the U.N. Supplemental Trafficking Protocol in 2000, there was no international consensus on the definition of trafficking. Even with the internationally accepted protocol, on the ground there still is a lack of clarity on the issue. Anti-trafficking practitioners continue to have contentious debates over the use of trafficking versus slavery, which in turn leads to public confusion on the realities of this industry. While this debate on whether or not slavery is the correct term for the current exploitation of human beings for the economic gains of other

human beings can be a separate paper in itself, I feel its important to note this tension exists as to better understand what is happening on the ground. Non-for profit organizations such as Free the Slaves and Anti- Slavery International categorize trafficking under the 'slavery umbrella.' Free the Slaves define it as "transport and/or trade of humans for economic gain and involving force or deception."¹ Therefore, trafficking is a means to slavery and not slavery, as we would think, in it of itself. Whereas organizations such as The Polaris Project, GEMS and Courtney's House use trafficking and slavery interchangeably and claim trafficking is a modern day version of "traditional" slavery, a system under which people are treated as property and are forced to work.

However, the United Nations definition, which can be found under the Convention on Transnational Organized Crime, seems to combine the two:

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or deception to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery or the removal of organs."

For this paper, I will use The Polaris Project definition, which states that human trafficking is a form of modern day slavery thus using the terms, slavery and trafficking, interchangeably. So what does trafficking look like under this framework? Human beings are trafficked and exploited for domestic work, forced labor, sex work, organ harvesting, restaurant work, to name just a few. To put it crudely, wherever there is a need for cheap labor, human beings will most likely be trafficked.

Problems, Issues and Remedies

Within the last decade, we have seen a dramatic increase on the attention, both from states and the public, on the issue of human trafficking. Though trafficking has been on the international agenda since the 1904 international conference convened specifically to discuss "the traffic in women and children", the issue did not really start to receive the attention it deserved until the late 90's. I argue that the emergence of survivors speaking out and bringing international attention to the issue was the tipping point needed for people to start taking



action. Specifically in the United States, survivor of sex trafficking and leading anti-trafficking advocate, Rachael Lloyd, started her work in 1997 in New York City and consequently founded GEMS- now one of the largest providers of services to commercially sexually exploited and domestically trafficked youth in the U.S. Her advocacy work has made huge strides in the United States approach to domestic sex trafficking. She was a key actor in the creation of the Safe Harbor for Exploited Youth Act as well as The Domestic Minor Sex Trafficking Deterrence and Victims Support Act of 2011.² The former is a state act that for the first time recognizes minors in the sex industry as victims, rather than criminals, and provides them with necessary social services. The latter is on the federal level and if passed would authorize large block grants to create a comprehensive, victim-centered approach to addressing child sex trafficking.

Gathering data from the organizations listed above, a conservative estimate of people being trafficked around the world today ranges from 12 million to 27 million. Due to the illegal nature of trafficking, it's extremely hard to gather accurate data of the issue. Unfortunately, even with the increased attention of the issue and the inherent sensitive nature involved, there has been a lot of misleading sensationalist claims based on wildly inaccurate data, which in turn are used for policy prevention and intervention. Arguably, the most damaging being the conflation of trafficking and prostitution. Since the early twentieth century when the first international conference on trafficking was held until the 2000 UN protocol, trafficking in persons was generally equated with prostitution.³ For example, documents such as the Convention for the Suppression of Traffick in Persons and the Exploitation of the Prostitution of Others, principally acknowledged trafficking with prostitution. In her article, *From Moral Panic to Global Justice: Changing Perspectives on Trafficking*, Kamala Kempadoo argues this was a "result of intersection of radical feminist advocacy and conservative Christian political agendas and ideologies."⁴ Kempadoo's statement brings to light the polarized debate between feminist abolitionist movements and "third wave" feminists arguing from a sex workers rights perspective. The former recognizes no distinction between forced and free choice prostitution, claiming that all prostitution is a form of sexual slavery and trafficking is intrinsically connected to prostitution, the latter perspective views state actions which criminalizes prostitution as a denial of

human rights to self determination.⁵

Melissa Ditmore explains in her article, *Trafficking in Lives: How Ideology Shapes Policy*, that the "feminist abolitionist group allied itself with the powerful neoconservative Christian U.S state to force its restrictive anti-sex perspective in the UN Trafficking Protocol." This partnership has arguably had unintended negative results in U.S aid policy. With the U.S "anti-prostitution pledge" introduced by conservative anti-choice legislator Rep. Chris Smith [R-NJ], USAID has been able to discontinue funding from international organizations that support sex workers rights.⁶ The pledge requires all organizations receiving U.S assistance to formally announce their opposition to prostitution. Not only is this gendering trafficking policy since most people in the sex industry are women, but this has severely affected NGOs with the best track records in tackling or mitigating the effects of human trafficking in their respective countries.⁷ Lack of funding for basic services to people in the sex industry, not only denies any chance of safety and health measures provided by the NGOs, but ironically will fuel human trafficking to go further underground and create more severe human rights violations. Furthermore, targeting the sex industry as a policy to combat human trafficking is very problematic in the sense that it completely ignores the underlying causes and other sources of trafficking in the forced labor sector. Though on paper, it is recognized that trafficking is found in other areas besides the sex industry, policy interventions continuously target the sex industry leaving the majority affected by trafficking, both men and women, invisible to the state.

Currently, states view trafficking principally as a problem of law and order and forced migration.⁸ The 2000 UN Trafficking Protocol "establishes human trafficking firmly as a problem of boundaries and state sovereignty, rather than one of human rights, in spite of the human rights content of the Protocol itself."⁹ Such a framing of trafficking has resulted with states focusing on criminal prosecutions and tighter border controls.

This is extremely problematic since most victims of human trafficking are viewed by the state as "criminals" since they are involved in illegal activities such as prostitution or illegal immigration. Many victims find themselves in the United States without proper documentation or if they are from the United States, they generally will be involved in illegal activity, which



makes them vulnerable to criminal prosecution. Viewing trafficking through the lens of organized crime translates into policies that are state centric as opposed to human rights based. In the United States under the Trafficking Victims Protection Act [TVPA] of 2000, trafficked persons are recognized as victims only if they co-operate with law enforcement officials and testify against their traffickers in court. Otherwise, they are treated as “illegal immigrants” and are deported back to their home country. This will most likely result in the individual being re-trafficked since they initially left their home country for better economic opportunities and will continue to look for such opportunities. If they were involved with the sex industry, the stigma attached to them will result in further physical and/or emotional abuse and create a desire to leave again. Of course this is a general assumption but the point being that the current state centric approach to human trafficking is at best problematic and at worst fueling the inhumane industry. In cases where states have tried to combat human trafficking with tighter border controls, migrants most likely diverted into more dangerous and hidden migration routes. Traffickers play on this notion and use it as a way to psychologically control their victims knowing full well that if the victim decides to reach out to an authority they will be criminalized instead of protected.

This is extremely counterproductive and fails to assess the real causes behind trafficking; it’s not a problem of migration but rather a manifestation of the global structural inequalities exasperated by a market-oriented world.¹⁰

Kempadoo argues that instead we should focus our attention on “the distribution of wealth and access to education, health care and social security, and gender based or religious violence, and ethnic conflicts.” I’ll add war as well. Furthermore Kempadoo explains that not only are structural inequalities “unintentionally obscured by the securitarian paradigm, but that states actively promote a false image of human trafficking and illegal migration in order to draw attention away from the dependence of big capital on the cheap and malleable workers that populate the unregulated and unprotected labor market.”¹¹

To effectively tackle these issues, states need to take into consideration that economic reasoning motivates these movements across borders. People are just trying to find economic security to survive. If trafficking is viewed from this perspective which not only focuses on the human rights and agency of the individual but also the motivation behind the migration, then real change can occur. A lot of times, victims of human trafficking are full aware of the risk involved when deciding to illegally migrate with a stranger. The possibility of a

better socioeconomic future is better than their current reality. This should be the focus of every trafficking policy intervention. Policy makers should ask, “Why are people finding themselves in these situations? Why would people risk being sold into slavery rather than staying in their own country?”

Thoughts and Conclusion

When most people hear about human trafficking, they are horrified, overwhelmed and disgusted. It’s encouraging to see the recent attention on this issue, which in turn creates a more solid foundation for policy intervention. Journalists and local NGOs are coming out with documented on-the-ground accounts and shattering a lot of misconceptions held by the public.¹² However, there is still quite a bit to go. Not surprisingly, the main approach by states is centered on their own security and sovereignty. Promising human rights based legislation is becoming more popular within states that already have a strong commitment to human rights. The hotly contested approach called “The Nordic Model” is based on the recognition that prostitution is violence against women, and that women are human beings who can’t be bought or sold for commercial sexual exploitation. It criminalizes the sex industry and their customers while decriminalizing those exploited in the sex trade. By criminalizing the purchase of a sexual act, the law identifies and penalizes the agents of the harm inherent in prostitution.¹³ Sweden was the pioneer in implementing this on the state level and though the jury is still out on whether this is the best method, recent accounts made by the government claim it has decreased sex trafficking in Sweden.¹⁴ Great efforts have been made towards eradicating sex trafficking but in the midst of all this attention, not much has changed in other forms of trafficking. Sex trafficking has garnered so much attention and though there are differences within the movement, as a whole it’s been a powerful and influential force. Organizations and advocates who work on labor trafficking, have moments of victories and attention here or there but have failed to have the same impact as the anti-sex trafficking movement as had in the state level.¹⁵ Labor trafficking deals with the sensitive and complex issues of the right to development, business’ role in human rights, capitalism and globalization. States are hesitant to effectively address these issues for political and diplomatic reasons. Fortunately, we are seeing a lot of work through the UN with their recent adaption of John Ruggie’s Guiding Principles, which outline Business’ role in relation to human rights, created with governments and business consultations. Hopefully, this document will be used by appropriate NGOs to keep businesses



accountable of their promise to respect human rights in all of their operational activities.

In conclusion, the human trafficking movement has come a long way since its inception. With the current international fervor for human rights and advocacy for on-the-ground clarity of the issue, a proper approach to prevention and intervention, focused on the victim or survivor, can finally be realized.

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- 13 Norma Ramos, <http://www.theglobeandmail.com/news/opinions/opinion/we-must-punish-prostitutions-buyers/article2077798/>
- 14 See NYC Sanctuary for Families panel on Sex Trafficking Efforts
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photo by June Vutrano



Cyber Dogs of War

by Nadiya Kostyuk & Marielle Ali

Abstract

Cyberwarfare is best viewed as “old wine in a new bottle,” as the exigencies of the traditional laws of war remain unchanged. Using this paradigm, this article analyzes the challenges of dealing with crime, terrorism and warfare occurring in cyberspace and the use of stepping stone countries as home bases for assaults. It recommends that governments should promote domestic and international cooperation in modernizing the existing legal framework to view the cybersphere as a dimension of war. On a micro level, domestic community-based approaches remain crucial to cyberwarfare prevention and should be combined with a macro-level approach of international technical and financial assistance to stepping stone nations in dealing with future sophisticated cyber-offenders that might find safe haven within their borders.

1. Introduction

A digitally literate workforce that uses technology in a secure manner is imperative to...the security of our critical infrastructure. -National Initiative for Cybersecurity Education, October 2012.

In 2007, the Baltic state of Estonia, a “pioneer in the development of e- government,”¹ was left reeling as a result of three weeks of cyber attacks that disabled numerous websites ranging from newspapers, political parties to government ministries. The impetus for these attacks was Estonia’s removal of the Bronze Soldier Soviet war memorial in its capital Tallinn. These attacks showcased the ease and speed in which cyber attacks can occur, thus raising concerns for the highly vulnerable computer- dependent international community. Even though a 19-year old connected to the Russian security service was arrested in Tallinn for the attacks, experts are not sure whether the identity of cyber-offenders can be “ascertained properly.”² Moreover, Finnish expert Mikko Hyppönen mentions that “it would be difficult to prove the Russian state’s responsibility, and that the Kremlin could inflict much more serious cyber- damage if it chose to.”³ Despite this ambiguity, the cyberattacks in Estonia represent the most significant threat to current and future world leaders in the twenty-first century—a threat that experts have described as cyberwarfare.⁴

2. Complexities Of Defining Cyberwarfare

Historically, transnational attacks were associated with a nation-state as only nation- states were able to engage in acts of war. Cyberspace, however, with its “highly permeable set of ‘virtual’ national borders”⁵ allows numerous actors (state and non-state) who have the necessary skills and access to a computer to launch “a cross-border virtual attack, not on the territory but on the machinery of an external nation-state.”⁶ With a significant increase of cyberactors’ ability to engage in attacks through the use of proxies, thus creating a shield of plausible deniability, it becomes more complicated to trace the origins of these attacks. Moreover, in an attempt to gain access to technical expertise and save money countries are increasingly using civilians “to operate and maintain sophisticated military equipment and to support combat operations.”⁷ Integrating civilians in military operations makes the distinction between civilian and soldier in the online environment hazy.

This clouded distinction further extends to differentiating between cybercrime/terrorism/warfare, as in all three cases civilians might be the primary targets of an attack. A cyberattack, for instance, can be mistakenly viewed as a cybercrime when its main targets are corporate accounts or personal information, though cyberwarfare also focuses on “civilian entities, including financial and infrastructure entities.”⁸ In the absence of uniformed armed enemy personnel marching on a capital, defining a cyberattack as an act of war becomes problematic, especially when digital traffic that “[travels] through cyberspace by routine means, the same means used by civilian and government traffic every second of every day,” is the only evidence.⁹

3. Use Of Developing Nations As Havens For Cyber-Offenders

Despite these labeling impediments on cyberspace and cyberwarfare, and a lack of coordinated effort on the part of the perpetrators, inaction is leading to more brazen cyber-offenders and more costly attacks. In 2008, for instance, Georgia accused Russia of disabling Georgian websites, including the website of the Ministry of Foreign Affairs.¹⁰ In 2009, the Canadian Information Warfare Monitor discovered a large-scale cyber



operation in China named GhostNet that is speculated to have “infiltrated at least 1,295 computers in 103 countries, including many belonging to embassies, foreign ministries and other government offices.”¹¹ The Chinese government, however, denied any responsibility over this project, as no conclusive evidence was found to prove its guilt. With the code name Olympic Games, the United States and Israel created Stuxnet, a worm virus that disrupted activities at the Iranian nuclear facility in Natanz over the course of several weeks in 2010.¹² As a result, Iran launched a number of cyberattacks on the Israeli establishment and tourists in Azerbaijan, India, and Thailand.¹³ In March 2011, the Pentagon reported 24,000 files stolen and many Pentagon officials, including Deputy Defense Secretary William J. Lynn III, speculated that China was behind these cyber attacks.¹⁴ In 2012, the Department of Homeland Security’s Industrial Control Systems Cyber Emergency Response Team (ICS- CERT) responded to 198 cyber incidents, with nearly half of them in the energy sector.¹⁵ Other sectors have also been affected by attacks via the online environment. In Japan, for instance, more than 3,000 confidential documents from the Internal Finance Ministry were compromised as a result of a cyber attack.¹⁶ In addition, major U.S. banks, such as Bank of America (BAC), J. P. Morgan Chase, and Wells Fargo (WFC), suffered multiple cyber attacks during the past year.¹⁷

The lack of coordinate efforts in combating unlawful activities in cyberspace has led to less technologically developed countries becoming safe havens for cyber offenders. With minimal risk, and often impunity, cyber offenders usually operate in cyberspace through stepping stone countries, technologically unsophisticated states, which generally lack cyber protection units in their police departments, laws that guard cyberspace, and the resources and institutional capacity to prevent attacks occurring in the online environment.¹⁸ A perfect example of such a cyber safe haven is in the Philippines, where the 2000 ILOVEYOU virus caused approximately \$10M U.S. in losses in 20 countries.¹⁹ Even after FBI agents identified the perpetrator, a Filipino student, no charges were brought against him due to the lack of Philippine laws prohibiting unlawful cyber activities. Moreover, the country refused to extradite its citizen to the United States for trial, as no extradition treaty exists between the two countries. The ILOVEYOU virus shows that jurisdictional voids remain in many countries where

cybersecurity might not even be on their national agendas, such as the countries of Eastern and Central Europe, Central Asia, and Africa. Specifically, Nigeria is famous for its “419 scams,” advance fee frauds, named after the Nigerian criminal code that this scam violates.²⁰ From false job promises and inheritance traps to company shares in the public and private sector, multiple variations of this scam exists; and after supplying the perpetrator with personal information, such as bank account numbers, the illegal money transfers occur through companies like Western Union. The Nigerian scams spread to other countries and were registered in Togo and Côte d’Ivoire. These safe havens make it difficult for law enforcement from even wealthy, technologically sophisticated nations to follow information trails and thus allow cyber-offenders operate with a minimum interference or fear of the law.²¹

Our future appears dim; according to Intel’s McAfee, Project Blitzkrieg, a potential cyber attack on the banking industry, is set to launch in the spring of 2013.²² In this ‘Project,’ Russian hackers will target investment and national banks through a fraudulent transaction. This attack, however, is the only one of which we are aware. Cyber offenders get more sophisticated and skillful by the minute. With this in mind, this article offers the following recommendations to predict and prevent violent acts in the online environment.

4. Policy Recommendations:

A. “Old wine in a new bottle:” Laws of war in cyberspace. The international community should follow the U.S. example and apply laws of war to cyberspace. Some nascent steps have already been underway, such as the 1993 White Paper on Growth and the Bangemann Report issued by the then-European Community, which focused on the importance of computer security,²³ the 2001 Council of Europe Convention on Cybercrime,²⁴ that set the rules for behavior in the cyber space, and the 2009 development of the EU’s European Network and Information Security Agency (ENISA), a “pace- setter” for information security in Europe.²⁵ Similar initiatives exist in other corners of the world. Defense Secretary Gotabhaya Rajapaksa of Sri Lanka, for instance, addressed the role the national government plays in protecting its national information infrastructure and its citizens. In his December 2012 speech, he



suggested that the government “develop cyber strategies that hold true across the state [and private] sectors,” as well as meet international standards.²⁶ Though all of these initiatives address cybersecurity and cybercrime, none discuss large-scale cyberattacks and cyberwarfare. Only the forthcoming 2013 Tallinn Manual on the International Law Applicable to Cyber Warfare, to be published by the NATO Cooperative Cyber Defense Centre of Excellence, applies the United Nations Charter, specifically Article 2 (4) (use of force), 41, 42, 51 (self-defense), as well as the Geneva Conventions to the online environment.²⁷ Thus, the international community should work together with Russia, China, Uzbekistan, and Tajikistan—nations that have been pushing the Secretary General for an international code of conduct on information security.²⁸ Only after a compromise between world leaders is reached will other countries follow their example in applying laws of war to the online environment.

B. Creation of a legal base for cyber acts. Developed nations should work at home to establish a legal base for adjudicating cyber attacks, as well as with developing nations to establish similar legislation. Ernesto Savon, head of the Transcrime Research Center in Trento, Italy, pointed out that creation of laws that punish cyber attacks and the imposition of similar laws in various countries will help to have fewer safe havens where cyber perpetrators can operate with impunity.²⁹

C. Education for future cybersecurity leaders. Some nations have made significant progress in educating future cybersecurity professionals. The U.S. Department of Homeland Security (DHS), together with the National Initiative for Cybersecurity Education, the Department of Education, and the National Science Foundation, announced a new initiative that focuses on the implementation of cybersecurity education programs from kindergarten through postgraduate studies.³⁰ On the other side of the Atlantic, the Kaspersky Lab in Russia is encouraging academic growth in the field of cybersecurity by holding annual academic conferences for a new generation of cyberleaders.³¹ After being attacked by Fame, Stuxnet and Gauss viruses, Iran has started developing military and civil cyber units to prevent future cyber attacks. Specifically, Iran launched fake cyber attacks in 2012 as an educational mechanism to build defense for future incidents.³² In 2013, the Israeli government will launch a cyberwarfare awareness program for teenagers named “Magshimim Le’umit.”³³ These initiatives are a step forward for training our future leaders, but more can be done. The demand for cybersecurity professionals is large and will continue to grow, as cyberwarfare is a potential

future threat that has to be adequately addressed. The Certified Information Systems Security Professional (CISSP) and Certified Information Security Manager (CISM) certificates should be the minimum requirements for every future cyber warrior,³⁴ but they are not enough. Seeing the need for future cyber specialists, New York University created a Masters of Science in Cybersecurity, a program that provides IT leaders with cybersecurity expertise. Other universities worldwide should follow this initiative.

D. Joint efforts between the public and private sectors. Though DHS and European Network and Information Security Agency (ENISA) both focus on cybersecurity, there are no joint programs or initiatives between these agencies. Both agencies can form a joint office to promote transatlantic cooperation on cybersecurity. Also, cooperation between public and private sectors should be done through training programs and joint workshops, as major soft targets for cyber attacks include national grids, water facilities, electricity, and other critical but poorly cyber-guarded infrastructure. The Network Security Innovation Center at Lawrence Livermore National Laboratory in the United States,³⁵ for instance, is a successful example of a public-private initiative to counter the constant attack on infrastructure and national security networks and to protect critical operations. A 2012 report from India’s National Security Agency titled ‘Recommendations of Joint Working Group on Engagement With Private Sector on Cyber Security’ is another successful initiative that stresses a need for capacity building and public-private cooperation.³⁶ Therefore, other governments should follow these examples and establish working agreements with anti-virus companies, such as Kaspersky Lab, Computer Associates and Symantec, who have been sharing virus definitions for decades, as part of a comprehensive public-private cybersecurity initiative.

E. Physical security as a priority. The Stuxnet example showed the crucial role physical security plays in combating cyberwarfare, as a motivated offender was able to physically install malware at a nuclear facility that lacked adequate security measures. This breach illustrates the necessity of effective physical security measures, as not all cyber attacks originate through the Internet. Critical national infrastructure, including “any physical assets that are capable of being used to produce services or other benefits for a number of years,” should be equipped with adequate security measures to prevent easy access to cyber offenders.³⁷ Even though the DHS’s Federal Emergency Management Agency (FEMA) highlights the need for citizens to stay protected in their online environment, it does



not mention physical security of infrastructure during manmade or natural emergencies.³⁸ When Hurricane Sandy hit the Northeastern part of the United States, for instance, the physical security of power grids and transportation was not fully secured. Therefore, FEMA and similar agencies worldwide should address the physical security of national infrastructure, which becomes significantly vulnerable during times of emergency.

F. "Bridge" between state, national and international cybersecurity apparatus. Referring to cybersecurity challenges, British Army General Rupert Smith argues, "Military organizations need to rethink and restructure their approach to warfare in order to accommodate the realities of this century."³⁹ Via online programs, the UK military personnel will be able to gain high-level cyber security knowledge and provide valuable support to government agencies.⁴⁰ Militaries and law enforcement, however, should not be the only entities responding to the acts of cyber offenders. Civilians who have appropriate skills should take an active part in this process, as the rationale for excluding them – protection from retaliatory attacks by an opposing military force – is not legitimate in cyberwarfare.⁴¹ Civilian participation could be completed in a formal way by creating a new social institution or in an informal way through voluntary, ad hoc participation.⁴² In both cases, civilians should be under direct supervision of law enforcement or military officials. Through such cooperation, world leaders will establish bridges between the disparate parts of local, state, national and international cybersecurity apparatus, as security gaps in one entity increases the vulnerability of all.

5. Conclusion

The Internet adds a new cyber dimension for conflict, and this dimension desperately needs to be regulated via a legal framework. Future leaders should take a proactive approach to cyberwarfare instead of a reactive one, and unite in adjusting the laws of war to cyberspace. As U.S. Defense Secretary Leon Panetta rightfully pointed out, "Since China and the United States have advanced cyber capabilities, it is important to develop better co-operation...to avoid any miscalculation or misperception that could lead to crisis in this area."⁴³ This cooperative spirit is a step in the right direction of addressing the complexities of cyber warfare, and other states should follow suit. Such cooperation will serve as an example for other nations, resulting in fewer stepping stone nations becoming safe havens for future cyber offenders. Moreover, world-leading nations should use this narrow window of opportunity to increase prevention efforts by engaging civilians through education and

implementing better cybersecurity programs in developing countries. Despite the diversity of cultures present in the global information society, nations should work in concert to address the exigencies of cyberwarfare and establish the means to mitigate it. It is of paramount importance that nations act swiftly, because cyber-offenders remain resolute in their mission to disrupt the information economy. They are already several steps ahead of the international community and are increasing in sophistication by the minute.

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photo by Greg Viola



From Kosovo to Libya: Humanitarian Intervention and R2P

by Yuki Yoshida

Abstract

This paper discusses how international relations theories can explain states' responses to humanitarian crises over time. The paper explores whether states' responses to the crises changed before and after the responsibility to protect (R2P) was adopted at the 2005 World Summit. To see whether there have been any changes, the author conducted two case studies: NATO intervention in Kosovo (1999) before R2P was adopted and NATO intervention in Libya (2011) after R2P was adopted. The paper concludes that, although adoption of R2P was significant progress of the liberal school, realism enjoyed a greater explanatory power than liberalism for NATO intervention in Libya undertaken in the post-R2P period.

Introduction

Although so-called "humanitarian interventions" have been undertaken in the post-Cold War era, most of the interventions, in fact, were not purely humanitarian-oriented, but rather were greatly driven by states' national interests. J.L. Holzgrefe defines humanitarian intervention as:

"the threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its citizens, without permission of the state within whose territory force is applied."

One of the humanitarian interventions in the 1990s was the North Atlantic Treaty Organization (NATO) intervention in Kosovo in 1999. NATO, however, was criticized by developing countries, claiming that NATO intervened to pursue its own interests rather than humanitarian objectives.

To avoid an interest-driven intervention and to promote one focusing solely on civilian protection in mass atrocities, the International Commission on Intervention and State Sovereignty (ICISS), established by the Canadian government, proposed the notion of the responsibility to protect (R2P). R2P is defined as the responsibility of states as well as of the international community to protect civilians from human rights violations. After unanimously adopted at the 2005 World Summit, R2P was said to be the basis of the NATO intervention in Libya in 2011. Yet, many developing countries suspected that

the intervention was undertaken based on national interests of Western states as in the case of Kosovo.

By analyzing the NATO intervention in Kosovo as the "pre-R2P" case and the NATO intervention in Libya as the "post-R2P" case, this paper assesses whether states' responses to mass atrocities have changed since the adoption of R2P in 2005. By looking at both realism and liberalism, the paper explores which international relations theory better explains humanitarian intervention and R2P. The paper argues that, while the adoption of R2P represents significant progress of the liberal school, its effects on interventions have been limited. As Libya's case suggests, the fundamental motivation for humanitarian interventions even in the post-R2P period remains heavily influenced by realism, which prioritizes pursuance of national interests under any circumstances including mass atrocities.

Relevant Theories

Neoclassical realism

One of the assumptions of neoclassical realism is that, as Hans J. Morgenthau argues, all human beings inherently seek to increase their power.² The power-seeking human nature creates a situation where statesmen struggle for power over other states. Morgenthau argues, "Politics is a struggle for power over men...the modes of acquiring, maintaining, and demonstrating it determine the technique of political action."³ In international politics, states are always concerned about national interests, such as security and wealth. To preserve their interests, intervention could be an option. Morgenthau argues:

Intervene we must where our national interest requires it and where our power gives us a chance to succeed. The choice of these occasions will be determined...by a careful calculation of the interests involved and the power available.⁴

Morgenthau also defines success as "the degree to which one is able to maintain, to increase, or to demonstrate one's power over other."⁵

Neorealism

Unlike neoclassical realism emphasizing human nature, neorealism focuses on an anarchic international system, where there is no central authority that governs international politics. Kenneth Waltz, a leading scholar of neorealism, argues that in



a self-help international system, state's foreign policy is determined based on its national interests.⁶ States continuously make efforts to preserve their interests and to ensure their survival because in the self-help international system, "no one can be relied on to do it for them."⁷ Tucker argues that states' interests expand as they gain more power in international politics.⁸ Similar to Morgenthau, Waltz argues that success means preservation and reinforcement of the state's power.⁹ To summarize, classical neorealism focuses on power-seeking human nature, whereas neorealism focuses on an anarchic international system. Despite their different focuses, both strands shed light on states' pursuance of their national interests and their desire to increase power over others.

Liberalism

In contrast to realists' focus on state as a major actor, liberalism emphasizes protection of human rights. Classical liberals argue that human beings possess "fundamental natural rights to liberty consisting in the right to do whatever they think fit to preserve themselves, provided they do not violate the equal liberty of others unless their own preservation is threatened."¹⁰ People also have the right "to be treated and a duty to treat others as ethical subjects and not as objects or means only."¹¹

Another assumption of liberalism is that states can cooperate for a mutual gain.¹² While liberal thinkers acknowledge that states seek personal gains, they believe that states have some shared interests, which can make international cooperation possible.¹³ To support this argument, liberals often cite emergence of international organizations, most notably the United Nations, as an example of clear manifestation of interstate cooperation.¹⁴

Contemporary liberal internationalism.

One of the strands of liberalism discussing the validity of humanitarian intervention is contemporary liberal internationalism. Michael Walzer, a leading scholar of this strand, argues that military intervention can be justified as a last resort and as a means to protect civilians from human rights violations, such as genocide and crimes against humanity.¹⁵ However, such intervention should not be undertaken unilaterally, but rather multilaterally with the authorization of the U.N. Security Council because liberal internationalists believe

that multilateralism prevents great powers from pursuing national interests rather than humanitarian objectives in intervention.

NATO Intervention in Kosovo (1999)

The first case analyzed is the NATO intervention in Kosovo in 1999. The case study explores what factors made the US and other NATO member states determined to intervene in the conflict in the Balkans. It illustrates why realism rather than liberalism better explains motivations of intervening states.

Background to the conflict

In 1989, Serbian President Slobodan Milosevic refused to recognize autonomy of Kosovo, which was guaranteed under Yugoslavia's 1974 constitution, and made it under control of the Serbian republic.¹⁶ Responding to the refusal, Kosovar Albanians established their own governing structure and conducted a series of non-violent protests against the Serb government to regain its autonomous status. After their efforts failed, the Kosovo Liberation Army (KLA) conducted systematic attacks against Yugoslav police in 1997. In 1998, Serbs in retaliation began ethnic cleansing against Kosovar Albanians. The U.N. Security Council failed to authorize the use of force to halt the ethnic cleansing because Russia warned that it would oppose any resolution authorizing use of force.¹⁷ Although the Council in Resolution 1199 called for a cease-fire and withdrawal of Yugoslav forces, Serbs continued ethnic cleansing. On Jan. 29, 1999, NATO facilitated the negotiation between Serb and Kosovar Albanian leaders at Rambouillet where the two parties discussed disarmament of the KLA, withdrawal of Yugoslav forces, and Kosovo's status. However, the negotiation failed due to Serb refusal to sign the agreement.¹⁸ To halt the ethnic cleansing, on March 24, NATO without Security Council authorization initiated an air campaign against Yugoslavia.¹⁹

Consequences of the intervention

NATO's air campaign in Kosovo seemed to be successful because NATO did not lose aircrew members during the 78-day campaign and was also able to hit more than 99 percent of its targets, which illustrated precision in its air strikes.²⁰ Despite achievement of its strategic objectives, NATO, in fact, failed to



achieve humanitarian objectives on the ground. First, NATO not only failed to halt the ethnic cleansing, but also made Milosevic determined to intensify the scale of ethnic cleansing.²¹ Second, roughly 500 to 1,000 civilians were killed by NATO bombings.²² Third, NATO destroyed socioeconomic infrastructure in Serbia including bridges, factories, television stations, media facilities, power plant sites and even some historic monuments. Fourth, after the air campaign, the number of Kosovar Serb refugees climbed.²³ In short, the NATO air campaign created unintended humanitarian crises in the Balkans. Thus, although the intervention in Kosovo might be viewed as a success from an operational point of view, it was not successful from a humanitarian point of view.

Why did NATO Intervene in Kosovo?

Humanitarian concerns

Some NATO officials and member states expressed humanitarian concerns regarding the civil war. Prior to the intervention, NATO Secretary-General Javier Solana stated:

Our objective is to prevent more human suffering and more repression and violence against the civilian population in Kosovo...We must halt the violence and bring an end to the humanitarian catastrophe now unfolding in Kosovo. We have a moral duty to do so.²⁴

At the Security Council meeting held right after NATO initiated its air campaign, the U.S. delegate stated that the intervention was necessary “to respond to Belgrade’s brutal persecution of Kosovar Albanians, violations of international law, excessive and indiscriminate use of force, refusal to negotiate to resolve the issue peacefully and recent military built-up in Kosovo...”²⁵ The Canadian delegate also emphasized the humanitarian nature of the intervention:

*“Humanitarian considerations underpin our action. We cannot simply stand by while innocents are murdered, and entire population is displaced, villages are burned and looted, and a population is denied its basic rights.”*²⁶

Thus, it seemed that the intervention was to some extent driven by the humanitarian concerns of NATO member states, which can be explained through the liberal lens.

National interests

National interests in the Balkans, however, seemed to be more at stake than humanitarian interests for intervening states. Some European states that participated in the intervention, such as Belgium, Portugal, and Spain, were concerned that the

conflict in Kosovo could spread and produce refugee flow, which would undermine regional stability.²⁷ Thus, Europe’s proximity to the conflict and fear of spread motivated many European states to intervene or at least to support the intervention for their own security.

The U.S. also had vital interests, though the conflict in Kosovo might not have directly undermined security of the U.S. President Clinton stated that one of the purposes of the intervention was to ensure NATO’s credibility in Europe.²⁸ Because NATO has played a critical role in maintaining U.S. hegemony in Europe,²⁹ continued existence of NATO as an effective institution was of paramount importance for the US to maintain its presence in the region.³⁰

The presence of NATO in Europe, however, has been threatened by several European states. In the post-Cold War era, France and Germany started claiming that Europe should be independent from the US military umbrella.³¹ In 1991, both French and German leaders proposed the establishment of the Western European Union (WEU) “as an integral component of the European Security and Defense Identity,” and WEU subsequently became the official military force of the European Union.³² In 1995, the two states further announced the creation of the “Franco-German corps,” which is operated outside the EU framework, but encourages other European states to join.³³ Because development of such independent European forces undermined legitimacy of NATO and U.S. hegemony in Europe, the United States persuaded small European states not to join those forces to undermine European commitment to forming independent forces.³⁴ The United States’ active involvement in the intervention can also be viewed as an effort to regain its hegemonic figure in Europe. Thus, protection of national interests seemed to be a major factor that led the United States to intervene.

Moreover, by intervening in conflict occurring in eastern Europe, the United States attempted to prevent Russia from becoming influential in the region. Since NATO eastward expansion in Europe was proposed in 1994, NATO has increased its membership in the region, such as Poland, Hungary, and the Czech Republic.³⁵ Gibbs argues that “expansion gave NATO a new function – preserving order in eastern Europe – which could serve as a partial replacement for the now obsolete objectives of preventing Soviet invasion.”³⁶ In the post-Cold War era, the United States still perceived Russia and communism as a potential threat to Western world. Waltz argues that the United States can justify its actions abroad by exaggerating “the Russian or the communist threat and



overreact to slight danger.³⁷ When the United States intervened in Kosovo, Russia did not pose any imminent threat to the region, indicating that U.S. sensitivity to Russian threat remained unchanged. In short, NATO eastward expansion aimed to extend U.S. hegemony to eastern Europe so that the United States could contain Russia. Thus, what Gibbs calls “double containment” – containment of both U.S. allies in Europe and Russia – was America’s vital interest in the intervention. In sum, although completely singling out NATO’s humanitarian interests might not be accurate, realism, characterized by security concerns of European states and U.S.’s power-seeking nature, seems to have a greater explanatory power for the intervention than liberalism.

Creation of the Responsibility to Protect (R2P)

The establishment of the ICISS and R2P

In the 1990s, the U.N. Security Council failed to respond timely and decisively to several gross human rights violations including genocide in Rwanda (1994) and ethnic cleansing in Kosovo largely due to the principle of non-interference of sovereignty.³⁸ Responding to U.N. Secretary-General Kofi Annan’s call for reconciling the dilemma between sovereignty and human rights, the Canadian government took initiatives to establish the International Commission on Intervention and State Sovereignty (ICISS) in 2001.³⁹ One of the most remarkable achievements of the ICISS was the creation of the “responsibility to protect” (R2P). According to the ICISS’s report, “Responsibility to Protect,” R2P consists of three pillars: (1) states have the primary responsibility to protect their citizens from crimes against humanity, ethnic cleansing, genocide and war crimes; (2) the international community has the responsibility to assist states in fulfilling their responsibility to protect citizens; and (3) the international community has the responsibility to react to human rights violations if states are unable or unwilling to fulfill their responsibility through political or economic sanctions, and use of force as a last resort.⁴⁰

Sovereignty as responsibility

R2P was established based on the idea of “sovereignty as responsibility.” According to several U.N. officials who developed the idea in the 1990s, sovereignty embraces a dual responsibility: externally to respect sovereignty of other states and internally to respect and protect human rights of citizens within the state.⁴¹ The ICISS report argues, “State sovereignty implies responsibility and the primary responsibility for the

protection of its people lies with the state itself.”⁴² With the redefined sovereignty, a state would lose the right to sovereignty when it is unable or unwilling to protect citizens from human rights abuses, and “the responsibility to protect them should be borne by the international community of states.”⁴³ Thus, the ICISS challenged traditional understanding of sovereignty as right by emphasizing the responsibility of a state as a holder of sovereignty to manage its internal affairs.

Terminological change

In the report, the ICISS purposefully shifted language from “the right to intervene” to “the responsibility to protect.” The shift suggests that the focus should be placed on victims who suffer from violence rather than on intervening states that pursue their national interests.⁴⁴ Gareth Evans, a co-chair of the ICISS, asserts:

The whole point of embracing the new language of “the responsibility to protect” is that it is capable of generating an effective, consensual response to extreme, conscious-shocking cases in a way that “right to intervene” language simply could not.⁴⁵

With the new terminology, the ICISS also aimed to generate political will to intervene by appealing for states’ moral duty to save humanity, which was missing in the 1990s.

Six criteria for military intervention

The report also stipulates six criteria that clarify when and how states can intervene.⁴⁶ First, intervention must be authorized by the right authority, that is, the U.N. Security Council.⁴⁷ To make the council a more competent body that can resolutely respond to humanitarian crises, the ICISS encourages the council’s permanent members to refrain from exercising their vetoes when “quick and decisive action is needed to stop or avert a significant humanitarian crisis.”⁴⁸ Second, just cause refers to whether there is large scale loss of life or large scale killing with genocidal intention or ethnic cleansing.⁴⁹ Third, the intervention should be driven by the right intention, which is humanitarian interests, not by national interests.⁵⁰ Fourth, intervention is justified only as a last resort after all negotiation efforts and non-violent measures, such as political and economic sanctions, are attempted and failed, and a state is continuously failing to protect its citizens.⁵¹ Fifth, use of force should be proportional, meaning that it should be “the minimum necessary to secure the humanitarian objective in question.”⁵² Sixth, military intervention is only regarded as a success if it achieved humanitarian objectives.



R2P-related discussions in the United Nations

R2P, established outside the U.N. framework, soon became the U.N. agenda. In 2004, R2P was discussed in the context of U.N. reform.⁵³ The report by the U.N. High-Level Panel on Threats, Challenges and Changes declared that R2P was an emerging international norm:

"We endorse the emerging norm that there is a collective international responsibility to protect, exercisable by the Security Council authorizing military intervention as a last resort, in the event of genocide and other large-scale killing, ethnic cleansing or serious violations of international humanitarian law which sovereign Governments have proved powerless or unwilling to prevent."⁵⁴

The year 2005 marked a historic moment for R2P because the heads of state at the World Summit unanimously adopted it.⁵⁵ Global leaders agreed that states have the primary responsibility to protect their citizens from genocide, ethnic cleansing, crimes against humanity, and war crimes. If states fail to fulfill their responsibility, the responsibility to protect will yield to the international community through various means including use of force as a last resort. The specific provisions for R2P were stipulated in paragraphs 138 and 139 of the World Summit Outcome Document:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means...The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.⁵⁶

In 2006, the Security Council adopted Resolution 1647 on the Protection of Civilians in Armed Conflict, reaffirming

provision of R2P adopted at the World Summit.⁵⁷ Furthermore, U.N. Secretary-General Ban Ki-moon has actively promoted R2P by publishing several reports including "Implementing the Responsibility to Protect" (2009),⁵⁸ "Early Warning, Assessment and the Responsibility to Protect" (2010),⁵⁹ and "The Role of Regional and Sub-regional Arrangements in Implementing the Responsibility to Protect" (2011).⁶⁰ R2P thus far remains one of the most important agendas at the United Nations.

Theoretical assessment of R2P

It is clear that the foundation of R2P is the liberal view of the world. As liberals emphasize, human rights protection is the core of R2P. Additionally, R2P calls for the international cooperation to protect citizens if states fail to fulfill their responsibility. Moreover, that use of force as a last resort to halt human rights violations can be justified completely resonates with contemporary liberal internationalism. Thus, R2P is a norm comprised of core assumptions and beliefs of liberalism.

In contrast, realists would argue that implementation of R2P would continue to be determined based on national interests of great powers. As the third pillar of R2P states, if states fail to protect citizens from human rights violations, the international community will fulfill that responsibility. Realists would then question what "the international community" means in this context. As the ICISS clarified, only the U.N. Security Council can authorize military intervention. More specifically, the five permanent member states with veto power will determine whether the "international community" will intervene based on their national interests. Moses argues that "there can be no guarantee of good behavior by great powers, precisely because there are no higher powers that can be hold them to account."⁶¹ Moses also claims that "it is the powerful who decide when interventions should take place and what form they should take..."⁶²

Moral sensibility is less important than national interests for intervening states. Thus, realists would conclude that states' responses to humanitarian crises would not change even after the adoption of R2P that calls for the international community's moral duty to save civilians in mass atrocities.

NATO Intervention in Libya (2011)

The second case analyzed is the NATO intervention in Libya in 2011. The case study explores some of the interests of intervening states and highlights again how the realist theory



has better explanatory power. The case study also examines if there have been any changes since the intervention in Kosovo, concluding that R2P's impact has been limited.

Background to the civil war

The uprising for political reforms in Libya against the Muammar el-Qadhafi regime occurred in the context of the so-called "Arab Spring," in which states in North Africa and the Middle East claimed democratization of their states. In mid-February 2011, several protesters were killed by Qadhafi's forces in Benghazi and other eastern cities.⁶³ During the clashes between the Libyan authority and the opposition group, Qadhafi's forces used armed force to contain those protesters. While the Qadhafi regime still maintained its authority in Tripoli, the capital of Libya, the opposition headquartered in Benghazi occupied eastern Libya. Qadhafi denounced protesters as "cockroaches" and stated that he would "cleanse Libya house by house."⁶⁴ On February 26, the Security Council adopted Resolution 1970, establishing an arms embargo and imposed sanctions on Qadhafi and his family.⁶⁵ In March, the U.N. also dispatched some officials to Libya to persuade Libyan government officials to end the violence.

Moreover, U.N. Secretary-General Ban Ki-moon personally spoke with Qadhafi on the phone to persuade his compliance with the resolution.⁶⁶ However, those diplomatic efforts turned out to be failures. Consequently, on March 17, the Security Council adopted Resolution 1973, authorizing "all necessary measures...to protect civilians...." On the next day, NATO air forces initiated bombing on Libya.⁶⁷

Consequences of intervention

Just as in Kosovo's case, NATO claimed that the intervention saved Libyan civilians from Qadhafi's aggression.⁶⁸ NATO also successfully collapsed the Qadhafi regime, though the purpose of the intervention was not regime change.⁶⁹ The majority of the bombing targets were also military-related facilities that would threaten Libyan people.⁷⁰ However, NATO again failed to improve the humanitarian situation, and Libya remains highly unstable today. The Interim National Transitional Council (INTC), established by the Libyan opposition group and supported by NATO, has been incapable of functioning as the central authority.⁷¹ Occasional clashes between militias are another contributing factor for instability. Particularly, the opposition-sponsored militia "have unlawfully detained

thousands of regime supporters, executed others, driven misused communities from their homes and engaged in widespread torture."⁷² Furthermore, according to the International Crisis Group, roughly 12,500 Libyans remained armed, and the small arms proliferated throughout the country.⁷³ Thus, considering Libya's current chaotic situation, it is questionable whether the NATO intervention can be viewed as a "humanitarian" intervention.

Why did NATO Intervene in Libya?

NATO member states expressed humanitarian concerns about the imminent threat in Libya. President Obama stated, "We cannot stand idly when a tyrant tells his people there will be no mercy."⁷⁴ French President Nicholas Sarkozy also claimed, "In Libya, the civilian population, which is demanding nothing more than the right to choose their own destiny, is in mortal danger ... it is our duty to respond to their anguished appeal."⁷⁵ In addition, the Security Council concluded that attacks of pro-Qadhafi forces "may amount to crimes against humanity."⁷⁶ Thus, Qadhafi's explicit aggression against protesters and the sense of moral duty to save them, to some extent, urged NATO to intervene.

National interests

However, NATO intervening states had vital national interests to preserve in Libya. First, restoration of access to Libya's oil reserve was vital for European states. Libya has exported roughly 85 percent of oil to several European states, such as Italy, France and the United Kingdom.⁷⁷ Libyan oil accounted for more than 28 percent of Italian oil imports, 17 percent of French oil imports, and 8 percent of the United Kingdom's oil imports. During the civil war, oil production significantly dropped, amounting to less than 20 percent of Libya's domestic needs.⁷⁸ This decline likely caused great damage to the economies of those oil importing European states. Therefore, ending the civil war to restore Libya's oil production was the primary purpose of their intervention. Consequently, those European states played leading roles in the intervention by providing air forces, training the Libyan rebels, and providing them weapons.⁷⁹

Second, Western states feared that Libya could return to a terrorist-sponsored state if Qadhafi won the civil war.⁸⁰ Since Qadhafi established terrorist training camps in Libya in the early 1970s, the Libyan government provided a large amount of weapons, money, and safe haven to various terrorist groups.⁸¹



The United States then added Libya to the list of states sponsoring terrorism and implemented trade restrictions against Libya.⁸² In 1999, Qadhafi started cutting his ties with terrorist groups, and his efforts eventually made the United States decide to remove Libya from the list in 2006. It can thus be assumed that Qadhafi did not sponsor any terrorist groups at the time of the civil war. Yet, Western states were afraid of Qadhafi's potential return to being a sponsor of terrorism once he won the civil war and fully restored his political leverage, which would greatly threaten the security of Europe because of Libya's proximity.

Third, Western states also feared Libya's possession and potential use of chemical weapons against them. In the mid-1970s, Qadhafi pursued nuclear weapons. Libya's use of chemical weapons against Chad was also severely criticized in the late 1980s.⁸³ In 2003, the Libyan government announced that it would abandon its weapons of mass destruction, including nuclear, chemical and biological weapons.⁸⁴ However, Libya still failed to completely eliminate its chemical weapons, which could be a significant threat to Western states. Thus, the interests of NATO member states including economic and security concerns were greater driving forces behind the intervention than humanitarian concerns. Similar to Kosovo's case, realism seems to better explain states' motivations in Libya.

What has Changed?

Several differences exist between the two cases analyzed. First, from international law perspective, the intervention in Kosovo was illegal due to lack of Security Council authorization, whereas the intervention in Libya was legal because the Security Council in Resolution 1973 "provided the coalition with the legitimate authority to intervene."⁸⁵ This change is worth noting because it suggests that NATO recognized the Security Council as the legitimate source of authority that can authorize intervention, which is stipulated in ICISS's report.

Another significant change was that, while it took almost a decade for the international community to mobilize the coalition in Kosovo's case, it took only a month for the Security Council to authorize the use of force in Libya's case since the conflict began.⁸⁶ This suggests that the international community has become more responsive to humanitarian crises and has realized its moral duty to protect civilians. In this sense, R2P has had some impact on states' responses to mass atrocities.

What has NOT Changed?

In fact, the impact of R2P was very limited and the two cases shared many similar features and consequences. First, pursuance of national interests seemed to be greater factors that motivated states to intervene than humanitarian concerns. NATO intervened in Kosovo because European states wanted to protect their own security, whereas the US sought to maintain its hegemony in Europe. Likewise, NATO intervened in Libya because it was afraid of Qadhafi's potential to sponsor terrorists again and to use chemical weapons against Western states. To remove such threats, regime change became the main objective of the intervention.⁸⁷ This argument is supported by the fact that NATO left Libya "soon after the killing of Qaddafi despite the continuation of sporadic violence in some parts of the country."⁸⁸ This was a clear abuse of the mandate because the Security Council authorized the use of force to protect civilians, but not to overthrow the existing regime and to support the rebels.⁸⁹ This blatant abuse of mandate implies that realism still dominated the motivations of intervention regardless of adoption of R2P.

Second, both interventions were not fully supported by the international community. This was obvious in Kosovo's case because Russia warned that it would veto any resolution authorizing the use of force. After the intervention, many developing countries also severely criticized great powers' justification of the intervention.⁹⁰ With regard to Libya's case, Security Council's authorization of the use of force does not mean that the intervention was fully supported. In fact, Brazil, China, Germany, India and Russia abstained from voting by expressing their opposition of use of force. Brazil stated, "We are not convinced that the use of force ... will lead to the realization of our common objectives – the immediate end to violence and the protection of civilians."⁹¹ China argued, "China is always against the use of force in international relations ... China has serious difficulty with parts of the resolution."⁹² Germany claimed, "We have very carefully considered the option of using military force – its implications as well as its limitations. We see great risks. The likelihood of large-scale loss of life should not be underestimated."⁹³ The reason why those states, especially Russia and China, abstained was that as Russia stated, they simply did not want to prevent the adoption of the resolution, though they could not fully endorse the resolution. Although this might be viewed as an influence of R2P, appealing for states' morality to defend human rights, their fundamental opposition of use of force even in the face of mass atrocities remains unchanged.

Third, as examined in both cases, the two interventions clearly failed to alleviate humanitarian situations in Kosovo and



Libya; rather, the interventions created unintended humanitarian crises and made people suffer more. Fourth, although the first pillar of R2P calling for states' responsibility to protect was mentioned in Resolution 1973, no NATO member states and the Security Council invoked the third pillar of R2P, which calls for the international community's responsibility to protect.⁹⁴ Thus, R2P was not used to mobilize the international coalition to protect civilians. This implies that R2P has yet developed enough to influence states' decision-making.

Conclusion

Examination of the features of the two intervention cases shows that states' responses to humanitarian crises have not dramatically changed before and after R2P was adopted. Although the adoption of R2P represents significant progress of the liberal school, the realist critique of R2P should be considered to avoid intervention based on national interests of great powers. Considering the fact that the intervention in Libya was undertaken to preserve national interests of some of the NATO member states, selectivity of intervention is likely to occur in the future, meaning that states would not intervene in humanitarian crises if their national interests are not at stake. From the theoretical point of view, it means that realism would continue to enjoy greater explanatory power for humanitarian intervention than liberalism. Also, the intervention in Libya resulted in making it difficult for the Security Council to authorize future intervention because the original mandate stipulated in Resolution 1973, that is, the use of force to protect civilians, was stretched to serve one of the Western states' interests, which was regime change. The abuse of the mandate also made developing countries even more suspicious about motivations of intervening states. This will most likely prevent R2P from developing as a more solid and influential global norm, and states' reference to R2P, in particular the third pillar of it, in future humanitarian crises will be contested because of the likelihood of the pillar being used to reactivate West's imperialism, as was the case in Libya.

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The Future of Great Power

by Elizabeth Morlock

Great power conflict historically has restructured global politics when states find it difficult to reach consensus on necessary reforms to address the evolving nature of international relations.¹ Vast investment in current policies denotes a preference for maintaining the status quo until stagnation in a system that lacks sufficient flexibility causes that system to erupt to relieve built-up pressure. Major trends that will characterize the future of international relations over the next few decades- globalization, emerging powers, changing demographics, environmental issues, resource competition, technology rivalries and increasing importance of non-state actors in determining global politics - will manifest themselves in multifaceted challenges. If states are unable to meet these challenges within the current construct of international relations, the challenges will become the drivers of future conflict among great powers.

Conflict, however, is unlikely to be confined to the traditional idea of war between states. Technology weakens traditional state boundaries, deeper regional and global economic integration augments the cost of combat engagement, an increasing environment of multi-polarity drives the nuclear arms race, states struggle to meet their populations' growing energy consumption needs, and the increasing gap between the haves and have-nots perpetuates the legacy of hatred and distrust that fuels unstable radical groups and threatens the security of the international community. This paper considers three plausible scenarios for the future of great power conflict based on the main theories of international relations: realists expect conflicts to be motivated by national interest and homeland defense, liberals expect conflict to be driven by command and defense of common community, and constructivists expect conflict to be stimulated by expeditionary forces that seek to promote global peace and security by intervening in moral issues that contradict their own ideals.²

Scenario 1: Pursuit of hegemony and policies of isolation and homeland defense

As globalization and technology increase interaction and contract the global community, states – which remain the primary actors – feel individually more vulnerable and reevaluate their security balance against international

cooperation.³ Spectacular failures of regional cooperative institutions like the European Union (EU) encourage extreme policies of isolation, especially for states like Greece that felt helpless and unprotected during economic crisis and

are now angry and untrusting of their neighbors. The breakup of the European Union into its original member states also leads to further disintegration within states that were particularly divided by failed economic policies, e.g. as Catalonia splits off from Spain. Trade remains asymmetric and concentrated to the advantage of Asia, particularly China, India and Japan, and to a lesser degree, Europe and North America, and to the disadvantage of Latin America and especially Africa.⁴ The Middle East decreases in significance as an oil exporter – and thus as an economic power – as its resources deplete, new sources are discovered, alternative energy programs advance, political unrest increases instability and conflict, and world powers become increasingly dissatisfied and disillusioned with radical Islamist governments.

With the failure of international law to be a force of international authority for regulating relations with the necessary power to enforce mandates, we see a reemergence of the Hobbesian ideal that “covenants, without the sword, are but words.”⁵ Economic disparities within and between regions, exacerbated by inequalities that are intensified by forces of globalization, add fuel to the fire threatening an eruption of conflict. Transnational criminal organizations, unrestrained by an inept international legal system, further exacerbate the chronic condition of state insecurity and incline wealthier nations to seek safety by barricading themselves in protective enclaves, leaving the disadvantaged nations that rely on them for trade and security to fend for themselves.⁶ The nature of power is also changing and is no longer primarily rooted in military power; although hard power remains an important factor in the global arms race for nuclear supremacy, hegemony is increasingly based on economic power. Due to its recent economic depression, the United States is downgraded from global hegemon to regional hegemon and must compete with other regional hegemons (e.g. China, Russia, India, Brazil, Turkey, Egypt) - none of which is strong enough nor has the privilege of special circumstances the United States had during its rise to completely replace the United States at the level of global hegemon. As emerging powers jostle to fill the power vacuum



left by the decline of a global hegemonic United States, the reemergence of multipolarity in the balance of power increases international instability and further reinforces the isolation strategy.

An increasingly multipolar system, due to its complexity and the decreased ability of powers within the system to control their allies, has more difficulty mitigating crisis situations to avoid the outbreak of inadvertent war.⁷ Bipolarity and the concentration of nuclear weapon systems to only a few actors during the Cold War reinforced the theory of deterrence based on mutually assured destruction (MAD) in a way that an increased number of actors - which increases the likelihood of ambiguity - is unable to do. Nuclear-armed states in the Middle East are unlikely to display the restraint encouraged by the binary nuclear competition for balance of power that the United States and Soviet Union faced during the Cold War era.⁸ Similarly, nuclear rivalry in states with major territorial or political disputes - e.g. China and Taiwan, India and Pakistan, North Korea, and Russia - raise problems of heightened instability and uncertainty, further exacerbated by the convention of nationalism and sensitivity to fluctuations in the balance of power for threatened trigger-happy leaders.⁹

Preventive use of force reemerges as a legitimate tool for mitigating potential security threats following Israel's attack on Iran's nuclear facilities, which redefines the precedents for "just war" theory.¹⁰ An arms race between contentious parties makes war either an option preferable to financial exhaustion or a way to gain military advantage by preemptively eliminating an enemy's arsenal. A nuclear war is arguably so destructive that it still has the ability to discourage resorting to its use; however, a robust arms race among multiple unstable parties also makes it harder to prevent unauthorized or accidental deployment of nuclear weapons.¹¹ The concept known as the stability-instability paradox posits that a rogue actor will potentially abuse the threat of nuclear war to pursue conflict and other objectives with impunity¹² - for instance, as U.S. relations with the Middle East deteriorate, a nuclear-armed Pakistan uses the threat of nuclear conflict to discourage the United States from intervening against state-funded terrorism. Conflict is likely to escalate to nuclear war if a nuclear-armed state finds itself faced with military defeat.

In the shift back towards multipolarity, centralized global

power shifts away from the United States and Europe and toward Asia, particularly China and India.¹³ With problems of government legitimacy mostly behind the Asian nations and the repositioning of the global manufacturing base once again within the Pacific region, Asian economic might, coupled with its demographic surge, ensures the region's emergence as the center of global influence.¹⁴ This happens relatively peacefully, being primarily an economic power shift at first, but gains momentum as more states follow the example of India and finally agree to come out of the nuclear closet - revealing themselves as military forces to be reckoned with in addition to their economic powers.¹⁵ With the shift to Asia, we also see a shift in battlefronts - away from land-based and toward air and sea spaces, as China is primarily a naval power.¹⁶

In general, traditional nationalism drives Asian politics more than political ideologies, and the nationalist movement drives powerful governments in the region to expand their militaries to defend disputed territories. Tensions in East Asia are generally divided into a Northeast region focused on the Korean peninsula and a southeast region concentrated around the South China Sea, which China's navy has majority control over.¹⁷ The collapse of the North Korean government unites U.S., Chinese, and South Korean forces, under the guise of a humanitarian mission as they move to reunite the two Koreas, but also attempt to shape new spheres of influence for themselves.¹⁸ In the southeast region, Vietnam, in spite of its political convictions, emerges as an economic giant in a capitalist-driven global economy and seeks to renew military ties with the United States. Indonesia also projects its regional power as a strong competitive economy, followed closely by Singapore and Malaysia, which successfully blend the capitalist and economic ideals of the Western democracy model with their authoritarian political regimes.¹⁹ China's attempt to reacquire historical territories encourages the Southeast Asian states to build closer alliances with the US military to protect their sovereignty, which threatens to reawaken old East-West contentions between the United States and China.²⁰ The most powerful East Asian opposition to Chinese hegemony comes from Japan.

The new breed of economic conflict, particularly the conflict concentrated in the East Asian states, if properly controlled and prevented from erupting into combat, is the main driving force behind progression in the 21st century.²¹ International relations



remain stable and relatively peaceful as long as the United States concedes its dominant political status to make room for emerging global powers, and merely strives to maintain the security balance.

Scenario 2: Federalization, regional cooperation, and defense of global “commons”

The principles of state sovereignty and non-interference, which have historically protected weaker states from the domination of more powerful ones in the Westphalian system of international relations, lose their significance in broader cooperative institutions like the European Union. By broadening the norm of the use of preventive and pre-emptive force in international law so that states are now held accountable for any event or group that originates within their borders (with or without their sponsorship) and allowing the international community to decide which regimes can be removed because they are considered illegitimate or objectionable, the principle of state sovereignty is inadvertently, but effectively, eroded. With increasing tolerance and expectation of international interventions in the affairs of states, the benefits of sovereignty and self-determination diminish and greater political cohesion via regional cooperative institutions is the new paradigm for governance.

State sovereignty is a principle that is increasingly conditional on each state's internal political control and via regional institutions is internationally granted and respected only for those states that do not pose an existential threat to the great powers that control the institutions. States have a greater responsibility to cooperate for international security and to prevent developments originating within their territory that pose an international threat, including securing weapons against theft, banning terrorist activity, preventing spread of infectious diseases, and mitigating environmental dangers.²² When states fail to mitigate internal threats the responsibility falls on the international community to engage in preventive action to defeat new threats before they are imminent. This is particularly the case when the objective is to prevent the acquisition of nuclear weapons and other weapons of mass destruction.²³

Establishing regional institutions is considered the best way to influence international relations as national interests make way for global interests. The increased possibilities for repeated interaction with other actors that globalization creates enhances the capacity of institutions to facilitate cooperation between members. As Axelrod articulates, “What makes it possible for

cooperation to emerge is the... possibility... that the choices made today not only determine the outcome of this move, but can also influence the later choices of the players.”²⁴ Grotian societies of states in regional cooperative institutions emerge exhibiting frameworks of common moral and legal norms. The austerity measures implemented by states in the global economic recession forced many to accept a policy of limited armament furthering the international investment of faith in collective security measures. This is particularly the case in the EU and also Turkey. States grant the larger military powers increased ability to maneuver in collective self-defense to achieve stabilized international peace and security. Coalition building via international security cooperatives like NATO helps states diffuse the costs and responsibility of international security. The economic decline of the US forces it to reexamine the role of its forces in maintaining international security.

States agree to sacrifice a measure of sovereignty for voluntary membership in regional federalized institutions that foster cooperation in economic and military ventures and increase gains for all involved, and great strides are made in the ability to manage disagreements before they degenerate past the point of dialogue. Major military wars are increasingly out of fashion as the price escalates dramatically- in terms of loss of property and human lives, as well as economically in the cost to international cooperative relationships, which are built on international trade.²⁵ We see a powerhouse cooperative effort in the combination of Russia and China into a regional government and currency model that aims to not only replace the United States in the role of global hegemon, but also strives to exclude the United States, particularly economically.²⁶ However, their authoritative governing styles and the lack of transparency between them threaten to derail their cooperative effort, and they must decide that their mutual desire to outpace and exclude the United States is stronger than their desire to maintain authoritative governments. The mutual mistrust inherent in both powers gives these states the necessary incentive to democratize to increase the stability of their individual states and also their union.

The process of regulating armaments via the Security Council and other international authorities increases international confidence in security and decreases the potency of anarchy and uncertainty.²⁷ The integration of states into regional cooperative institutions, however, also increases the likelihood that states will be pulled into conflict in defense of a weaker neighbor – great powers continue to be the forces that contain conflicts in their regions. For example, Turkey mitigates



the unrest in Syria, and Egypt steps up to control Hamas. The strategy of war, historically considered the prerogative of great powers, is increasingly the tool of weaker unstable states which lack the power of diplomatic influence to achieve their goals in international institutions.²⁸ For this reason, regional institutions, though they may decrease the likelihood of war by encouraging cooperation, should not be considered a panacea for mitigating conflict – especially if the institution is considered by weaker members to be a pawn of its most dominant member.²⁹

In an evolution that started with the Soviet Union's internal collapse due to economic stresses rather than via combat on the military battlefield, we see the survival and destruction of contemporary regimes attributed more to their economic strengths than the supremacy of their military force.³⁰ States governed by democratic principles strive for economic over military primacy, and the quest for wealth has more potential to lead to conflict than other traditional battle goals of territory acquisition or ideology defense, especially as globalization widens the gap between the haves and have-nots.

Increased economic interdependence further enhances the trend toward greater political interdependence.³¹ The global trend toward democratization and capitalization emphasizes the importance of international cooperation and premeditated war between individual states is increasingly unlikely as the incentives for war diminish; cooperation helps mitigate conflict because states no longer have to rely solely on themselves to advance their interests, but can achieve their goals via regional cooperative institutions.³² However, interdependency also means that shocks that occur in one region have a greater impact in other regions of the world than they have historically.³³ Globalization challenges the ability of states to control their frontiers, and geography no longer has the ability to effectively shield those who have traditionally been isolated from the reverberating shocks that impact global systems. This also means that conflicts are more likely to be economic than military in nature, as seen in the crises in Asia and Europe.³⁴ The economic crisis in Europe creates the opportunity that Latin American and Caribbean states needed to level the economic playing field, which they accomplish by focusing on social and environmental investments.³⁵

Scenario 3: Conflict of values and ideology

Ideological differences prove stronger than efforts at international economic cooperation, and dissimilarities in ideology make premeditated war more likely.³⁶ Samuel

Huntington's Clash of Civilizations³⁷ gains credibility, though in a more complex way than presented in Huntington's model - divisions occur within groups, especially amid moderates and extremists, as well as between them. Divisions are particularly stark between Westerners and the post-Arab Spring Middle East and North Africa, which blames Western involvement for upholding authoritarian governments conciliatory to Western interests. Ideological differences also influence cooperative efforts among states that perceive a common enemy in opposition with their ideals, for example the partnership of China and India, or that of China and Russia, often involving Huntington's East/West divide, North/South divide, or Muslim/Judeo-Christian divide. However, these divisions result mostly in economic conflict, whereas the divisions we observe within these groups, for example between Sunni and Shiite Muslims, are more likely to lead to combat.

Ideas matter and influence actions; reactions are determined by fundamental attitudes and policy predictions based on ideological differences become self-fulfilling. The less that regional powers (e.g. Turkey) are able to contain internal conflicts (e.g. Syria) and prevent them from rippling out and affecting neighboring states, the more likely that intervention will become a U.S.- or NATO-led event, and hope for peaceful resolution will be increasingly unlikely. The United States loses its capacity to leverage hegemony to shape the system to meet its agenda in a world that is increasingly against U.S. foreign policy.

Irregular warfare is more common as non-state terrorist actors dominate the global conflict theatre. The defeat of Al-Qaeda only means that other insurgent groups can fill its vacancy; it does not discourage terrorists from committing terrorism and in some ways seems to encourage them to fight harder. The attention of the international community is focused on fighting extremist insurgencies, most of which come from the "arc of instability," the region most disadvantaged by the uneven distribution of the benefits of globalization. As noted by the Development, Concepts, and Doctrine Center, "the comparative disadvantage will fuel perceptions of injustice," which reach a wider audience faster with the advent of more globalized telecommunications.³⁸ Increased global competition for energy and resources further destabilizes zones disproportionately disadvantaged by economic globalization. As long as the anticipated "youth bulge" in Latin America, Sub-Saharan Africa and the Middle East continues to result in a large population of uneducated desperate youth without jobs or prospects, we can expect them to exchange rural poverty for urban poverty, and



“head for the slums, bringing their anger, and machetes, with them.”³⁹

With the global movement of populations away from their homelands, whether in search of new opportunities or displaced as refugees by conflict or natural disaster, individual loyalty to states becomes increasingly conditional.⁴⁰ Loyalties are based more on ethnic affiliations and religious convictions, especially in the Middle East. Europe remains mostly secular, but we see an inclination toward more extreme religious influence in the United States (Christianity), Latin America (Catholicism) and Africa (Islam); and ethnic affiliations are more pronounced in areas historically composed of contentious tribes that have been unnaturally either separated or thrown together by artificial boundaries drawn during colonialism by Western occupying powers.⁴¹ On the other hand, nationalism increases in East Asia where China exerts economic, political and military influence to protect its growth and invokes national pride to boost internal stability.⁴²

The most violent conflicts erupt within states between different ethnicities and tribal factions in the ‘arc of instability’ and create dangerously volatile states that struggle not only against their external enemies but also against internal issues, such as corruption, that threaten the survival of new states.⁴³ The language of human rights law in international institutions is invoked by both sides of ethnic conflicts in many instances to justify and legitimize separatist conflicts, which often engage in particularly brutal practices such as genocide and ethnic cleansing.⁴⁴ In areas rife with social and political instability, ambitious political leaders take advantage of ethnic divides to distract their citizens from domestic failures, which might otherwise threaten their position of power. The successful resolution of moral conflicts that great powers find themselves drawn into will rely greatly on their ability to mitigate human rights abuses and keep death tolls to a minimum.⁴⁵

Separatist movements are countered by another form of ethnic conflict, irredentism, in which states attempt to reclaim “lost” citizens by invading and annexing territories in which significant populations of native descendants reside or attempt to reclaim “lost” territory that was part of their state at an earlier time.⁴⁶ The major actor profiting from this strategy is China- as they rise to power, they attempt to reacquire territories once part of the Chinese empire. However, this type of conflict is mostly restricted to the Middle East region, which fails to produce any states that might qualify as great powers, even regionally, due to their internal political instability.⁴⁷

Conclusion

International order is constantly evolving, but the radical progressions that restructure global policy and international order pivot on what Jeffrey Legro, a professor of politics at the University of Virginia, calls “switchmen.”⁴⁸ Often foreign policy is designed to satiate great powers’ predilection for maintaining the status quo until a radical event, or “switchman,” shocks the system and forces it to change.⁴⁹ Foreign policy has historically been shaped by the dominant powers and their pre-existing ideas of how global powers ought to interact. Great power politics will continue to shape the system, as in the past, but the actors will change.

As international cooperative institutions fail to be a panacea for global conflict as liberals predicted and leave some states bitter about the asymmetric benefits that favor the existing global powers and make it more difficult for others to rise, will states seek isolationist policies that reinforce the pursuit of individual national interests without regard for others and strengthen the state’s position as the primary actor? Evidence suggests that authoritarian states may be more likely to seek this route. Or will we see the defeat of the Westphalian system, the system of states that has governed international relations since 1648, in favor of regional cooperative institutions that rise from the need for political globalization to accompany the move toward economic globalization, emerging as the new arena for international order and conflict between international actors governing through regional alliances? Strong democracies are the states predicted most likely to attempt this strategy. As paramilitaries and non-state terrorist groups emerge, will states lose their political articulation as ethnic and religious identities accumulate power and numbers from those who feel desperately disadvantaged? Weak democracies, third world countries, states composed mostly of tribal factions, and recently independent states still struggling to establish legitimate governments are the actors considered most likely to be plagued with these issues.

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Realism and Kenneth Waltz

A theoretical analysis by Andrew S. Bowen

Kenneth N. Waltz's description of international relations is one that attempts to explain not only the interactions of states, but also of men. This description leads to an attempt at an understanding of why war continues to happen. Is it the prerogative of evil men? Can not the common benefit of all through peaceful cooperation be realized? These questions Waltz takes on by examining the building block of states – men themselves. Through this he asks and answers the questions of why cooperation, both by man and states, has not made war and conflict a relic of history.

In "Man, the State and War," Waltz writes that to understand conflict and war in the international system we must examine the three forces that produce such events: man, the internal structure of states and the state system. He refers to each one of these forces as the First, Second and Third images, respectively.

One of the key issues addressed is the notion of cooperation. If it is to be rationally assumed that cooperation is a preferable policy option to war, in that all will benefit absolutely, why is there still competition? The answer can be found, at its basest, by looking at the nature of man. Men will cooperate, but in doing so they have to be sure that all others making choices are perfectly rational at every decision.¹ However, this is not the case as man is not always rational and that his rationality can be overpowered by passion.² Spinoza and Rousseau are the foundation of this understanding. The complexity of human nature allows little for room in absolutism of good or evil, to quote Niebuhr, "Caesars and saints are made possible by the same structure of human character".³ It is the understanding that man, by himself, is free from competition in that he is only interested in his welfare. When coming into competition we see that there is no guarantee that others will act benevolently and rationally to ensure man's survival. To eliminate and somewhat control this competition, governments are formed to act as an overarching authority to enforce cooperation.

This understanding of man is applied to states, since man is one of the founding blocks of states. While man and society create the state, the decisions of the state are hampered by the Third image: the international system. The notion of anarchy, however, is introduced to the state system. Whereas governments tempered the competition of man, no such authority exists in the international arena with enough force to dictate the clashing pursuit of interests. Waltz contends that the liberal approach to peaceful engagement and cooperation will leave a state open to disadvantage through the decisions of states who have not agreed to the same principles as those states disavowing aggression: "In sum, what sense does it make to preach laissez-faire in international relations when not all states will practice it? Those who do find themselves at the mercy of those who do not."⁴

The continual nature of international relations is one of balance-of-power politics. States will balance against those who seek to gain an advantage, since a state is responsible for its own security and cannot rely on the benign designs of others. The liberal argument to this logic is that it will be superseded by commonality and convergence around democratic ideals. Waltz counters this in examining how in order to supersede balance-of-power all nations must be democratic; however, this is to be accomplished through inevitable human progress or through forceful intervention. Either way, it leaves the current state as one of balance-of-power and leaves open room for much more conflict either to force democracy or in inviting being taken advantage of, as mentioned earlier.⁵ Because of this, balance-of-power is an ever-present formulation of states acting rationally in their own self-interest, and that divergence could imperil their own survival.⁶ Balance-of-power politics will be erased once the conditions enacting it are removed from the international system; this will be concurrent with the removal of war as a means of resolving disputes, and until such time it remains ever-present.⁷

In lieu of similarity among nations, a supreme authority with enough force to dictate cooperation is necessary for the removal of war.



Since this force is one of imagination, states are left to rely upon their own interests in maintaining their own security. This is not due to the internal character of states – democratic or authoritarian – but resultant from the nature of the system. A system where each state is the ultimate arbiter of their interests, and where each states calculations of interests may override those of peace.⁸ Under this system there is no delineation of right and wrong pursuits, as each state is the judge of its actions and interests.⁹ It is through this international system that conditions the factors that lead to war, since there is no room for purely benevolent acts.¹⁰ Ultimately, because of all these factors Waltz finds an international system where war is ever present. It is such because of the diversity of contact points and varying interests each of these contacts make. He does not imply that war is a given, rather, that a variety of different factors create situations where peace is just as likely as war.¹¹

Waltz lays out his ideas on the international system in contrast to John J. Mearsheimer on a few fundamental points. Where Mearsheimer sees constant attempts at gaining power, Waltz sees states being careful to not gain or lose too much so as not to seem either too threatening or too weak.¹² To Waltz, the constant pursuit of as much power as possible would lead to an unstable international system, and in the balance-of-power calculus very threatening. An unchecked drive for power would lead states to quickly balance against your state, and in doing so threaten its security that it sought to preserve. This is in addition to the very nature of the pursuits of states. Mearsheimer would state that all great powers aim to be hegemonies, and to be the only one, thus ensuring their security.¹³ While Waltz does not deny the ambition of some states to become hegemonies, it is not the desire of all states. The common denominator of all states is to ensure their security, and pursuing hegemony is not a necessary precondition of security.¹⁴ Security, not power, is the fundamental goal of all states.

In addition to the power pursuits mentioned before, Waltz gives much more weight to the inherent characteristics of men than does Mearsheimer. While Mearsheimer would discount Hans J. Morgenthau's animus dominandi, Waltz believes that it is a constructive part of the state system and helps identify the interests and pursuits of such. This is not to say that Waltz believes that conflict is a pure result from such innate characteristics, rather it is a feature that merely illustrates the continuing and intractable nature of conflict.

This discussion then leads us to the application of these views on today's society and international system. Has the trend of even greater interdependence, as Robert O. Keohane and Joseph S. Nye Jr. would assert, made the cost of wars even higher and thus less likely?¹⁵ Has the advent of nuclear weapons made even the thought of war so destructive as to dissuade any possible conflict? The short answer to both these questions is no.

While there are ever increasing levels of interdependence, there are also many more chances for conflict as each point of contact creates different sets of interests. With each interest every state is left to decide the validity of its claims and how best to advance their position. This does not necessarily mean war, but it does not necessarily mean peace either. Liberals would like to believe that with the advent of organizations such as the IMF, WTO and the U.N., that the incentive for violence has abated. But none of these organizations have the force necessarily to ensure compliance. They have not changed the fundamental international system operating under anarchy. Liberals also would state that the process of cultural and social globalization has created similar societies, and that this interaction leads to confluent interests in the peaceful settlement of disputes. However, a quick review of European history would show that similar cultural heritage and social affinity is not a prerequisite for peace.¹⁶

One of the most pressing claims today would be that the advent of nuclear weapons has made war so costly that all nations, no matter their interests, realize the need for peaceful settlement of disputes. But fear itself is not a strong enough precondition to change both the nature of men and states.¹⁷ "Fear and permanent peace are more difficult to equate. Each major advance in the technology of war has found its prophet ready to proclaim that war is no longer possible: Alfred Nobel and dynamite, for example, or Benjamin Franklin and the lighter-than-air-balloon."¹⁸ While there is no arguing that the advent of nuclear weapons will change the calculus of many states, it does not change the system of anarchy and enable a permanent peace to reign supreme. And while it may make the classical power moves of antiquity much harder, it also increases the intensity of competition.¹⁹

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Revenge of Geography by Robert Kaplan

A book review by Matthew Marlowe

A common view in the modern era is that globalization, with its emphasis on cross-cultural interaction, ease of transit, and spirit of cosmopolitanism, has rendered geography irrelevant. In the aftermath of the Cold War, scholars and practitioners in international relations hailed the emergence of a different order that would usher in an era of peacefulness. With the likelihood for big wars diminished, the West could turn its attention to supporting democratization and independence movements worldwide. The wars that would be fought would have a moral compass, as prevailing wisdom at the time held that the West could use force to assist with humanitarian crises in places such as Africa, the Balkans and the Middle East. Concepts like idealism and triumphalism gave policymakers license to authorize interventions without thought to the consequences. Within this backdrop, the frequency of conflicts should have decreased while the ease of success of interventions should have increased. Policymakers, however, soon discovered that conflicts occurred more often and interventions became messier, which reflected a fundamental misunderstanding of geography and its importance in the decision-making process, the culmination of which manifested itself in the decision to invade Iraq.

The premise of Robert Kaplan's *Revenge of Geography* is that geography matters in the context of international security. Geography has always mattered, and the difference now is that scholars and policymakers have deluded themselves to think that they have overcome it. To serve his point, Kaplan surveys a range of seminal authors who have contributed to geopolitical thought. British historian Halford Mackinder's argument is that war is always a possibility, and understanding geography is essential to assess where tension will likely arise. This argument serves as a framework throughout the book. Kaplan warns the United States not to let its guard down against a rising China by mentioning the shortsightedness of British historian Julian Corbett, who argued in the 1900s for collective naval security arrangements prior to Britain's downfall as a world power. And the United States should consider the immediate areas around key players as forums for potential great power conflict, which follows from political scientist John Mearsheimer's argument that states seek to expand power in their region, regardless of what they claim their intentions are. The ensuing chapters cover various nation-states and regions that Kaplan thinks will be relevant for U.S. security consideration in the future, and concludes with a chapter that assesses the bilateral relationship between the United States and Mexico. Kaplan projects an American future with an increasingly mixed ethnic composition and a cultural orientation that runs north-south rather than east-west.

The merit of Kaplan's argument is that he raises key points that pertain to current events. Namely, the geographic fringes near world powers have generally served as the site for conflict between states rather than large-scale wars within states themselves. States are more likely to fight each other over territorial disputes elsewhere rather than invade each other directly. References to tension between China and Japan over disputed island chains in news outlets nowadays lend validity to this point, which would encourage the United States to monitor China's behavior in its neighboring regions such as the South China Sea or central Asia as arenas for aggressive behavior. Similarly, geography can drive competition for energy resources, which would provide context to how a number of countries are jockeying for trade routes in the Arctic. Having global interests requires an investment in infrastructure such as an active military presence through bases and naval deployments. The view that conflict is more likely to arise external to a given nation-state's territory would stimulate discussion of U.S. policymakers as they debate the utility of maintaining military bases in Central Asia in preparation for the withdrawal from Afghanistan.

In addition, Kaplan sets the stakes for U.S. security. He warns against complacency, which is helpful now for policymakers to think about how to use the military more effectively in the context of economic stagnation and low political tolerance for seemingly wanton military engagements abroad.



America's possible demise as the world's superpower is an uncomfortable topic, but thinking more comprehensively about the future would allow the United States to reprioritize its foreign policy objectives in a manner that balances threats abroad and mitigates risk in neighboring regions.

While many foreign policy thinkers and practitioners have focused on the Middle East in the recent past, they have overlooked the significance of Mexico to America's long-term stability. Kaplan poses that Mexico is on the verge of becoming a failed state, which should prompt the United States to deepen its bilateral relationship with the Mexican government through economic integration and security cooperation. This insight is relevant to current political discourse, because closer ties to Mexico would mean broader social acceptance of migrants from Latin America, and immigration emanating from this region, particularly Mexico, is one of the most controversial topics in the United States today. And focusing the minds of foreign policy thinkers on America's southern neighbor instead of regime change in the Middle East would be a welcome change. While Kaplan deserves credit for analyzing the history of different nation-states and regions to explain their current geopolitical disposition, he forces the issue of geography's importance.

This emphasis on geography enables Kaplan to make unsubstantiated points, which may distort his perception of the extent to which a nation-state could influence global affairs in the long-term. The chapter about Iran illustrates this weakness in Kaplan's argumentation. Cultural attractiveness and a centralized physical location on the Iranian plateau facilitated the spread of Iran's political influence beyond its core territory.

Likewise, a legacy of thought leadership led to the development of an administrative class that Kaplan thinks portends well for a democratic future. Kaplan characterizes the Green Movement as "world class" and lauds the state's ability to conduct asymmetric warfare abroad. The problem is that political liberalization has yet to solidify, which suggests that Kaplan displays wishful thinking about Iran's potential to democratize and to spread democracy to the Middle East.

A more thorough analysis of Iran's history would need to acknowledge internal issues that have stifled its political development such as a narrative of collective victimization. The larger point is that Kaplan clings to the positive aspects of a nation-state's history to justify his argument about its strategic importance today, which can seem self-serving because his subjects tend to be large states with ample resources and healthy populations relative to their neighbors.

As to whether *Revenge of Geography* contributes something new to the field of international security, the answer is complex. Kaplan's writing comes off as deterministic and verbose at times, repeatedly interjecting, for example, terms from the historical authors that have imperialistic undertones and detailing the minutiae of rivers that affected human migration patterns. Referencing these authors limits the degree to which the reader can consider the book's content "novel." Kaplan raises abundant scenarios for conflict, which likely stems from his background as an analyst for the global intelligence firm Stratfor.

The theoretical underpinning of this book sits firmly in the neorealist camp, and points about tension between China and Russia, for instance, align with other strategic thinkers such as Bobo Lo in *Axis of Convenience: Moscow, Beijing, and the New Geopolitics*. Having said that, the book exhibits noteworthy in terms of how it delivers a reality check for decision-makers to gain a new appreciation for geography when they calculate policy options. This awareness has the potential to reduce the likelihood of engaging in foolhardy conflicts, which means that *Revenge of Geography* can have a direct impact on international security.

With Kaplan's book as a guide, American decision-makers will have the foresight to prepare for what may be a challenging century ahead. And therein lies the value of the book, which is that people, instead of their environments, ultimately determine their fate. As Kaplan says, "[W]e must never give in to geography, but must fundamentally be aware of it in our quest for a better world."

Title: *The Revenge of Geography: What the Map Tells Us About Coming Conflicts and the Battle Against Fate*

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photo by Marielle Ali



Palestine. One Last Hope?

by Steve Cucharo

As the Israeli occupation of the Palestinian territories enters its 46th year, there remains little hope for a renewed peace process that could be taken seriously by the international community, or even Israeli and Palestinian society. Such cynicism is most pronounced on the ground, as the right-wing Israeli government continues settlement expansion, public opinion on both sides reflects pessimism regarding the peace process, Gaza remains under blockade, and the Palestinian Authority has proven itself to be an organization which is hardly able to fulfill its limited mandate set forth after the Oslo accords of 1993. As hope for a two-state solution dwindles and academics and policy-makers are more and more seeing the inevitability of a bi-national state or a destructive prolonged partition, there remains one last hope for a revival of a settlement in line with the two-state international consensus: mass civil resistance within the occupied territories. Perhaps the major question revolves around Palestinian means and methods.

Indeed, the success of such an idea isn't without precedent in the region. After the largely peaceful uprising known as the First Intifada in 1987, international pressure from the United States and international community as a whole was brought to bear upon Israeli politicians prolonging the military occupation of the West Bank and Gaza. As was outlined by Maria Stephan and Erica Chenoweth in their work "Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict", the peaceful character of the Intifada gave the Palestinian cause the most legitimacy, thus setting the stage for the Oslo Accords. The successes of Palestinian civil resistance revolved around grassroots organizing, the construction of local councils, the unity of goals among Palestinians, and mass participation due to the extraordinarily low bars for participation in demonstrations, boycotts and civil disobedience.

Although civil resistance continues to this day, there remains a schism within Palestinian civil society, as well as skepticism on the part of the international community as to the goals of recent incarnations of Palestinian resistance. Rightfully so. In recent years, the movement known as Boycott, Divestment and Sanctions (BDS), has placed itself at the forefront of Palestinian civil resistance, with the explicit goals of ensuring justice and equality for Israelis and Palestinians, the right of return (as outlined by UN Resolution 194) and the end of the Israeli occupation. However, recognition of the legitimacy of the Israeli state as well as the legitimacy of a two-state solution remains purposefully absent in the movement's goals. Not only does this deviate from international consensus, it gives Israeli hawks all of the evidence they need to make the case that Palestinian civil society isn't willing to accept two states. Although the means of boycotts, divestment or sanctions can, and have worked within civil resistance movements, the end goals must be in line with what the international community is willing to accept. After all, international actors, specifically the United States, hold much of the leverage in the conflict to begin with.

Most certainly, the goals of BDS don't reflect all of Palestinian public opinion, yet if the end goal is creating a mass movement, physical bars to participation need to be lowered in addition to moral and ideological bars. BDS in its current form serves as a caricature of Palestinian public opinion, thus delegitimizing the broader solidarity movement already in effect. At this point in time, the means are correct, the desire for a solution is accepted, but the goals need to be solidified around broad international public opinion in order to avoid a mass movement from fracturing. Predicting when or how movements will create enough critical mass, or in the words of John Paul Lederach, "critical yeast" to seriously make a change is almost impossible. All we can do is learn from what historical precedent has provided us. We all agree that the transformation of the Israeli-Palestinian conflict will end with officials of each side fleshing out a deal, yet a mass movement is what has the greatest potential to get us there.

Steve Cucharo is a second-semester student concentrating in Peace Building. His interests focus on the Israeli-Palestinian conflict and the role of social movements in conflict zones.



No to Drone Strikes

by Andrea Valencia

The use of drone strikes have increased exponentially after U.S. President Barack Obama took office, as there are more reported drone strikes under the Obama administration than during the George W. Bush administration. Not only do they represent the alternative to troops on the ground, as their “precise killing” reduces the need for physical contact with high-value targets, but they also represent a new era in which they are permitted to be utilized against U.S citizens. If the United States wishes to save face before the world in its global war on terror, it must stop the use of drone strikes as they represent a violation of human rights, the Constitution and international law. If it does not, the United States will be confronted with greater anti-American sentiment, encourage more terrorist recruits and lose credibility before the world.

As the Bureau of Investigative Journalism reports, from 2004 to 2013 in Pakistan alone, there have been between 2,534 to 3,573 reported civilian deaths. In 1992, the United States ratified the International Covenant on Civil and Political Rights (ICCPR) where Article 6 states, “Every human being has the inherent right to life ... No one shall be arbitrarily deprived of his life.” The use of drone strikes present a violation to the human right to life, as cases in Pakistan, Yemen, Iraq, and Afghanistan demonstrates that when using drone strikes, not only are high-level targets eliminated but civilian men, women, and children are also wiped-off by these attacks.

In addition, the Fifth Amendment of the U.S. Constitution states, “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury.” The Justice Department White Paper, outlining the justification for eliminating a U.S citizen if who presents an “imminent” threat to the United States by an “informed high-level official,” violates the very essence of any American citizen’s right to a fair trial. Not only because it skips the important step of bringing the case before the court, but the individual in question will have no chance to respond to the charges.

Finally, drone strikes are a forward violation of international law. The uses of drones not only infringe on a state’s sovereignty, but the law doesn’t extend so far as to include individuals within a sovereign state and declare them an enemy of the United States. Yemen and Somalia are two examples that exemplify this point. The United States is not at war with either Yemen or Somalia, so there is no reason for targeted killings to occur within those states’ boundaries. It is a violation of sovereignty and human rights, in addition to laws of war set-up by the Geneva Convention.

Thus, the use of drones in the global war on terror is not helping the United States preserve face. Not only are there breaches to human rights but also to the very essence to which this country was built upon: the Constitution. The use of drones is unethical, unconstitutional, and should be stopped. We have gotten away with declaring war on non-state actors, whose operations may be everywhere in the world, and whose leaders may still be in the blur, but the United States will not get away from the use of drones unharmed.

Instead of deterring future terrorists, we are enticing them to join. They may not believe in the idea of “terrorism” but they might believe that by joining a group much larger than themselves, whose purpose is to defy the United States may be their way of rebellion. We are setting precedent for more hostile nations such as North Korea and are defying the United Nations and the laws of war. It is only a matter of time before War Crimes are brought up and the United States is charged. If this were to happen, how would the United States respond? Would it defy the United Nations and decline investigations? If so, what message would that send to the world? As a hegemon, the United States should lead by example, but with the use of drones, the United States is digging a grave that it might not be able to crawl out of. Before this happens, let’s just stop and say “No to Drones.”

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Microfinance in Bangladesh

by Syed Mafiz Kamal

When Mohammed Yunus, the Nobel peace laureate and economist, championed the cause of eradicating poverty through microfinance, there was overwhelming enthusiasm from the public in the developing world to support him. He started his mission 30 years ago with the goal to end poverty and make poverty a phenomenon of history in Bangladesh and eventually worldwide. It is estimated that as of today microfinance has lifted 10 million people out of poverty in Bangladesh. In addition, at this moment, microfinance is reaching out to over 20 million poor people in Bangladesh, a country of 160 million. However, microfinance's biggest shortfall is that it is failing to reach the poorest of the poor, the bottom 20 percent of the poor who live below poverty the line in Bangladesh. These extremely poor people can be served effectively by the microfinance industry only if there is a strategic policy by the Bangladeshi government to provide them with an identity, as well as legal education and financial skills.

The basic principle of microfinance is to provide credit and other financial services to poor people who are not served by conventional banks and financial institutions. The poor have skills that are underutilized; hence, by leaving them aside, the society is losing remarkable potential for growth. Providing financial services will empower them with a real opportunity to contribute to the society. In Bangladesh, investing in the poor through microfinance has produced results because the poor pay their bills and return the borrowed money just like the borrowers of conventional banks. These poor people are the slum dwellers, the underemployed, and the people living in underdeveloped villages. They make up about 80 percent of the poor people in Bangladesh. The other 20 percent are the poorest of the poor who are not served by microfinance. They are migrants, refugees, beggars and street children who live in the cycle of extreme poverty and have no access to any financial services. In short, they are the ones who hardly manage to eat three meals a day.

Why are microfinance organizations unable to provide financial services to the poorest? According to Microfinance Institute, it is because, unlike the majority of the poor people, the poorest 20 percent do not know how to handle financial responsibility. As mentioned, the top 80 percent of the poor are coming out of poverty due to microfinance investments targeting them. On the other hand, the bottom 20 percent does not possess basic requirements for investment. They do not have any form of identification. They are illiterate. And they have very limited financial skills because they have never had access to credit or they never had the opportunity to save a penny in their lifetime. Microfinance analysts will describe the lack of identity, education and skills as the core reasons why the microfinance organizations are reluctant to offer the poorest any financial services.

If microfinance can exploit the potential of the poorest, the prospect of eradicating poverty in Bangladesh will be in our near future. However, the reality is different. For microfinance to reach the poorest three preconditions are necessary. If the government is able to undertake the following three preconditions; it will attack the root three causes of why microfinance is not reaching the poorest, which are lack of identity, lack of education and lack of financial skills. As mentioned, the preconditions to tackle the problem are: registration in a national identification database, legal education to inform them of their rights and basic training for handling financial responsibility. The Bangladeshi Government can design a strategy to undertake the three preconditions though collaboration and consultation with microfinance organizations (MFIs).

Once they have a form of identification, legal education and financial management skills; the poorest of the poor will be qualified for the provision of microfinance services. For the first time in their lives, they will have the opportunity to rise above poverty. Microfinance organizations will have a new pool of clients. The government can drift its energy toward different priorities other than fighting poverty. Bangladesh can choose to maintain the status quo by ignoring the poorest 20 percent or it can step up and give them a fair shot by making them qualified for microfinance services.

Syed Mafiz Kamal is a native of Bangladesh. He previously was a visiting fellow at MITA Microfinance Institute in Spain. His concentration is International Relations.



Lessons from the Drug War in Bolivia

by Sam Powers

“They left us with nothing. They cut down everything and we had nothing to eat.” Those were some of the first words I heard upon arriving to the jungles of the cocaine-rich Chapare region of central Bolivia. The emotion was as palpable as the sweltering heat as a mother and coca producer recounted her experiences with U.S.-sponsored efforts to eradicate coca leaf, the base material for cocaine. Beginning in the 1990s the Bolivian military entered the Chapare to destroy coca fields and open avenues for alternative development. During my time in Bolivia, I heard from the president, local about the violence and repression incurred during this time

From the U.S.-Mexico border to the coca fields of Bolivia, the so-called War on Drugs has touched the lives of many in our hemisphere. But it is the poorest and most marginalized who are trapped in a vicious cycle: the producers who face a great deal of backlash in a battle far removed from their own needs. In order to tackle the drug problem, there needs to be a concerted effort to decrease demand within the United States. Only then can alternative crop and work development efforts truly succeed. It must be made clear to the public that an incessantly demanding American consumer is the primary variable fueling an unsurpassed spiral of violence carried out by vicious cartels, in which thousands have been killed, and the fabric of the democratic order in Latin America has been strained and challenged.

One of the Western hemisphere's poorest nations, the small landlocked nation of Bolivia is currently the world's third largest producer of cocaine, behind Colombia and Peru. According to local farmers and experts, U.S. sponsored development programs beginning in the 1980s lacked the sufficient measures to provide a real alternative to coca production and in fact, fueled poverty and instability in the region. Although some individuals, including many expatriates I met while in Bolivia, would contend that this was a result of malicious intentions and negligence on behalf of the U.S. government, I would strongly disagree. I have met with representatives from the State Department, USAID and private development companies who have worked diligently and with passion to provide alternatives to Bolivian farmers and end the production of coca, a leaf that not only serves as the root of cocaine, but whose cultivation fuels environmental degradation and a mono-cropping trend that makes sustainable development difficult

These officials face a truly monumental test. All that is really needed to illustrate the difficulty of the challenge is a look at the numbers. At the offset of alternative development efforts in the 1980s, 2.2 acres of coca allowed a poor farmer to make \$9,000 annually. The second most lucrative crop, citrus fruits, would only make \$500 from the same piece of land. A local farmer and head of a coca production union told me: “At first I remember cocoa, passion fruit, and later palm hearts ... none of these were able to provide. All alternative development failed.” In an attempt to find an alternative to coca, plants were brought in that had no market, short shelf life or could not survive the tropical climate. This price disparity between crops remains, and market access, especially in the Chapare region, is not consistent. In addition, the government of President Evo Morales, who until very recently has allowed coca producers to operate with relative impunity, has exacerbated the problem.

It is in this context that American policy makers operate. Clearly, poverty and lack of development are key factors driving farmers toward coca cultivation. The inability to find a “wonder crop” to replace the lucrative coca leaf makes finding a real alternative to ending cocaine production nearly impossible. This trend holds true not only in the tropics of Bolivia but even more so in the arid foothills of Afghanistan, where opium production makes up 52 percent of the nation's GDP. The quest to find a “silver bullet” has been just as difficult in Afghanistan, where issues like tribal dynamics and constant security threats hamper development efforts. Out of these experiences, policy makers must begin to look at the other factors that drive poor farmers toward illicit crops.



It is clear that the struggle to end the Drug War cannot be fought abroad through crop transition, eradication and market restructuring alone. These factors are key pieces in the larger equation, but more needs to be done at home. Currently, 22.6 million Americans, or 9 percent of the nation, consume drugs, with marijuana and cocaine at the top of the pyramid. Although these statistics represent a substantial drop from peak numbers in the 1990s, more funds should be allocated towards educational programs, community outreach initiatives, addiction treatment and law enforcement. With this decrease in demand the seeds of development will grow with more efficacy. Nations plagued by narco-economies will likely see a transition toward a peaceful and more prosperous future.

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photo by June Vutrano



A Call for Men to Fight Gender-Based Violence

by Ericka Carolina Rodas

Gender-based violence affects everyone in society, whether male or female. This crime involves includes domestic violence, rape, honor killings, trafficking, and sexual harassment. The perpetrator is usually a male who desires to prove his male “superiority” in relation to “weak” women. In addition, the universal conception is that women exist to satisfy men’s sexual desires and that they enjoy being abused. This perception causes the problem. The United States prides itself on its gender equality; however, it seeks to hide behind its gender-based violence. It is only when both men and women join the dialogue to end the violence can we progress as a country and as the international leader.

According to UNFPA, as many as one in three women “has been beaten, coerced into sex, or abused in some other way – most often by someone she knows...” However, President Obama’s signing of the reauthorization of the Violence against Women Act (VAWA) on March 7, 2013, is hopeful for both men and women worldwide. The White House Fact Sheet on VAWA notes that repeat offenders will receive stronger penalties and rape shield laws will prevent a victim’s sexual history to be used against him or her. Under Section 104 of the law, victims are not required to pay for any exams or services. Renewed training of law enforcement officers, prosecutors and judges will be emphasized to the benefit of the victims as stated in Section 102 of VAWA. The most advanced contribution has been the increased protection granted to women living in Native American and Alaskan native territory and also to immigrant women and their children under Title IX and Title VIII respectively. The National Domestic Violence Hotline has also been marked as an important tool.

Even though gender-based violence still occurs, there are “hopeful” statistics. According to the Department of Justice’s report *Female Victims of Sexual Violence*, released earlier this year, sexual violence against women and girls in the United States declined 64 percent from 1995 to 2005 and remained stable throughout 2010. That does bring hope to the country. Yet, the Rape, Abuse and Incest National Network reported that someone in the U.S. is sexually assaulted every two minutes and that there are approximately 207,754 victims of sexual assault every year. Moreover, the organization notes that only 54 percent of sexual assaults are never reported to the police and 97 percent of rapists will never spend a day in jail to pay for their crimes. More crimes need to be reported!

The American discrepancy towards gender-based violence is seen in regards to the Steubenville, Ohio, rape case of a 16-year-old girl and the gang-rape of a 17-year-old girl in Delhi who then committed suicide. The United States, it is commonly argued, is the safe-guarder of freedom and has done much to advance women’s rights. As noted by the Huffington Post, on Dec. 27, 2012, the 17-year-old Delhi victim poisoned herself in response to the police’s failure to take active measures to arrest and punish the rapists. The victim’s sister informed journalists that the rape victim was pressured by police to accept either a cash settlement or to marry one of her attackers. How is that different from the Ohio rape of a 16-year-old girl by two 16-year-old members of the football team in August 2012? Michael Pearson of CNN commented that the defense attorney’s claim that the victim and her parents reported the crime only days later along with evidence. In addition, the defense argues that the victim sent a text to one of her attackers days after the attacks stating, “I know you didn’t rape me.” This comment should not be taken literally. Since the victim was unconscious during the rape, she does not remember exactly what happened. The social media and the town’s famed football team should not be an excuse for two potential rapists to go free. A crime is a crime regardless of the identity of the perpetrator and the victim.

Men should not feel ashamed in standing up for women’s rights. Their ideas can truly help women and send a message to all men that this behavior is not acceptable at all.



Men should be taught that displaying emotions is an important part of being human and that both women and men contribute successfully in society. Women are less afraid of reporting a crime if they know they won't be stigmatized. Ads in the subway that encourage reporting of sexual assault/harassment are a progressive step, while victim-blaming will only continue to regress societies. The danger of regression is depicted in the recent tip given to female students at the University of Colorado, as recounted by Lateef Mungin of CNN, to "tell a potential rapist that you're menstruating, about to urinate or vomit" in order to scare him. If that does not bother you, shame on you!

Ericka has a Human Rights/International Law and Gender Specialization. She is interested in women and children's issues in particular finding ways to empower them. Undergraduate thesis on child sex trafficking in U.S. and also writes about reproductive rights and the right to an education.



photo by Marielle Ali



French Intervention in Mali: a Just War

by Livinia Mouries

Despite criticism and questions about France's motives, it is evident that the French intervention in Mali was not only legitimate and necessary to prevent the country from becoming a failed state, but was also a moral imperative that France could not ignore. Since the early months of 2012, several well-trained and organized extremist Islamic groups had begun imposing Sharia law in northern Mali, which had triggered hundreds of thousands of fearful Malians to flee to neighbouring countries after having witnessed or experienced brutal beatings, floggings and broken limbs.

Yet, some critics have compared the intervention to the American invasion of Iraq, accusing France of trying to extend its control in the region. Dominique de Villepin, Jacques Chirac's former prime minister, argued that the intervention is pointless and is unlikely to succeed, while Senegalese novelist Boubacar Boris Diop alleged that the intervention has post-colonial aims because of Mali's strategic location, as well as its resources of oil, gas and uranium, all of which France largely utilizes.

Despite their opposition, de Villepin and Diop do not offer any alternative proposals for finding a solution to a conflict that can no longer be ignored. France's intervention came at the request of the Malian government to help a population that had been subjected to horrific acts at the hands of the jihadist groups looking to destabilize the country; for this reason, the Malian population welcomed the French troops' arrival. Neighbouring African countries, such as Algeria and Mauritania, also supported the intervention, while Chad later decided to send troops to support Mali; Western powers, such as the United States, the United Kingdom, Germany and Denmark, have provided aid and assistance.

The French decision to intervene was not taken lightly. The advance of the jihadist groups toward Bamako, Mali's capital, threatened the fragile Malian government, while the jihadists' control over Konna, a city close to an important Malian military airport, threatened the safety of the whole country. Had France not intervened, Mali's government would have fallen at the hands of the jihadists, and the country would likely have collapsed. France had to act fast and effectively. The French president, François Hollande, claimed that the French intervention would be a war to eradicate the terrorist groups, many of which are affiliated with al-Qaeda. To this day, the French-led Chadian military has killed two of al-Qaeda's pillars: Moktar Belmoktar and Abou Zeid, both of whom were recognized as international terrorist threats. Several jihadist bases have also been bombed and destroyed by French and Chadian forces, such as in Gao and Kidal.

There is no doubt that the French government had a moral duty to intervene. Under the "just war theory," an ethical war has a just cause, a competent authority, a right intention, limited objectives, is used as last resort, and has a reasonable hope of success, all of which apply in the case of the French intervention. The French government clearly brought support to a country that had already been denied its right to self-determination when the jihadists took control over northern Mali. Furthermore, the French intervention was both a last-resort solution, as no diplomatic negotiations were possible with the terrorist groups, and an intervention that respected the self-help principle as Mali was struggling in its continued resistance against the jihadists.

As a result, it is fallacious to claim that France's interests in the costly and risky intervention lie under a post-colonial aim. President Hollande repeatedly stated that the French troops would leave the country as soon as the situation is stabilized. Moreover, in order to avoid a backlash after the French troops' departure, France and its allies have already established training camps in order for the Malian and neighbouring armies to become fully effective and become independent of foreign help. It is clear that the intervention was not an act of post-colonialism, but was indeed legitimate and a moral imperative characteristic of a just war.

Livinia Mouries is a French student concentrating in International Relations.



photo by Jennifer MacNeill



Children Vulnerable to Sex Trafficking

by Ericka Carolina Rodas

Sex trafficking, in which people are forced to perform sexual services for the profit of others, is a crime that occurs not only in developing countries but also in the United States. Unfortunately, it is a global problem that has grown worse since the end of the Cold War in the early 1990s, as immigrants from Eastern Europe poured into Western Europe and the immigrants from Latin America came in increasing numbers to the United States. Children are the most vulnerable as traffickers take advantage of their naivety and tendency to view adults as figures of authority. In order to truly protect children and promote their advancement in society, it is imperative for Congress to pass the Domestic Minor Sex Trafficking Deterrence and Victim Support Acts of 2011 introduced in March 2011 by Sen. Ron Wyden.

As mentioned by Chris Swecker of the FBI in 2005, a University of Pennsylvania Study found that 300,000 American children are at risk of becoming trafficked due to poverty. However, this number is only an estimate as many cases are unreported due to victims' fear of law enforcement or government corruption. Victims of this crime include both domestic and foreign children; sex trafficking does not discriminate. In addition, children who are trafficked are often runaways, who escape from violent homes and foster homes only to find themselves back in the same vicious cycle of abuse. Traffickers lure children by promising them a safe place to live. The problem with eradicating this crime is law enforcement officials' misperception of the child as a criminal rather than a victim. It is absurd to think that children are guilty of sex trafficking when they are not of age to consent. Even if they did "agree" to this work, one must remember that trafficking victims, whether adults or minors, are often forced and coerced because of their poverty. According to Ron Soodalter and Kevin Bales, authors of "The Slave Next Door," safety is a top priority for trafficking victims since without it there is a high possibility that the child will return to that life because he or she knows nothing else. According to the U.S. State Department's 2011 Trafficking in Persons report, the FBI reported that only 235 male and 844 female minors were arrested for prostitution in 2009 by local police.

This law would protect child victims rather than criminalize them. Victims need to receive proper care, including safe shelter, education and services for health, mental and rehabilitation needs. In addition, the proposed law advocates for training of law-enforcement officials, social service providers, school staff, and other individuals who come into contact with victims so that children receive adequate care and the trafficker is prosecuted.

Traffickers often beat and rape victims who are unwilling to work and threaten to kill the victims and their families. Traffickers are merciless due to the businesslike nature of the crime; they seek to meet their quota for the day. Most of them make \$200,000 a year for trafficking one victim as noted in Section 2, paragraph 9 of the Act.

This proposed act would require the federal and state governments to implement measures to combat this crime whether by enacting or reforming existing laws against trafficking. States would have to keep a record of missing children, with photographs, and notify the National Center for Missing and Exploited Children. Likewise, the attorney general would be obliged to notify the National Crime Information Center of all children reported missing at the federal and state level three times a year.

The Domestic Minor Sex Trafficking Act, if passed, would be a milestone in the United States. Many states pursue independent policies separate from those at the national level, but that would not be effective. In the 21st century, it is an embarrassment that slavery still exists globally. As the global leader, the United States needs to act as the role model and declare that it will fight to hold traffickers, the true criminals, accountable for their actions.

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