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SPEAKER SERIES

Jonathan Yang

EDITOR'S LETTER

Dear readers,

Welcome to the Summer 2012 issue of the Yale Review of International Studies. It has been an exciting couple of months for YRIS—we just wrapped up our speaker series—and we are happy to publish our second issue of the year which highlights a variety of issues and parts of the world, questions and topics that perhaps you will engage with and work on in the summer months to come.

One of the more consequential recent political scandals has been the fall from grace of Bo Xilai, and Adrian Lo explains the consequences of Bo's dismissal on China's political scene and the upcoming transition in the Politburo Standing Committee. Marissa Benavides explores a softer side to Chinese power, and Micah Handler focuses on another unconventional tool of diplomacy in his analysis of the Seeds of Peace camps and their mediating role between Israel and Palestine. While tensions between those countries are quieter now, this spring saw a rise in prospects for conflict between Iran and the United States (and Israel). Vinicius Lindoso analyses these events in the context of the Iraq War, and Casper Alexander revisits the controversial use of private military contractors in that fighting.

Economic news, previously dismal, now perhaps just bad, has dominated international relations recently, and Frank Costa discusses Italy's precarious position and the larger challenge of fiscal imbalances in the European Union. Kyle Hutzler turns to India's financial sector to take stock of how financial reforms have, and have not, helped fuel the growth of the world's largest democracy. Even more than suspect sovereign bonds, soaring carbon emissions may doom us, and Rachel Payne reviews international works and treaties to prompt action against global warming. The failures of such efforts will be felt by tribes like the Huaorani in Ecuador, and Amelia Earnest and Dennis Wang tell how they bear the brunt—in both spoiled environment and short-lived opportunities—of the oil industry's search for new fossil fuels. Against this modern economic imperialism, Jordan Laris Cohen goes back to emergent nationalisms during the Cold War that rebelled against colonial forms of international domination.

Abhimanyu Chandra returns to *The Reluctant Fundamentalist* and argues for its dangerous relevance even a few years after its publication, while Grayson Clary looks at the much talked-about *Why Nations Fail* and encourages us to continue discussing this stimulating book.

It has been a pleasure serving as Editor in Chief this year, and I look forward to reading and enjoying YRIS next year and in the years to come.

RAMON
GONZALEZ

Editor-in-Chief

COMMENT

A Red Canary in the Coal Mine ahead of China's
Leadership Transition?

The dismissal of Bo Xilai from his position as the CPC Chongqing Committee Secretary after the Wang Lijun incident has received widespread coverage in international press and the Western media. Wang Lijun, Bo's loyal police chief, was found in the American Embassy on February 6, who was widely understood to have revealed classified information against Bo. Cheng Li, an expert on Chinese politics at the Brookings Institute, was quoted in the Financial Times as saying that Bo's purge from power could have an impact of the same magnitude as the purge of Zhao Ziyang after the June Fourth incident of 1989. I concur with Li on the significance of the dismissal, and would argue that it reflects deep divisions within factions of the CCP, and raises uncertainty around the upcoming transition of power this fall. While first appearing as an incident of political misconduct over Bo's management style and alleged corruption charges, the discourse on the incident shifted radically since April, when both the press and the CPC focused on criminal accusations relating Bo and his wife to the murder of British national Neil Heywood last November. In the public space, Bo's case now appears to be a criminal one rather than a political one. I believe this meditated change in discourse will reveal some of the complexities in Party politics, and is in no ways coincidental. I will attempt to analyze the motives and implications of

Bo's dismissal from three perspectives: from Bo's point of view, its indication for future political trends, and the potential bearing on the selection of the eighteenth Politburo Standing Committee this fall.

Bo, a long time political star and contender for party leadership, is the son of former Vice-Premier Bo Yibo. He has always long held high aspirations and was on track for one of the nine positions in the standing committee of the Politburo. His legacy-aided rise to power is characteristic of one of the two dominant factions in the party, commonly referred to as the "Princelings." Such an elite status in a country dedicated to socialist ideals can be a double-edged sword: Bo found himself as an outspoken target for both his persona and his policies.

His high profile politics found their way well into both domestic and foreign media, and drew steady support from his subjects. Most recently through his position in Chongqing, he implemented Maoesque policies known in Chinese as "Sing Red, Beat Black." "Red" refers to populist movements he has created in his support, echoing the Cultural Revolution; "black" references his aggressive anti-crime and anti-corruption politics. While some have argued that these heavy-handed crackdowns drew criticism from the party center, I believe they served a symbolic, peripheral role in Bo's politics. Anti-crime and corruption banners have long been

used as political means across the country to reach certain goals, be it purging certain factions (one would recall the Chen Liangyu incident in Shanghai of 2006) or to send a specific message to private businesses.

His flashy, left leaning politics has drawn two main groups of opponents: reformers who are dissatisfied with China's neo-Maoist economic and social policies; and empowered elites who are uncomfortable with his public prominence. But it is worth remembering that while policies running against the central directives have played a significant role, the personal element to this struggle is also of consequence. At the heart of the attacks directed against Bo is a challenge for his lack of humility, and his embrace of an independent style for which the ruling hierarchy has little tolerance. Susan Shirk, former Deputy Assistant Secretary of State under the Clinton administration, argued that it was Bo's open campaign for power and use of media to mobilize the populace that led to his removal. Shirk's individual-based analysis coincides with the views of critics who have noted a shift towards a Bonapartist, bureaucratic state with greater centralization and checks-and-balances, and away from the strong-man, charisma politics that prevailed under Mao Zedong and Deng Xiaoping. Bo's outspokenness simply does not fit into the grand scheme of politics that calls for subservience and harmony. From this point of view, his dismissal can also be seen as clearing away potential opponents to the ascent of Xi Jinping, widely accepted as the leader-elect of China come this fall. Bo's fervent challenge to the core of party politics and his lack of respect for the future leaders is one, but perhaps not the most significant, of all reasons for his

dismissal.

While I still believe that it is Bo's politics that has antagonized him from the rest of the Party, it is his involvement in the criminal case of Neil Heywood's murder that puts an end to his career. Neil Heywood was a British national and a long-time resident of China. Until recently, little was revealed about his death last November, but it has since surfaced that Heywood had close links with the Bo family, and might have worked in consulting capacities for British organizations and Chinese businesses. His murder has been tied to Bo's wife, Gu Kailai, who is under criminal investigations and may be executed for her involvement in the case. It is widely believed that Gu and Heywood had a very intimate (and possibly romantic) relationship, as well as close business cooperation in transferring Bo's family assets abroad. The new association of the murder case and Bo not only casts a criminal shadow on his dismissal, but has also resulted in international pressure from the British and American government for a thorough investigation regarding the murder case. Bo has been suspended from all his political offices since April 10, including his membership in the Politburo.

The dismissal of Bo not only represents the end of his political career, but also of the "Chongqing model" of politics associated with his leadership. This left-leaning policy, which involved redistribution of wealth and welfare, was seen as one of two simultaneous experiments regarding China's future direction. Bo's removal symbolizes the Party's rejection of the "Chongqing model" in favor of the "Guangdong model," led by another political star, Wang Yang. The "Guangdong model" represents a market-oriented approach

that is politically aligned with the top-down neo-liberal reform policies. Though this simple division raises the question of what the “Chongqing model” really is. Some of the economic successes Bo has delivered since 2007, such as substantial GDP growth, have been aided by a boost in private sector contributions from 25 to 60 percent. The “Chongqing” model may be less of an anti-capitalist economic policy, and more of a neo-socialist socio-economic policy. And indeed some of these policies in increasing welfare, such as a small but significant public housing project in the outskirts of Chongqing, have been replicated (without credit) nationwide.

The main difference between the “Chongqing” and the “Guangdong” policies has been their divergent approaches to addressing the growing social problems brought about by China’s rapid growth (the country has a Gini coefficient as high as that of Swaziland). In short, the “Chongqing model” represents a welfare-based solution contrary to the consumer spending-based “Guangdong model.” Part of the reason why the “Chongqing model” received such wide attention nationwide had to do with the massive social unrest the neo-liberal policies have created, and the populist appeal welfare policies such as medical insurance and pensions have drawn. On the other end, the Guangdong economy has been presented to the nation as a prime example of a graceful transition towards a high-tech economy that will build itself around higher wages, and, therefore, high, growth-spurring consumer spending. As the West eagerly anticipates signals about the new direction of China’s market economy in the era of rising global influence, Bo’s dismissal has

deep implications. China is likely to further its classical neo-liberal economic policies, domestically and abroad, in the years to come over experimenting a neo-socialist policy. Using faster economic reform to cure - or at least distract from - social problems, has at least judging from the West’s example, not been the most successful way forward. It will therefore be interesting to watch its ramifications in domestic Chinese politics and in addressing social upheaval.

Most interesting of all, however, are the implications on the upcoming transition of power. While the West has fixated its attention on the two top positions, the President and the Premier, which have been more or less agreed upon since 2007, the real battle at the upcoming transition during the Eighteenth National Congress this fall is over the nine positions in the Standing Committee of the Politburo. These nine leaders are historically known to be the nine minds who dictate the policies of China, holding all the top positions. It is the struggle between factions to secure and consolidate their legacies in the decennial transition of power. Here, the political terrain can be loosely characterized into three sometimes-overlapping groups: the Princelings, a generation of second-generation leaders who ascended to power by connection; the Jiang faction, those who were selected and handpicked by former President Jiang Zemin; and the Youth League faction, those who like the current leaders Hu Jintao and Wen Jiabao rose through the party ranks in the Communist Youth League.

Bo, like the leader-elect Xi, was a Princeling who was also chosen by Jiang Zemin - Jiang asserted his cross-generational legacy by choosing Xi (contrary to contemporary

leaders' preferences) as the next leader in 2007. The suppression of the influence of Jiang Zemin in the party's next generation is high on the agenda of the current leaders Hu Jintao and Wen Jiabao, who like previous generations of leaders strive to create a cult and following that will protect their influence in the years after retirement. This is especially important to them, given the restraints of operating in the past ten years under a Jiang-influenced Politburo Standing Committee, with individuals such as Wu Bangguo and Jia Qinglin - remnants of the previous leadership.

The removal of high-profile Jiang faction Princelings like Bo from contention not only shakes up the challenge for these positions, but also sends an important message to check others in their group. Behind the scenes, Hu and Wen are trying to create a majority representation of Youth League faction members in the nine members of the Politburo, which has so far been an uphill battle considering that their protégé, Li Keqiang, could only secure second-best as Premier-in-waiting in 2007, losing to Jiang's appointment of Xi Jinping. Bo's dismissal is only one of the many steps needed to satisfy these interests, and the battle is far from over. Hawk-eyed observers would have noticed too that it was the current bosses, and not the future leader, who have spoken most critically of Bo's handling of the Wang Lijun incident. Xi, who has been downplaying the event's significance and pressing for a low-key solution, has responded to these attacks with less fervor for good reason. His role in this puzzle, while securing peaceful transition, is to create his own following that will not leave him in the shadow and the strings of Hu and Wen.

Why did the Party shift its focus from the political to the criminal? I believe this question reveals several considerations related to Bo's dismissal, and its nationwide impact. The Party would not have moved against Bo without full knowledge of the case, as evident in the month following the Wang Lijun incident in February. As such, I believe Bo's initial removal from his Chongqing office on March 15 was a deliberate choice to limit the political damage of the case on Party politics. Initially, many likely argued that the case should be handled with a soft-landing, as that would best serve the unity of the Party and future politics. However, Bo's political dismissal met with discontent from the government and the military. Military chiefs such as Guo Bohong made visits to the Southwest to deliver messages of unity and obedience under Hu's leadership to Bo's supporters in the military. In the interim before the criminal scandal, the incident generated unrest rather than stability. I believe it is this phenomenon that triggered the second-wave purging of Bo with criminal evidence. Returning to an almost-forgotten, six-month-old death is not a political coincidence, especially given that the British government also dismissed the possibility of foul play in Heywood's death until the Chinese government reopened the case. It is believed that Wang Lijun, Bo's police chief, revealed Bo's involvement to the Americans during his temporary stay at the embassy. However, I think the Party would not have taken up the criminal case had it not been demanded by political necessities. Facilitated by reports in the state media, this turn seals the fate of Bo's political career and renders impossible the potential soft-landing predicted

previously. By seriously punishing Bo, the Party has demonstrated its determination to uproot any dissonance before the handover of power this fall. The criminal investigation allows Party leaders to claim simple obedience to the rule of law, and present a positive, neutral, orderly image to foreign stakeholders. As it is right now, these criminal charges offer both a show for the West, and a veil to hide greater political ambitions.

What does the future hold, then, for Bo and the country? Bo's removal from all offices on April 10, in addition to his removal as CPC Chongqing Committee Secretary on March 15, spells the end of his political career. It is still unclear whether he will be criminally prosecuted for crimes related to the Neil Heywood case. Looking ahead, it is important to recognize the Party schisms that this incident has revealed. I believe not only that the relationship between Xi and Li, hailing from different party factions, will not be as smooth as that between Hu and Wen was this decade, but also that future internal struggles within the CCP will result in party policies, direction, and a future that will be constantly revised. For one we know that Deng Xiaoping's theory of "no inner struggle" has been, and will continue to be, breached. Behind the stable façade the nation's leaders have worked to create, domestic power struggles will continue to dominate the Chinese political scene. While policy-wise I see little difference beyond the personas and charismas these incoming individu-

als will bring with them, the lack of unity may some day trip the Party as it tries to macro-manage the everyday life of an increasingly sophisticated people. As some critics have put it, it might well be that the CCP is growing into the one-party, multi-faction model of Liberal Democratic Party in Japan that have ruled the island-nation for over five decades.

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ESSAYS

Economic Performance & Challenges

INDIA'S FINANCIAL SECTOR

The creation of a functional financial system is essential to the growth of developing countries. In the decades following its independence, the Indian government imposed numerous misguided policies on its nascent financial sector with the intent of promoting broader economic growth, reducing poverty, and financing its fiscal deficit. Over time, these policies considerably undermined the financial sector's ability to contribute fully to the country's development. Reforms undertaken since the 1990s have removed many of these distortions, enabling the sector to more effectively and efficiently channel resources into productive investments. Indeed, by some measures, India has a better performing financial sector today than its BRIC counterparts.¹ Despite this progress, considerable obstacles still remain that limit the financial sector's ability to maximize its potential.

I. INTRODUCTION

The financial sector plays a central function at all stages of an economy's development. Banks and capital markets promote economic development by channeling savings towards productive new investments. In emerging economies, the development of the financial sector is closely tied to broader economic

1 (World Bank, 2011)

development. King and Levine's 1993 cross-country study found compelling evidence that financial development is strongly correlated with future rates of economic growth, physical capital accumulation, and economic efficiency improvements. Financial sector development also benefits a country's poorest citizens: Beck, Demirgüç-Kunt, and Levine² find that financial development "disproportionately boosts" the incomes of the poorest quintile and reduces income inequality by expanding access to credit and financing job-creating businesses.

The Indian government's approach to the financial sector has historically been guided by three primary objectives: channeling credit to priority sectors determined by the government's centralized economic plans, reducing poverty, and financing the government's fiscal deficits. To achieve these goals, the government had historically relied on nationalization and highly restrictive policies on interest rates and direct lending. This essay focuses on the impact of the major reforms undertaken in banking and capital markets since the 1990s and supplements this review with an analysis of the performance of the Reserve Bank of India in maintaining macroeconomic stability.

The restrictive policies imposed on the financial sector beginning in the 1960s mirrored those imposed

2 (2007)

in all other major sectors of the economy throughout the highly socialist period of 1965-81. What differentiated the restrictions imposed on the financial sector from other areas of the economy, however, was the invasiveness of government control. In most other sectors, the Indian government largely respected existing private firms and, as a result, continually struggled to direct a mixed economy via the “license raj” of burdensome regulation. The financial sector, by contrast, was almost totally nationalized, a sign of its importance to the state’s economic objectives. As Panagariya³ makes clear, these controls stifled growth instead of driving the economy forward. GDP growth during the highly restrictive period of 1965-81 averaged only 3.2% per year, a drop of 0.9 percentage points relative to the comparatively liberal post-independence period, and considerably less than that of other Asian economies that began to grow rapidly after adopting an export-oriented economic model.

2.1 BANKING SECTOR

Banking has historically been the largest component of India’s financial sector. In 2001, banks accounted for 66% of financial assets, compared to 18% allotted to the country’s investment institutions. As a result, reforms in this sector have had the greatest impact on the country’s finances as a whole and economic growth. The liberalization period of the early 1990s undid many of the most harmful and distortive interventions in the banking sector, such as the strict regulation of interest rates. Despite this considerable progress, the Indian government still plays an outsized

3 (2008)

role in banking through its continued, albeit diminished, ownership of major banks and the reliance on directed lending policies.

Prior to the 1990s-era reforms, government intervention in the banking sector was multifaceted and reflected multiple economic, development, and political objectives. The most prominent of these objectives were designed to channel investments to priority sectors identified as part of the government’s Five-Year Plans, reduce rural poverty, and finance the government’s fiscal deficits. The deepest intervention was the nationalization of the country’s fourteen largest banks in 1969, giving the public sector control over 86% of the country’s deposits at the time. A second nationalization, occurring in 1980, brought the public sector’s share of deposits to 92%.⁴ The public sector’s share of banking assets fell to 62.2% as of 2007, as the private sector’s share of assets grew elevenfold since 2005 to 17.2% in 2007 from 1.5%.⁵

A second major intervention was the imposition, beginning in 1967, of “priority sector” credit prescriptions that set mandatory targets for politically important sectors, including agriculture, small-scale industries, and housing. The Reserve Bank of India communicated these targets, which by 1984-5 required that all scheduled commercial banks extend 40% of their net bank credit to priority sectors. India’s directed lending policy withstood the reformist period of the 1990s and continues to this day, despite a November 1991 recommendation by the prominent Narasimham Committee to dramatically reduce its scope.⁶

The 1970s-80s were also char-

⁴ (Panagariya 2008)
⁵ (Mohan, 2008, p. 159)
⁶ (RBI, 2005, p.19-20)

acterized by repressive policies designed to support the government's large fiscal deficits. The Indian government rationalized these deficits within the broader context of its economic policy, arguing that it could better invest in the long-run interests of the economy than the private sector. To finance these deficits, the government imposed a mix of reserve requirements that forced banks to hold high levels of government securities and interest rate ceilings that limited the government's borrowing costs. These policies had the effect of penalizing savers and crowding out private investment, compromising the efficient allocation of capital essential for optimal economic growth. Kletzer⁷ estimates that the government collected an enormous annual subsidy of as much as 8.2% of GDP during the 1980s, a sum that in all probability would have been invested more profitably and with greater long-term contributions to growth had banks been able to lend freely, independent of government control.

A final policy, and perhaps the most visible of the intervention-era from the perspective of the Indian people, was the rural branch expansion rule. This rule required that banks seeking to open a new branch in urban areas must establish 2-3 branches in rural ones. The rationale behind the policy's adoption was based on a supply-side approach to development, which holds that expanding access to financial services to India's poorest would help reduce poverty. Rural branches as a share of all bank offices doubled from 22.2% in June 1969 to a peak of 58.7% in 1985, before the rule was repealed in 1991.⁸ The extent to which the branch expansion rule actually reduced poverty is

unclear, as the rule coincided with multiple government initiatives supporting rural development.⁹

CONSEQUENCES

The experience with the rural branch expansion rule is a worthwhile case study of the impact of intervention-era policies. In general, India's interventions can often be characterized as nominal successes that achieved their intermediate targets but failed to achieve their ultimate objectives. While the number of rural bank branches did expand dramatically over the period, it is unclear whether this was a direct effect of the policy in question or whether a mix of other government subsidies and legitimate profit opportunities were the primary drivers of expansion. It is unclear if estimated poverty reduction due to network expansion justified the considerable operating costs incurred and the opportunity cost of more productive investment elsewhere. After the rule was withdrawn, the share of rural bank offices subsequently declined 13 percentage points from 1985 to 2005.¹⁰ This suggests that the rural branch rule forced expansion in excess of the optimum with the consequence of meaningful efficiency losses.

The other major interventionist policies also appear to have been narrow and nominal policy successes, but ultimately real failures. Priority sector lending targets were met by the RBI's deadline.¹¹ Unfortunately, many of the target sectors reported high levels of non-performing loans, implying that credit extension was misdirected and could have been better invested

7 (2004, p. 247)

8 (Panagariya, 2008, p. 232)

9 (p. 227)

10 (Panagariya, 2008, p. 233)

11 (Panagariya, 2008, p. 221)

in the absence of restrictions.¹² The justification of nationalization as essential to achieving the state's development objectives was undermined by the fact that the sector had low returns on assets and considerable inefficiencies while profit-maximizing private firms did not. Any positive societal externalities from politically-driven management of the banking sector were likely far eclipsed by the lost welfare gains that would have resulted had the sector been free to optimally allocate capital according to the demands of the market. Indeed, Demetriades and Luintel¹³ estimate that directed credit policies, fixed lending rates, and fixed deposit rates led to long-run reductions in financial depth (measured as the ratio of bank deposits to GDP) of 4.86%, 6.84%, and 12.48%, respectively,¹⁴ resulting in large losses in long-run growth relative to potential growth.

REFORMS AND NEW DEVELOPMENTS

Beginning in the late 1980s, but increasingly during the reformist period of the early 1990s, the Indian government began to roll back many of the restrictions that had constrained the country's banking sector. In 1988, the Credit Authorization Scheme, which required banks to receive approval from the RBI for loans in excess of 40 million dollars, was replaced by a system that allowed banks to lend without prior approval so long as certain conditions were met.¹⁵ In 1993, new private banks were allowed to be established for the first time in more than twenty years¹⁶ and restrictions on branches of foreign

banks were similarly eliminated. Interest rates were also significantly deregulated, allowing greater market determination and more optimal flow of capital. Finally, in 1994 and 1997, the statutory liquidity ratio was reduced from a peak of 38.5% to 25%, enabling banks to extend more credit to the private sector.

These reforms, in conjunction with those realized in other sectors, have enabled a dramatic surge in the depth and vitality of the country's banking system. From March 1990 to March 2005, the country's aggregate deposits and credit have grown roughly ten-fold to surpass some 17 and 11 trillion rupees respectively and credit as a percentage of nominal GNP has increased 10 percentage points over the period to 39.1%, an historic high for the country.¹⁷ Bank efficiency also notably improved, with operating costs for all commercial banks falling by 31% over the 1991-2007 period and return on assets more than doubling to 0.99%.¹⁸ The return on assets figure is still only half that of foreign banks in India, an indicator of how far the country still has to go.

Nevertheless, liberalization has been criticized for not meaningfully increasing financial inclusion. Chavan writes that the period of financial liberalization has brought with it "a distinct deterioration in the access to banking for the rural masses."¹⁹ He cites evidence that access to formal credit has declined for farmers, making them more dependent upon informal moneylenders. From 1991 to 2002, the share of rural household debt held by these informal moneylenders increased from 17.5% to 29.6%.²⁰ It is arguable that the deterioration in credit ac-

12 (Panagariya, 2008, p. 223)

13 (1997, p.317)

14 (p. 317)

15 (Panagariya, 2008, p. 221)

16 (Bhattacharya, 2003)

17 (Panagariya, 2008, p.233).

18 (Mohan, 2010, p. 162).

19 (2005, p. 4647)

20 (Thorat, 2007, p. 3)

cess to rural and farm households is more a reflection of continued structural deficiencies linked to agricultural policies than financial liberalization. For example, strengthening land claims would be an important agricultural policy with major financial inclusion implications. By doing so, farmers would be able to use their land as collateral, improving their access to formal credit sources. These gains cannot be achieved by rolling back financial sector liberalization but only through improved agricultural policy.

The concern about financial inclusion has been acknowledged by government officials, including Usha Thorat, Deputy Governor of the Reserve Bank of India. Since 2005, the RBI has undertaken several initiatives designed to encourage financial inclusion. These have included encouraging banks to offer “no-frills” savings accounts with no minimum balances and offering a general purpose credit card with a low credit limit and deregulated interest rates. The RBI has also permitted banks to partner with microfinance institutions to serve the poor. All of these initiatives are notable for their pro-market orientation and suggest the Indian government’s continuing, if more modest, commitment to economic liberalization.

The banking sector’s continued performance is contingent upon giving greater freedom to the private sector, particularly by phasing out priority sector lending requirements. It is clear from the experience with rural households that reforms elsewhere, particularly under the remit of agricultural officials, must be undertaken concurrently to ensure that these sectors can benefit from the gains of financial liberalization that other reformed

sectors of the economy have enjoyed.

2.2 CAPITAL MARKETS

A mature banking sectors lead to the development of liquid capital markets. Capital markets build on the intermediation gains generated by the banking sector by further allocating risk, absorbing shocks with derivatives markets, and promoting good governance through market-based incentives and oversight.²¹ Karacadag, et al. describe the typical development of capital markets as following a progression beginning with money markets, followed by foreign exchange, treasury bill and bond markets, corporate bond and equity markets, and finally asset-backed securities and derivatives.²²

Indian capital markets remain significantly smaller than the banking sector, but they have grown sharply over the past two decades. The IMF reports that market capitalization of traded stocks as a percentage of GDP has surged from 8.6% in 1991 to 61% in 2010 and the number of listed domestic companies has jumped from 2,556 to 4,987 over the same time period.²³ Capital markets have benefited from reforms that have simultaneously opened India’s economy to the rest of the world and reduced excessive regulatory burdens. The sustained growth of the Indian economy depends upon the further development of these markets, particularly the corporate bond market.

Despite the opening of the Bombay Stock Exchange in 1875, Panagariya²⁴ notes that the market was “highly undeveloped” until the

21 (Karacadag, et al., 2003, p. 233)
 22 (2003, p. 234)
 23 (2011)
 24 (2008, p. 242)

1990s. The capital markets were restricted by the Capital Issues Act of 1947 and by the Office of Controller of Capital Issues, which controlled price and share premiums. While the equity market has grown greatly since reforms were undertaken two decades ago, the corporate bond market today remains notably underdeveloped. In 2009, the market capitalization of listed companies in India stood at \$1.17 trillion (IMF, 2011); the total value of corporate and financial sector domestic debt outstanding, however, was a mere \$72.5 billion (BIS, 2011).

As Turner²⁵ notes, the absence of bond markets “either constrains investment possibilities or leads to dangerous financing decisions.” Without long-term financing options, decisions may be biased against long-term investment, making it more likely that borrowers will become too dependent upon short-term financing (creating liquidity risk) or too dependent on international markets (and the accompanying foreign exchange risk). Second, the absence of debt markets concentrates corporate risk in the banking sector in a destabilizing way. Finally, liquid debt markets, supported by active markets as well in sovereign debt, make monetary policy more effective because rate decisions immediately impact the economy’s actors.

REFORMS AND NEW DEVELOPMENTS

The creation of the Securities and Exchange Board of India (SEBI) in 1987 signaled the beginning of a new direction for Indian capital markets. However, Panagariya writes that it was not until the passage of the 1992 SEBI Act, which awarded the agency independence

25 (2003, p.80-82)

and statutory status, that development of the financial sector began in earnest. Newly empowered, the SEBI led the repeal of the Capital Issues Act and Office of Controller of Capital Issues, greatly opening access to the capital markets to companies which met basic regulatory standards.²⁶ The creation of the satellite-linked National Stock Exchange drove innovation and sparked positive competition for the Bombay Stock Exchange. Finally, the introduction of derivatives trading in 2000 added additional sophistication to India’s capital markets and gave firms greater capability to hedge risks.

As a result of the reforms, the scale of Indian financial markets has surged. Average daily turnover in money, government securities, foreign exchange, and equity markets is at least five times greater in 2007 than it was in 1991.²⁷ Greater openness to foreign portfolio investment and the emergence of mutual funds have delivered new resources to a corporate sector eager to invest in growth. The World Bank currently ranks India higher than all other BRIC nations on investor protection.²⁸

Mohan rightly concludes that “[now] there exist well-functioning, relatively deep, and liquid markets for government securities, currency, and derivatives in India.”²⁹ The SEBI-led reforms of the past two decades are chiefly responsible for this development. Areas for further reform and progress, however, are clear, and include strengthening the vitality of the bond market (briefly explored in the section on future reforms). As development continues, the capital markets will take an ever more central role in the financial

26 (p. 242)
 27 (Mohan, 2010, p. 164)
 28 (2011)
 29 (2010, p. 166)

sector, making their proper regulation even more critical to growth and the preservation of macroeconomic stability.

2.3 RESERVE BANK OF INDIA

Mohan has characterized the objectives of the Reserve Bank of India as “somewhat unorthodox” in comparison to its major international counterparts.³⁰ Where other central banks in developed economies focus primarily on price stability and full employment, the RBI has chiefly focused on the financial stability and contagion risks that often accompany the integration of developing countries with the broader global economy. India’s development has been notable for the absence of a severe financial crisis, a testament to the fact that sound regulation does indeed underpin the system, despite its historically distortive and regulatory excesses. During the 1970s and 1980s, the Reserve Bank of India was frequently an instrument for enforcing many of the repressive policies that characterized the banking sector. Since the 1990s era reforms, the Reserve Bank of India has been more able to conduct an independent monetary policy, delinked from what Panagariya³¹ terms its historical ‘subservience’ to the fiscal and political needs of the government. It has also been an important actor in the maturation of the banking and capital markets sectors. Evidence to date suggests that the Reserve Bank of India has been largely effective in its newly independent role.

In the post-reform era, the RBI’s primary responsibilities are the maintenance of financial stability through the supervision and regu-

lation of the banking sector, the administration of monetary policy, and the management of the exchange rate. In terms of the first objective, the RBI has performed well in its capacity as regulator of the banking sector. The banking sector was minimally affected by the global financial crisis, with no banks needing a rescue or guarantee.³² The RBI closely monitors banks for regulatory compliance. Most banks have maintained a healthy capital to risk-weighted asset ratios above 10%, which exceed global Basel II norms.³³ In recent months the strength of banks’ capital base has weakened as bad debt has increased due to temporary strains in the broader economy, which is practically inevitable after a sustained period of robust growth. Officials believe that these losses and the new, crisis-inspired Basel III capital requirements mean that Indian banks will need to raise several trillion rupees within the next few months.³⁴ The RBI has also been active in accelerating institutional development through better clearing systems, greater transparency, and the use of technology. These reforms strengthen the essential basic infrastructure necessary for further deepening of the capital markets.³⁵

In terms of inflation, India, unlike many other developing countries, has had “a record of moderate inflation, with double-digit inflation being the exception and largely socially unacceptable.”³⁶ However, concern has increased in recent months about the RBI’s ability to constrain inflation and prevent the economy from overheating.³⁷ Despite 12 interest-rate increases in 18 months, inflation has remained el-

³² (Jha, 2009, p. 13)

³³ (Panagariya, 2008, p. 235)

³⁴ (Lamont, 2012)

³⁵ (Mohan, 2009, p. 242/274)

³⁶ (Mohan, 2009, p. 242)

³⁷ (Frangos, 2011)

³⁰ (2010, p. 153)

³¹ (2008, p.218)

evated at slightly below 10%, which is double what economists and politicians believe is appropriate for India's economy.

Third, the Reserve Bank of India's management of the exchange rate is a particularly important concern as India sheds decades of economic isolation to adopt policies of global integration. The rupee trades on global markets with a value based on supply and demand conditions, with intervention by the RBI undertaken only as necessary to counteract excess volatility. Mohan³⁸ has described the objective of the RBI with respect to the exchange rate as to allow for a "market determined rate based on market fundamentals, not speculative flows." A review of exchange rate performance over the reform period suggests that the nominal exchange rate of the rupee is nearly fairly valued..³⁹

In sum, the RBI has responded well to 1990s-era liberalizations of the financial sector and broader economy. The management of inflation in recent years has emerged as a challenge for the institution politically and the economy, but historical inflation suggests that it will be contained. Mohan's assessment that the "blurring of boundaries between financial institutions and markets raises significant policy challenges" will likely be proven correct given India's experiences thus far.⁴⁰ The Reserve Bank's efforts to support India's integration with the global economy (while minimizing the risks developing countries often face from foreign capital flows) have allowed the economy to chart a prudent course between the benefits and risks of financial globalization.

3. FUTURE REFORMS

For all its progress, India's reforms efforts in the financial sector are by no means complete. Indeed, in a 2006 report, McKinsey & Company identified potential reforms to the Indian financial sector that would unlock \$48 billion of capital per year, or 7% of GDP at the time, highlighting the considerable inefficiencies and distortions that impede economic development. McKinsey estimates that these reforms would raise India's growth rate by 2.5 percentage points per year, which would lift millions of Indians out of poverty.⁴¹ A major priority should be phasing out or dramatically reducing the scope of the priority sector lending program, as discussed above. This paper recommends three additional reforms policy makers should consider going forward.

UNLEASHING "DEAD CAPITAL"

Hernando de Soto has observed that growth in many developing countries is constrained by high levels of what he terms as "dead capital."⁴² This term describes capital prevented from being used as collateral for productive investment because of the absence of formal ownership rights to land, buildings, or other assets. Panagariya⁴³ laments that the problem of dead capital is pervasive in India, where the absence of formal land titles on farms and rent laws "effectively rob the owner" of his property rights. According to Wadhwa,⁴⁴ Indian property records "hardly reflect the present day reality regarding ownership of land." As part of its efforts

38 (2011)
39 (Kohli, 2003)
40 (2009, p. 277)

41 (7)
42 (2000)
43 (2008 p. 473-4)
44 (2002, p. 4702)

to deepen the country's financial sector, India's government must undertake efforts to enhance the ability of its abundant assets to be used as collateral, and thereby tap a considerable source of savings that can facilitate further development. In addition to its implications for the financial sector, strengthening rural farmers' title to land can contribute substantially to the country's poverty reduction efforts.

DEVELOPING A CORPORATE BOND MARKET

The development of a deep corporate bond market is an important next step in the maturation of India's financial sector and would allow the corporate sector to competitively finance its growth ambitions. In 2004, the size of the Indian corporate bond market was only 5.4% of GDP, less than half that of China and Brazil,⁴⁵ and significantly less than the size of the government bond market in India, which reached 40% of GDP in 2005. Bhagwati⁴⁶ claims that a principal reason for the small size of the corporate bond market is the existence of a yield curve that "is not adequately arbitrage free." Small and medium-sized enterprises are the principal victims of the limited access to bond markets. Bhagwati⁴⁷ suggests three needed reforms that will aid the development of a strong corporate bond market. First, raising the \$3 billion cap on investments by foreign institutions could be an important step in generating demand for debt placements. Second, better infrastructure for providing bond market information would give the market heightened transparency. Finally, clarifying creditors' rights

45 (Bhagwati, 2010, p.198)
46 (2010, p. 197)
47 (2010, p. 198-9)

and reducing the variance in stamp duties on bonds would also be a considerable boost to the bond market.

BANK PRIVATIZATION AND LIBERALIZATION

After India's broadly successful (albeit partially complete) deregulation of the banking sector in the past two decades, the clear next step for its government to take is the sector's full privatization. As of 2007, the public sector held 62% of banking assets.⁴⁸ International and local evidence suggest that large public concentration of deposits unnecessarily diminishes economic growth and that India would benefit from greater private-sector leadership in the banking sector. Despite large improvements in the past two decades, public sector banks continue to lag behind their private sector counterparts in many metrics, including return on assets⁴⁹ and net nonperforming assets.⁵⁰ Indeed, the work of Kumbhakar and Sarkar⁵¹ suggests that India may not yet have realized the full gains of liberalization attained thus far, finding that deregulation boosts the productivity of private sector banks with no impact in productivity growth for those in the public sector. Thus, further privatization may unleash as yet unrealized gains. A more independent banking sector free to focus explicitly on profit maximization is the surest way to promote the efficient allocation of capital and robust economic growth.

48 (Mohan, 2010, p. 159)
49 (Mohan, 2010, p. 163)
50 (Panagariya, 2008, p. 236)
51 (2003)

3. CONCLUSION

For much of India's history, the optimal development of India's financial sector has been hindered by a web of interventionist and distortive policies. While many of these policies succeeded in achieving their stated targets, these policies did not meaningfully realize their ultimate objectives of enabling higher growth. For example, most banks complied with the government's priority sector lending targets, but evidence suggests that the results were likely counterproductive to the ultimate objective of promoting growth. The 1990s-era reforms have subsequently done much to make the financial sector more efficient and to strengthen its contributions to India's economic growth, which has accelerated to an average of 6.3% per year over the past two decades. Financial sector liberalization has been particularly crucial in this acceleration by amplifying the impact of liberalization in other sectors. In other words, had the industrial sector been free of capacity and expansion constraints but lacked access to the financial resources necessary to grow, liberalization in those sectors would have effectively been undertaken in vain.

Despite this considerable progress, the Indian financial sector continues to possess critical structural deficiencies, including the large portion of the banking sector which remains under the control

of the public sector and the absence of a corporate bond market, which constrains private sector expansion. Further reforms must be undertaken for India to sustain the momentum of economic growth that was unleashed with such force in the past two decades. Continued reform of the financial sector in the short-run, however, may be complicated by broader global economic uncertainty and mixed signals about the impact of liberalization thus far, particularly on measures of financial inclusion. Retrenchment on measures of financial inclusion should not be viewed as evidence of a failure of liberalization of the financial sector, but as a failure of reforms in other areas of the economy, particularly in agriculture, to take advantage of a transformed - however imperfectly - financial system.

Many Indian officials harbor the desire of building four of India's financial firms into global powerhouses.⁵² Short-term capital pressures and the considerable remaining structural issues that this paper has highlighted, compounded by a stalled political system that has lost its fervor for reform, make clear that these global ambitions will remain just that for some time.

52 (Lamont, 2012).

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Confucius Institutes' Nebulous Role in China's Soft Power initiative

ABSTRACT

Over the past decade, the Chinese Communist Party (CCP) has been strengthening its commitment to a soft power international agenda in the hopes of fortifying China's rise to global prominence. This project includes an initiative to establish Chinese cultural centers, called Confucius Institutes, around the world. However the use of Confucius as an ambassadorial figure for China is fraught with complications, especially under the auspices of a government funded program. In this paper I will evaluate the effectiveness of using Confucius Institutes to promote global soft power, paying special attention to the repercussions of using Confucius in a titular function in relation to a CCP soft power agenda. Given that Confucius has represented many different facets of Chinese culture over time, the use of his name when promoting China abroad has the potential to scramble the CCP's message of soft power. To explore how else Confucius can be used in the present day, I will examine an alternative model of Chinese cultural promotion in the form of independent Chinese educational institutions called Confucius Academies, which teach the Confucian canon and traditional Chinese culture to Chinese children, commonly. In comparing the two, I will argue that the Confucius Institutes abroad do not present a coherent cultural image of China, whereas the Confucius Academies do, causing the latter to have more potential for Chinese soft power promotion in the long term.

"Henry Kissinger once told me that he believed that ancient Chinese thought was more likely than any foreign ideology to become the dominant intellectual force behind Chinese foreign policy."

-YAN XUETONG¹

INTRODUCTION

On October 18th, 2011, the seventeenth Central Committee of the Communist Party of the People's Republic of China emerged from

1 Yan, Xuetong. "How China Can Defeat America." *The New York Times* 21 Nov. 2011, New York ed., sec. A: 29. Yan Xuetong is currently serving as the dean of the Institute of Modern International Relations at Tsinghua University.

their weeklong plenary session to announce the political, social, and economic priorities that policy-makers deemed most important in determining the direction of China's development.² Instead of a much

2 At this point I would like to express my gratitude to the Tristan Perloth Summer Travel Award Committee for the generous funding they provided to make my research possible. I would also like to thank Professor Deborah Davis of Yale University for her

expected address on social ills such as growing economic inequality or an unsteady real estate market, the Committee's top initiative was a resolution to develop and promote "China's cultural system" both at home and abroad. An editorial run in the People's Daily, the Party-controlled newspaper, explained the initiative in terms of national interest, stating, "Now the status and influence of culture in national power competition is more prominent, thus making it a mission more arduous and critical to guard national cultural security and to boost national soft power and Chinese culture's international influence."³⁴

With China's designation of cultural promotion as its method of increasing soft power abroad, the question must be asked, which culture will they be promoting? Given the violent history that exists between the Chinese Communist Party and Confucianism – an oft-used representative of traditional Chinese culture⁵ – it would seem unlikely that the promotion of "traditional" culture is what the CCP had in mind. However, their stance on Chinese culture has been surprisingly complex. While official press releases have yet to associate Confucius with the recently announced initiative, the announcement itself comes after a succession of moves by the CCP to use the image of Confucius for their own policy agenda. Just two weeks prior to the announcement, the Shandong provincial

guidance throughout the development of the original work that led to this paper.

³ Ibid.

⁴ Wang, Guanqun, ed. "Cultural Development Concerns Realization of China's Modernization, Rejuvenation of Chinese Nation: People's Daily." Xinhua Wang. Xinhua News Agency, 18 Oct. 2011. English translation.

⁵ "Traditional Chinese culture" is often used interchangeably with "Confucianism." See Zhang, Tiejun. "Self-Identity Construction of the Present China." *Comparative Strategy* 23.3 (2004): 290.

government began airing a thirty-second video in Times Square, New York, introducing Confucius and the many attractions of his home province to foreign onlookers.⁶ More importantly the CCP has been escalating efforts to establish Confucius Institutes around the world. These institutes, while downplayed by administrators as forums for cultural exchange, have been touted by government officials as channels of cultural influence that will contribute to the increase of China's soft power.⁷⁸ The CCP's use of Confucius in global media campaigns corroborates the idea that Confucius is being designated as the official vehicle of China's international soft power campaign. The prominence that they have given Confucius Institutes in particular suggests that the government has abandoned its traditional anti-Confucian rhetoric, and now finds Confucius more useful than harmful to their national objectives.

Since the opening of the first Confucius Institute in 2004, China's Confucius Institute initiative – modeled after similar cultural initiatives by France and Germany – has taken off faster than even the Chinese government was expecting.⁹ Given

⁶ Wang, Yamei, ed. "China Runs Confucius Video in New York's Times Square." Xinhua Wang. Xinhua News Agency, 1 Oct. 2011.

⁷ See Yang, Rui. "Soft Power and Higher Education: an Examination of China's Confucius Institutes." *Globalisation, Societies and Education* 8.2 (2010): 238. "The Hanban officially denies its intention of soft power projection. Its director Xu Lin (2008), emphasizes that CIs are not projecting soft power, nor aim to impose Chinese values or Chinese culture on other countries...In contrast, the soft power concept has been enthusiastically taken up by the Chinese government (Starr 2009)."

⁸ Starr, Don. "Chinese Language Education in Europe: the Confucius Institutes." *European Journal of Education* 44.1 (2009): 65-82.

⁹ See Yang, Rui. "Soft Power and Higher Education: an Examination of China's Confucius Institutes." *Globalisation, Societies and*

China's ever-growing prominence on the international stage, students and institutions alike are eager to welcome Confucius Institutes into their communities either by studying Mandarin Chinese or offering to host one of the Institutes. Although such efforts have been ongoing since 2004, the CCP's recent policy announcement may potentially redefine the Confucius Institute in more political terms. Are these institutes suitable vehicles for the expansion of Chinese soft power? The answer will depend on how the Confucius Institutes move forward from this point. I believe the Confucius Institutes have been effective at expanding China's network of relationships, but in terms cultivating cultural soft power, they have yet to offer anything to substantiate their nominal use of Confucius as a representative of Chinese culture. To pursue its new ambitions more effectively, China needs to decide to what extent it will include Confucianism in its promotion of Chinese culture abroad. Its decision should stem from deep reflection on the nature of Confucianism at home, and the ability of Confucian values to attract audiences abroad. The CCP can begin the process of introspection by considering several small, independent schools, known as Confucius Academies, that are striving quietly to revitalize the traditional Confucian culture nearly destroyed during the tumult of the twentieth century. Their level of success will serve as early indicators for the attractiveness of traditional Confucian culture in a modern setting. With that said, we shall begin our examination of the issue with two basic questions: what does the CCP mean when it says "soft power," and why use Confucius Institutes to spread it?

Education 8.2 (2010): 239.

Joseph Nye, the political scientist who coined the term "soft power," defines it as "the ability to get what you want through attraction rather than coercion or payment."¹⁰ Nye presents several avenues in which soft power can be used, including diplomatic, economic, and cultural. The Chinese government has already focused on economics for several decades; now as the second largest economy in the world, they have concluded that cultural soft power is one of the critical remaining barriers to international dominance.¹¹ The communiqué released by the CCP after the October 2011 meeting stated a need to "boost its 'cultural soft power,'" and to reverse a "deficit in global cultural exchanges."¹² They are now placing a premium on exporting China's cultural brand to the world in the hopes that the greater number people fluent in Chinese, the greater number of connections that can be establish with China and its citizens. If the government can attract foreigners to Chinese culture it will have a more direct influence internationally. Attraction is a crucial component of soft power, and it is the key element, either missing or present, to the following case studies. But before we begin, we should consider the Chinese national government's motivation in sanctioning the name of Confucius for use as the chief national representative of China in communities around the world.

The simplest reason for Confu-

10 Nye, Joseph S. *Soft Power: the Means to Success in World Politics*. New York: Public Affairs, 2004.

11 Goldstein, Avery. *Rising to the Challenge: China's Grand Strategy and International Security*. Stanford, CA: Stanford UP, 2005. 174.

12 Xinhua. "Stage set to boost culture." Qiushi. 19 Oct. 2011. Web. 21 Feb. 2012. <http://english.qstheory.cn/news/201110/t20111019_117624.htm#>.

cius' cultural dominance is also the most powerful: Confucius carries the highest currency in Chinese name recognition around the world. In the East Asian theater, the character name for Confucius is widely recognized, as is the Romanized version in the West. Confucius "is the figure nearest to a global brand from traditional Chinese history."¹³ Moreover, the use of Confucius as a frame for Chinese culture has a long history that demonstrates his versatility as an ideological representative. Whatever course Party policymakers decide to take in the future, they can easily find ways to utilize Confucian teachings - such as a strongly advocated respect for authority figures and emphasis on harmony among people - to their advantage.¹⁴ At the very least, they can appropriate his words and use them as a legitimizing force behind various initiatives and efforts to control the people, such as Jiang Zemin's inaccurate use of "moderately well-off society" as a state to be worked towards instead of away from, and Hu Jintao's use of "harmonious society" to justify actions taken by the government to enforce harmony instead of foster it. Confucius is simply an empty frame; people of all motivations can use this frame to structure their interpretations of the world through him and his works. In recent years, the Chinese government has elected to use Confucius to "charm" outsiders by invoking him as China's most well known figure. The fact that Westerners are less likely to associate a "Confucius" Institute with a government initiative, particularly an authoritarian government initia-

13 Starr, Don. "Chinese Language Education in Europe: the Confucius Institutes." *European Journal of Education* 44.1 (2009): 69.

14 "Confucius Makes a Comeback." *The Economist* (US) 19 May 2007: 48.

tive, is an added bonus.¹⁵ The sage that was once regarded as the foundation of Chinese societal structure is being cast once again as a China's chief cultural representative, a role he has not been authorized to play since the days before the May Fourth Movement of 1919.

Before the May Fourth Movement and the broader New Culture Movement swept people up in its revolutionary rhetoric, Confucianism was the principle vehicle of political, social and cultural expression. While particular schools of Confucian thought would go in and out of vogue, basic tenets such as his Five Constant Regulations¹⁶ remained a vital part of China's cultural core, with concepts such as filial piety and proper gentlemanly education permeating different sectors of society.

Confucian was subsequently sidelined, first by young intellectuals of the May Fourth movement like Lu Xun, who deemed it feudalistic and autocratic, and later by Communist regime in its early days, as part of Mao's repudiation of all traditional culture. It was not until the mid-1980s when the renewed interest in Confucianism was absorbed and reappropriated into the state ideology, partly prompted by the economic success of the Four Mini-Dragons, Taiwan, South Korea, Hong Kong, and Singapore, which showed the compatibility between traditional East Asian values and modernization.

The shift in Party rhetoric from revolution and state production

15 Kurlantzick, Joshua. *Charm Offensive: How China's Soft Power Is Transforming the World*. New Haven: Yale UP, 2007. 68.

16 Yao Xinzong translates the Five Constant Regulations (ren, yi, li, zhi, xin) as humaneness, righteousness, ritual/propriety, wisdom and faithfulness, respectively. See Yao, Xinzong. *An Introduction to Confucianism*. New York: Cambridge UP, 2000. 34.

towards a harmonious society in the late 1980s introduced Confucian concepts such as “harmony” and “moderate prosperity” into the Party lexicon. On Confucius’s birthday in 1989, Jiang Zemin made what was called an “unprecedented personal appearance” at the event and shared his own recollections of growing up in a Confucian household, establishing harmony as a de facto, if not a de jure, part of Party policy.¹⁷ The CCP, in a complete paradigmatic shift, was using Confucius’ “autocratic” language to describe its official stance in reforming China’s socialist system. After a decades-long hiatus, Confucius’ teachings had finally found their way back into politics.

This phenomenon can be observed through a casual investigation of the Party’s official paper, the People’s Daily, and the number of articles that contained references to “Confucius”.

After generations of vilifying Confucius and the philosophy he spawned, the CCP had the unenviable task of explaining how China’s most high-profile traditionalist could have reemerged to become the spokesperson for a socialist agenda.. The appropriation of Confucian thought reveals its diverse nature to represent ideas of different nature, but also suggest that the ideology’s openness to interpretation could pose a problem in using Confucianism for consolidating soft-power.

THE CONFUCIUS INSTITUTES

What, exactly, is a Confucius Institute (CI)? According to their of-

17 De Bary, William Theodore. *The Trouble with Confucianism*. Cambridge, MA: Harvard UP, 1991. 107.

ficial website, Confucius Institutes are “non-profit public institutions which aim to promote Chinese language and culture... in foreign primary schools, secondary schools, communities and enterprises.”¹⁸

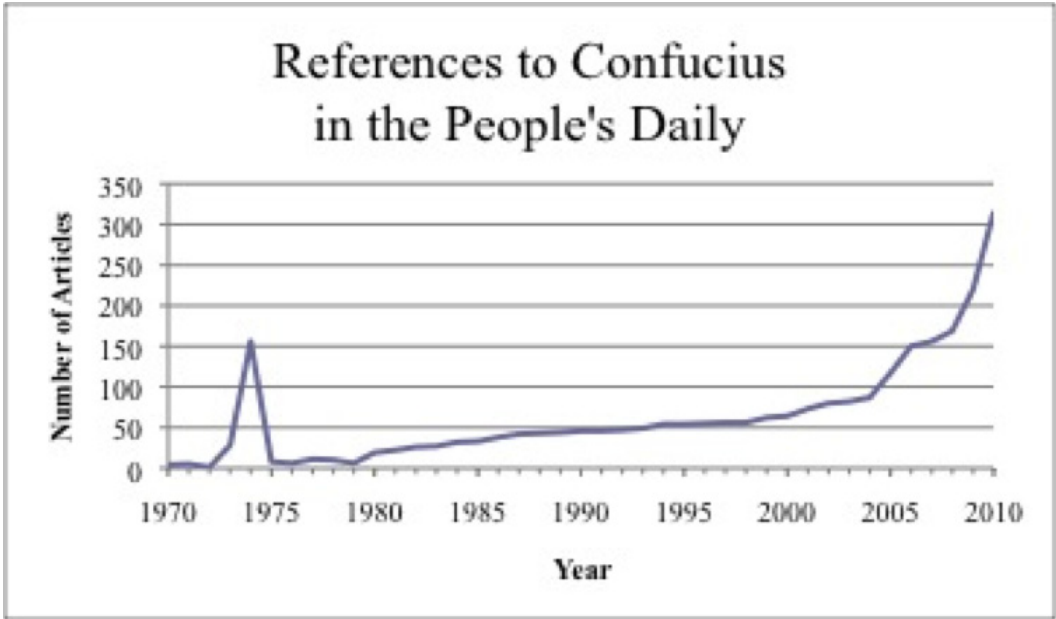
They are run under the auspices of the Chinese International Language Council Office, commonly called the Hanban, which itself is part of the Chinese Ministry of Education. To date, the Hanban has opened over three hundred CIs around the world,¹⁹ with plans for more in the future. These CIs typically partner with universities or other educational institutions through which they can offer language teaching services, sometimes specializing in the language needed to function in a particular industry. For example, the Confucius Institute at the London School of Economics focuses almost exclusively on business Chinese.²⁰ Institutes also have a special relationship with one or more universities in China from which they will recruit their Chinese teachers. In terms of funding, CIs are separated into three categories: those that are funded exclusively by Beijing headquarters, those that are funded jointly by Beijing and the host institution, and those that are funded exclusively through the host institution, but licensed by Beijing to operate under the name of Kongzi Xueyuan, or Confucius Institute.²¹ These institutes hope to foster more cultural understanding between China and their host countries,

18 For more information, see <http://english.Hanban.org/node_10971.htm>

19 Yan, ed. “Confucius Institute Opens in Azerbaijan.” Xinhua Wang. Xinhua News Agency, 23 April 2011.

20 Paradise, James F. “China and International Harmony: The Role of Confucius Institutes in Bolstering Beijing’s Soft Power.” *Asian Survey* 49.4 (2009): 652.

21 Yang, Rui. “Soft Power and Higher Education: an Examination of China’s Confucius Institutes.” *Globalisation, Societies and Education* 8.2 (2010): 241.



which is why many CIs are located in areas where the presence of Chinese culture has traditionally been weak, such as Lincoln, Nebraska.

A small city with low ethnic diversity, Lincoln is a clear example of the kind of community in which one Confucius Institute can have a tremendous impact on Chinese cultural awareness. The Confucius Institute at the University of Nebraska-Lincoln (UNL) was established in 2007 as the twentieth such institute in the United States. Supported by start-up funds from Hanban, it not only adheres to the common mission laid out by the Hanban, but also a region-specific mission to promote both Chinese language classes and Chinese cultural awareness in Lincoln and the greater Nebraska area, says Executive Assistant Director Dr. Rachel Zeng. To that end, the Institute offers non-credit language courses to students and the community. Close ties between language and culture is fostered through classes such as, “Chinese Poems and Composition I for Children,” taught by qualified Chinese language teachers from

Xi’an Jiaotong University. In addition, the CI hosts cultural activities such as a Chinese Speech competition, Ping Pong tournament and Fall Moon Festival, which has fostered growth of a Chinese presence in the public sphere.

THE PROBLEM

The strength and variety of CI initiatives in Lincoln suggest that China’s soft power promotion is already meeting with success. However, significant criticisms still threaten to undermine the Confucius Institutes’ efforts, including an accusation that the Chinese government is pushing a political agenda. Whether or not that is the case, UNL Confucius Institute director David Lou made clear in an interview with USA Today that the Hanban has played no role in creating CI programs, and that it has never made an attempt to direct the CI in how to carry out its mission.²² Ironically,

²² Marklein, Mary Beth. “A Clash over Confucius Institutes.” USA Today [US] 8 Dec.

Mr. Lou's effort to stay criticisms of excessive government supervision has the potential to rouse concern in the opposite direction. If neither the Hanban nor any other overseeing entity is providing the world's three-hundred odd CIs with direction, then little is stopping the CIs from wandering astray of their mission.

Confucius Institutes were established with the understanding that individual CI administrators would have full control over the actual implementation of their stated purpose, with no interference from government backers. Even as the Central Committee has been clear in its agenda to promote Chinese soft power around the world through cultural means, the Hanban has emphatically denied any desire to do the same. It claims a desire only for the rest of the world to understand China.²³ While the Hanban initially had guidelines for the way in which CIs would achieve this goal, partner schools apparently "pushed back" against restrictions to the point that the Hanban now allows "a lot of flexibility" for individual CIs to set their own agendas.²⁴ However, this lack of rigidity has led to an identity crisis for the Confucius Institute initiative. Near-autonomous CIs are all approaching their general mission - increased Chinese cultural understanding - from dissimilar positions. For example, in a speech delivered at the unveiling of the Confucius Institute at the University of Southampton, the Chinese ambassador to the United Kingdom tied Chinese culture directly to Confucian philosophy, yet the Hanban has very explicitly and purposefully

stated its avoidance of Confucianism. Official CCP press releases also seem contradictory. An article on Confucius Institutes released by the official press of the CCP's Central Committee, Qiushi, described the CI phenomenon in these words: "There's not a gray hair to be found on the face of Confucius today. His modern visage is young, usually twenty-something, and numbers in the thousands. They are the bright-eyed legion of Hanban, the nonprofit public agency that administers the Confucius Institutes worldwide."²⁵ Yet an editorial run in Qiushi a few months later condemned the use of Confucius to promote soft power, advocating instead the use of socialism with Chinese characteristics.

Meanwhile, the Chinese administration has yet to utilize either approach to substantiate the Institutes' ostensible mission of cultural understanding, making the spread of soft power all but impossible. As stated by Nye, the mechanism of soft power is attraction. A culture and value system must be attractive to outsiders in order for soft power to be exercised. The Confucius Institutes, while offering Chinese language and fine arts classes, have yet to offer any values of Chinese culture that foreigners might find appealing. Without being made aware of China's cultural values, foreigners can continue to nurse their own perceptions of China regardless of the CIs' efforts. For example, students in American CI classrooms could continue to view China negatively as an aggressive, autocratic state, even as they advance their Mandarin skills. James Paradise is of a similar view,

2009: 2A.

²³ Ibid. 238.

²⁴ Paradise, James F. "China and International Harmony: The Role of Confucius Institutes in Bolstering Beijing's Soft Power." *Asian Survey* 49.4 (2009): 653.

²⁵ Peters, Mike and Zhang Chunyan. "Confucius alive." Qiushi. 3 Sept 2012. Web. 21 Feb 2012. <http://english.qstheory.cn/news/201109/t20110930_114169.htm>.

claiming, “China lacks some of the crucial elements of soft power, such as the attractiveness of its political values.”²⁶ Given, China’s political values are unlikely to change in the near future; however, this fact simply reinforces China’s need to find attractive cultural values in lieu of political values to promote abroad. Without a message based in values, the Confucius Institutes are left with a cultural currency whose greatest worth extends to writing characters and singing children’s songs.

THE SOLUTION, AND ANOTHER PROBLEM

What should the Confucius Institutes do, then, to achieve their institutional mission of cultural understanding while contributing to the government’s mission of increased global soft power?²⁷ Simply put, they should begin to promote a more substantive cultural image, particularly in relation to Confucianism. Many Chinese cultural values are grounded in Confucianism, and many of these values have the potential to attract foreign audiences. However, before the “bright-eyed legion of Hanban” can begin promoting Confucian values abroad, it must remember to practice its stated values at home. Confucianism’s return to mainstream discussion is still relatively recent, and adds a complicated di-

²⁶ Ibid. 650.

²⁷ See Paradise, James F. “China and International Harmony: The Role of Confucius Institutes in Bolstering Beijing’s Soft Power.” *Asian Survey* 49.4 (2009): 657-8. Paradise establishes through multiple interviews that while most CI educators feel their jobs are apolitical in nature, many high-ranking government officials only support the CI Initiative due to its soft power potential.

mension to an already complicated society undergoing massive social and economic change. These changes have left Chinese society with a perceived moral vacuum in the present day,²⁸ one that some argue should be filled with a full return to Confucian values.²⁹ Xiao Gongqin, a foremost leader of the Confucian neoconservative movement of the 1990s, explained the importance of such an effort as follows:

Confucianism is the mainstream cultural form in traditional China... Because mainstream culture is the basis of identity for a country’s political and intellectual elites and general public, it would be significant for the national coherence and the formation of a national consciousness... With the insertion of the traditional mainstream culture, the Chinese ‘mental world’ would be further enriched and full of warm passion.”³⁰

For Xiao, the key to becoming a more secure China is becoming a more Confucian China. However his words, by virtue of what they do not cover, speak volumes to the problems facing such an agenda. Even while offering Confucianism as a mainstream ideology, Xiao Gongqin did not address what the word “Confucianism” really meant. This ambiguity among New Confucians has evolved once again into a turf war in which scholars each clamor for their own interpretation of Confucian teachings. The most notable of these scholars, at least by popular standard, is a Yu Dan, a trendy

²⁸ Zheng, Yongnian. *Discovering Chinese Nationalism in China: Modernization, Identity, and International Relations*. Cambridge: Cambridge UP, 1999. 48.

²⁹ Schell, Orville. “China’s Quest for Moral Authority.” *The Nation* 20 Oct. 2008: 24.

³⁰ Zhang, Tiejun. “Self-Identity Construction of the Present China.” *Comparative Strategy* 23.3 (2004): 290.

Confucian professor at Beijing Normal University whose televised talks on her interpretation of Confucius' Analects became a national phenomenon. Her informal, highly anecdotal take on the Analects as a guide to living a happy life has garnered her a burgeoning fan base in China,³¹ while earning her an entire appendix of scathing comments in Daniel Bell's 2008 book *China's New Confucianism: Politics and Everyday Life in a Changing Society*.³² These academic battles over Confucianism are part of a larger effort to redefine China's moral center in the public and private realm.³³ For China to succeed in increasing its soft power abroad, it must reinforce its soft power at home. One way of doing so is by committing resource to greater domestic awareness of the single greatest source of China's cultural values. China's private Confucius Academies aim to achieve that very objective.

THE CONFUCIUS ACADEMIES

The Confucius Institutes - dedicated to "spreading cultural understanding" - are found exclusively in foreign locales. Within China, however, an interest in reviving cultural understanding of Confucianism and Chinese traditional values has led some cultural entrepreneurs to create a new market: Confucius Academies. Confucius Academies, like the Confucius Institutes, have only become a presence in the past

ten years.³⁴ In fact, while their existence is often mentioned in literature on the Confucius Institutes, these smaller, independent academies have yet to be given the same rigorous academic treatment as that given to the CIs. Each academy is a stand-alone operation run by an independent agent, and while different agencies will collaborate with each other on addressing general issues, there is no collective governing body. However, the vast majority of these institutions promote a similar mission: revitalizing traditional Confucian culture by educating China's current young generation in the teachings and practices of Confucius and his followers. These academies typically employ memorization of Confucius' texts, in the spirit of gentlemanly scholarship, as their primary method of traditional education. While children may not understand the words they recite at the time, academy administrators hope that they will recall Confucius' writings as they grow older and realize his relevance to modern life.³⁵ However these academies do not stop at teaching texts alone. In their quest to make Confucius relevant once again, they also educate the children on how to live a proper Confucian life, and encourage the children to live out the embodiment of Confucian ideals. Lessons in deportment are common, propriety is heavily emphasized, and traditional subjects such as calligraphy, Chinese medicine and instrumentation are all given significant attention.³⁶ The academies have become laboratories of traditionalism in which private adminis-

31 Melvin, Sheila. "Yu Dan and China's Return to Confucius." *The New York Times* 29 Aug. 2007.

32 Bell, Daniel. *China's New Confucianism: Politics and Everyday Life in a Changing Society*. Princeton, NJ: Princeton UP, 2008. 163-74 (Appendix 1).

33 Schell, Orville. "China's Quest for Moral Authority." *The Nation* 20 Oct. 2008: 25.

34 Ibid. 12.

35 Yang, Rui. "Soft Power and Higher Education: an Examination of China's Confucius Institutes." *Globalisation, Societies and Education* 8,2 (2010): 240.

36 Sun, Yuan. "Questions on the Sihai Confucius Academy." E-mail interview. 7 Nov. 2011.

trations can experiment with their teachings to find the most effective methods for reviving the cultural heritage many believe was lost in the establishment of the People's Republic of China.

In order to gain a deeper understanding of the functionality of these Confucius Academies, and to see if they offer a potential solution to China's potential identity crisis, I will focus on one of the largest academies to date, the Four Seas Confucius Academy (Sihai Kongzi Shuyuan) in Beijing, China, both because of my time spent there and the impact it has made in the traditional culture industry. After a brief explanation of their operations in specific, I will examine how each institution goes about its purpose of increased cultural awareness, and to what end.

The Sihai Confucius Academy is one of the most well-recognized and well-respected institutions of its type within the People's Republic of China, with the support of both contemporary Confucianism advocates and high-ranking government officials. Opened in 2006, it was what one Academy administrator called the "natural next step" in the development of a line of Confucian textbooks aimed at teaching children how to read Confucius' canonical texts.³⁷ Students enter the Academy at age three and remain until age fourteen, leaving the compound only on weekends and holiday breaks. They memorize main Confucian texts such as the Four Books (si shu), Yellow Emperor's Medical Canon (huangdi nei jing), Classic of Rites (liji), and the Three Character Classics (san zi jing), and are also expected to be proficient in calligraphy, Tai Chi, and playing the guqin.³⁸

37 Ibid.

38 Ibid.

The Sihai Confucius Academy has achieved a relatively high level of recognition among party elites and intellectuals alike. Students are often asked to attend Party events and recite passages from the Four Books and other well-known works. Leaders in the fields of Confucianism and traditional Chinese culture often accept invitations to the Academy to lecture on topics such as Chinese traditional medicine, the religious significance of Confucianism, and challenges of translating and teaching Confucianism to foreign audiences. The Academy's ability to achieve such distinction within ten years of its establishment suggests a cultural shift may be underway in which Chinese are increasingly respectful of their Confucian heritage. More importantly, the Academy's success hints at the potential of such private enterprises to create a more organic cultural soft power campaign.

THE FUTURE POTENTIAL FOR CHINESE SOFT POWER

The fundamental challenge to the Chinese Communist Party's cultural soft power initiative, as highlighted by the success of a similar private sector endeavor, is one of identity. Without presenting a substantial cultural identity, the CCP and its affiliate Confucius Institutes will be crippled in their attempts to communicate the appeal of Chinese culture to the world. Back in Lincoln, Nebraska, the president of the city's Chinese community organization has already expressed her doubts about the effectiveness of the UNL Confucius Institute in promoting Chinese culture in the Lincoln community. Her doubts are

directed at the CI's lack of publicity, its lack of effective cultural promotion, and most importantly, of the absence of a coherent cultural image. In an interview, she also opined that Chinese domestic support for the initiative was low, as the general public views the CI project as a waste of resources. Therefore, the CCP is in a compromising position of having to promote the Confucius Institutes on two fronts: at home and abroad.

Confucius Academies, on the other hand, have enjoyed increasing popularity in China. Their conservative interpretation of Confucian texts – for example, affiliates of the Sihai Confucius Academy are vegetarian due to Confucius' professed respect for animals – has steadily gained admiration, support and imitation throughout the People's Republic of China and the Republic of China.³⁹ Since they operate outside the auspices of the national government, these academies have been able to transform into laboratories of Chinese cultural development, testing out new models of cultural education in almost all of the country's provinces. If the CCP aims to attract foreign audiences to Confucian values, then it should take note of these academies and the cultural education models they employ. By studying and adopting the most successful of these local models, the government will not be nationalizing China's cultural value system; instead it will serve as a middleman, channeling Chinese culture and values from a grassroots to an international level. While this method is not the CCP's *modus operandi*, deviating from standard procedure here stands to benefit national objectives and foster greater

domestic support of an international program. Once the government adopts this 'middleman' mentality, it can begin to disseminate a more authentic Chinese cultural vision to the rest of the world.

Admittedly, the programs that have been successful within China will not necessarily translate well to foreign audiences. Pupils of local academies have almost all been steeped in Chinese culture since birth, while pupils of Confucius Institutes are usually being exposed to China for the first time. To bridge this gap in cultural knowledge, Confucius Institutes will have to expand their class offerings and provide foreign audiences with supplemental knowledge about the general foundations of Chinese culture.⁴⁰ To teach lessons similar to those found at Confucius Academies, they must become Confucius Institutes in full, educating foreign audiences about history and development of Confucianism within the greater narrative of Chinese history. They can offer classes on classic Confucian texts such as *The Analects*, as well as classes on recent classics such as Cao Xueqin's *Dream of the Red Chamber*. By teaching their students about the foundations of Chinese culture, the CIs will help students achieve understanding, which may more easily turn into attraction.

CIs should also be ready to expand beyond their namesake to other traditional avenues of soft power, such as the fine arts. While some Confucius Institutes have hosted open houses for local Chinese artists' works⁴¹ or state-

40 In countries where Confucianism is an established part of the culture, such as South Korea, CIs may not need to introduce supplemental classes on the principles of Confucianism. However there may be some value in teaching the role of Confucianism specifically in Chinese culture.

41 Greene, Deborah Meyers. "Confucius

39 Sun, Yuan. "Questions on the Sihai Confucius Academy." E-mail interview. 7 Nov. 2011.

sponsored photograph exhibitions⁴², this practice tends to be the exception rather than the norm. The CIs already have ideal partners for fine arts promotion in their affiliate Chinese universities. They should be channeling university works in the fine arts to their respective communities for exhibition, again acting as middlemen for the exportation of Chinese culture to the rest of the world. Confucius Institutes should also try to work in tandem with the rest of the CCP's cultural initiatives; they can complement recent government investments in the Chinese film and television industries by screening Chinese films for their host communities. Even such light-hearted events as Chinese karaoke competitions should be taken seriously as viable methods of soft power promotion.

Confucius Institutes face at least one more hurdle in its quest to promote Chinese values: international acceptance. The spread of CIs has already proven itself sustainable; there are over 260 universities and institutions awaiting approval to open their own Confucius Institute.⁴³ However, if the Confucius Academies begin to offer lessons in Chinese culture and values, they risk entering politically sensitive territory. CIs that teach such unthreatening lessons as Mandarin Chinese and calligraphy are slowly encountering greater feelings of unease among the many potential

Institute Open House to highlight Chinese art forms." University of Michigan Record Update. 19 March 2010. Web. 1 March 2012. <<http://www.ur.umich.edu/update/archives/100319/confucius>>.

42 "Second Issue of Xinhua Gallery Kicked Off in 18 African Countries." Forum on China-Africa Cooperation Official Website. Web. 1 March 2012. <<http://www.focac.org/eng/zfgx/t814207.htm>>.

43 Peters, Mike and Zhang Chunyan. "Confucius alive." *Qiushi*. 3 Sept 2012. Web. 21 Feb 2012. <http://english.qstheory.cn/news/201109/t20110930_114169.htm>.

partners they have approached.⁴⁴ CIs that begin teaching a culture that may not align with native values are even more likely to meet with resistance. After all, the new cultural promotion initiative is itself a threat to other states - with increased cultural appeal comes the potential for increased international leverage. Why then would I, an American, suggest ways for China to strengthen its cultural soft power initiative?

The Confucius Institutes may prepare the world to be more attracted to China, but they will also prepare the world to be more challenging of China. By enhancing global understanding of Chinese culture, CIs are giving members of the global community a more informed standpoint from which to deal with China in areas such as diplomacy, military, business, and humanitarian aid. In a best case scenario for the United States, the international community might also observe both national cultures, and find that the values of the United States to be more attractive than those of China - a judgment that could mitigate China's rise in global might. The success of the CIs also has the potential to spur greater cultural activism at home, contributing to a stronger Chinese civil society and a potentially weaker central government.

The Chinese Communist Party right now faces a choice: it can use the Confucius Institutes to continue its ineffective spread of cultural soft power, or it can adopt a 'middleman' approach and convey Chinese culture from local to international communities. While the latter seems to be the better choice, the reality is that the Confucius Insti-

44 Guttenplan, D.D. "Critics Worry About Influence of Chinese Institutes on U.S. Campuses." *The International Herald Tribune*. 5 March 2012.

tutes' capacity to fulfill their stated mission lies entirely in the hands of their creators.

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Metropolitan Encounters, World War II,
and the Political Formation
of Frantz Fanon and Ho Chi Minh

On 7 May 1954, a victory rang out in a northwestern province of Vietnam that reverberated throughout the colonial world. For the first time in modern memory, a non-white colonized people had stood up to and defeated an imperial power in open combat. With the defeat of the French at the hands of the Vietnamese, the myth of European supremacy that lay at the foundation of colonialism was irrevocably shattered. Seven years later and several thousand miles away, Martiniquan anticolonial theorist Frantz Fanon remarked,

The great victory of the Vietnamese people at Dien Bien Phu is no longer, strictly speaking, a Vietnamese victory. Since July, 1954 [the conclusion of the Geneva Agreements], the question which the colonized peoples have asked themselves has been, 'What must be done to bring about another Dien Bien Phu? How can we manage it?' Not a single colonized individual could ever again doubt the possibility of a Dien Bien Phu....¹

The postcolonial moment of the 1950s and 1960s therefore witnessed a profound international consciousness among colonized peoples—amplified in this case by the shared connection of France—which caused relatively isolated incidents to immediately rise to

notoriety and significance on the world stage. As Fanon was quick to note, such attention was also paid by colonial powers themselves, who assessed the events of other countries in relation to their own positions and “[became] aware of manifold Dien Bien Phus” that were possible or developing.² This tendency for particular conflicts to be viewed as emblematic of broader trends was also, of course, symptomatic of a Cold War in which the internal politics of any given nation could be cast as part and parcel of worldwide ideological struggle.

Perhaps the two most prominent cases of violent decolonization, momentous in the minds of both the West and the nascent Third World, were the national liberation movements of Algeria and Vietnam. These two violent struggles rather neatly bookended the long 1960s, lasting from roughly 1954-1975.³ During this time Algeria emerged as the effective prototype for brutal decolonization, dramatically posing questions of terrorism, torture, and political violence writ large; Vietnam became widely seen as the lynchpin in the struggle between Communism and capitalism, East and West. Arguably the leading

² Ibid.

³ The Vietnam independence struggle certainly predates this in its fight against Japanese occupation and French reconquest, though its symbolic significance in the Cold War only fully materialized after the partition of 1954 and subsequent U.S. escalation.

¹ Frantz Fanon, *The Wretched of the Earth* (New York: Grove Press, 2004): 70.

intellectual figures of these movements, Frantz Fanon (1925-1961) and Ho Chi Minh (1890-1969) both displayed a deep appreciation for the international solidarities and Cold War power politics tied up in anticolonial movements.

Though born nearly half a world and some thirty-five years apart, Ho and Fanon were molded by a similar disillusionment at the failed promises of French liberalism, and came to advocate violent revolution as a means to overcome colonial exploitation. They each articulated a kind of Left emancipatory politics, influenced by Marxism but also deeply touched by personal experience with racism and colonialism. Like African-American figures such as W.E.B. DuBois and Langston Hughes, Ho and Fanon noticed a disconnect between the high-flying rhetoric of the republic (*liberté, égalité, and fraternité*) and the realities of racism. World War II played a key role in revealing the hypocrisy of a government that demanded sacrifice from its colonial subjects but denied them basic rights and recognition. Ho and Fanon therefore challenged Western humanism to live up to its universal ideals by extending equality—and ultimately self-determination—to the colonies.

While the two revolutionary thinkers put forth essentially nationalist claims, Ho's were couched largely in the tradition of Marxism-Leninism and Fanon's in that of existentialism and psychoanalysis. In addition to reflecting regional influences such as Maoism and Négritude, their differences are also indicative of a postwar shift in the French Left. By exploring these divergences as well as the shared experiences of these anti-colonial icons, this paper seeks to understand how the Cold war and

changing political landscapes in the French Empire served to dress fundamentally similar nationalist content in dramatically different appearances.

As with so many colonial intellectuals before and after him, the liberal ideals of the French Revolution first drew Ho Chi Minh to the West.⁴ Hoping to study at France's *École Coloniale* and act as a moderate intermediary between France and his people, Ho (at the time, he used the name Nguyen That Thanh) left Indochina for Marseilles in 1911.⁵ His hopes were soon dashed by rejection from the school; in place of a French education, Thanh spent the better part of the next decade traveling the world by sea. Thanh's writing from this period furnishes rather shocking "descriptions of the harsh realities of life in the colonized port cities of Asia, Africa, and Latin America," where he observed the "abject misery in which many people lived and the brutality with which they were treated by their European oppressors."⁶ During this period of early political development Thanh even visited the United States for several months, where he attended the meeting of an African-American nationalist organization founded by Marcus Garvey. In short, Thanh's travels and exposure to the world consistently demonstrated the hollow nature of the ideals that had inspired him. As he would write by the mid-1920s, "A glance at our colonies is enough to see how 'fine

4 William J. Duiker, *Ho Chi Minh* (New York: Hyperion, 2000): 45.

5 Paniyong Nordindr, "Tangled History and Photographic (In)Visibility: Ho Chi Minh on the Edge of French Political Culture," in Charles Forsdick and David Murphy, ed., *Postcolonial Thought in the French-speaking World* (Liverpool: Liverpool University Press, 2009): 104-5.

6 Duiker, *Ho Chi Minh*, 46-50.

and gentle' this 'civilization' is."⁷

After this transformative experience, Ho arrived in France in about 1919 having taken the name Nguyen Ai Quoc, or "Nguyen the Patriot."⁸ He quickly became engaged in Parisian political life, entering radical intellectual circles and, along with a handful of others, founded the first Vietnamese proto-nationalist organization: the *Groupe Annamite Patriote*.⁹ Like other colonized peoples throughout Asia and Africa, Quoc and his colleagues were inspired in the wake of World War I by Woodrow Wilson's exaltations of the principle of self-determination, and sought to assert their claims as part of the new postwar world order. In mid-June 1919, Quoc rented a suit and approached each of the victor's delegations at the Versailles Conference, to whom he submitted eight demands on behalf of his organization.¹⁰

"*Revendications du peuple Annamite*" (Demands of the Annamite People) was steeped in a moderate and conciliatory tone; it fell far short of demanding independence, let alone condemning colonialism as such.¹¹ Instead, Quoc appealed to the "benevolence of the Noble French People" in order to claim basic democratic rights to petition, assembly, and so forth. One by one Quoc was abruptly rebuffed by U.S., French, and British representa-

7 Ho Chi Minh, *Ho Chi Minh and Africa* (Hanoi: Foreign Languages Publishing House, 1980): 43.

8 "Ai Quoc" literally means "love one's country." Peter A. DeCaro, *Rhetoric of Revolt: Ho Chi Minh's Discourse for Revolution* (Westport, CT: Praeger, 2003): 11.

9 Nordindr, "Tangled History and Photographic (In)Visibility," 104.

10 Robert Joseph Gowen, "Ho Chi Minh in the Paris Peace Conference of 1919: A Documentary Footnote," *International Studies* 133 (1973): 133.

11 Ho Chi Minh, "Revendications du peuple Annamite," in *Ho Chi Minh: Textes 1914-1969*, edited by Alain Ruscio (Paris: Éditions L'Harmattan, 1990): 22-3.

tives, demonstrating that neither the Americans nor Europeans had any real intention of granting this right where it conflicted with the interests of the Allied powers.¹² The hypocrisy of this dismissal was felt throughout the colonized world; those who had praised Wilson soon denounced his betrayal. Versailles thus served to radicalize budding nationalists from Quoc to Mao to Gandhi, who came to see the Western system as no longer capable of securing the kind of freedom that only full independence could offer. Or, as Ho would declare years later, he had been deceived by Wilson's "song of freedom."¹³ Having acted within the bounds of liberal tactics and discourse and been spurned as a result, Quoc (like Nehru and Mao) turned toward the emerging model of Bolshevism "as a potential champion of colonial liberation."¹⁴

Even among the Parisian left, however, Quoc found analyses of the "colonial question" to be positively lacking. Following the First World War, the French Socialist Party was characterized by bitter infighting, as its members debated whether to join Lenin's newly founded Third International. Rather than questions of revolution and parliamentarism, orthodoxy or revisionism, Ho explained years later to a Soviet review, "What I wanted most to know - and this precisely was not debated in the meetings - was: which International sides with the peoples of colonial countries?"¹⁵

12 Erez Manela, "Dreams of East-West Harmony and the Revolt Against Empire in 1919," *American Historical Review* 111 (2006): 1348.

13 Duiker, *Ho Chi Minh*, 61-2.

14 Manela, "Dreams of East-West Harmony and the Revolt Against Empire in 1919," 1349-50.

15 Ho Chi Minh, "The Path Which Led me to Leninism," April 1960, in *Ho Chi Minh Selected Articles and Speeches 1920-1967*, ed. Jack Woddiss (New York: International Publishers, 1970): 157.

This focus on concrete policy over ideological concerns typified Ho's non-dogmatic approach as a "man of action" over theorist, and accounted for his alienation from abstract discussion of universal proletarian revolution.¹⁶

Long before he ascended to the veritable pantheon of self-styled Marxist-Leninist leaders, the young Quoc happened upon an article in the socialist daily *L'Humanité* entitled, "Thesis on the National and Colonial Questions." Having distanced himself from the heady debates of French Socialists, Quoc now entered decidedly on the side of the article's author, and vehemently backed the pro-Soviet faction based on this article's anticolonial pronouncements. He later intimated, "At first, patriotism [read: nationalism], not yet communism led me to have confidence in Lenin, in the Third International."¹⁷ After being lured to France based on the liberal tradition of the "Rights of Man," Quoc "gradually came upon the fact that only socialism and communism can liberate the oppressed nations"—an understanding based on the observed limits of liberalism rather than a theoretical affinity for radicalism.

For Fanon as well, both life in the metropole and travels in France's colonies proved thoroughly false the promise of universal republicanism. One World War and nearly three decades after Quoc arrived in Paris, Fanon traveled from Martinique to France in 1945 to pursue his education, and soon ended up studying psychiatry in Lyon.¹⁸ His experience during

16 Pierre Brocheux, *Ho Chi Minh: A Biography*, translated by Claire Duiker (New York: Cambridge University Press, 2003): 20.

17 Ho Chi Minh, "The Path Which Led me to Leninism," 156-7.

18 Alice Cherki, *Frantz Fanon: a Portrait*, translated by Nadia Benabid (Ithaca, NY: Cornell University Press, 2006): 15.

these formative years, Stuart Hall explains, was predominated by Fanon's French education and ideals "[coming] sharply up against metropolitan racism."¹⁹ From clinical work with patients to encounters on public transportation, Fanon faced the "maddening" impossibility of his assimilation. "Here he wished only to belong," recounts Patrick Ehlen,

*only to disappear among the crowd,
only to lose himself in Frenchness,
in whiteness...and yet he was constantly made aware of his difference,
constantly reminded, in one way or another, of all the ways he did not possess those aspects, did not belong to that group, and could never belong, no matter what he did....*²⁰

This impossibility was mediated first and foremost by Fanon's physical experience of Blackness—an inescapable and quotidian reminder of French hypocrisy and prejudice that cast the accomplished young medical student as a constant inferior within the white gaze.

Fanon's first major work, *Black Skin, White Masks* (first edition 1952), ruminates on this theme in the essay "The Fact of Blackness," which relates an incident the author endured on a train ride from Lyon to Paris.²¹ The psychiatrist is deeply troubled by a child's repeated exclamations of "Look, a Negro!", and his mother's affirmation of the boy's fear and disgust. He feels suffocated and alienated by his own body, upon which the French passengers inscribe their prejudices of

19 Stuart Hall in Isaac Julien and Mark Nash, *Black Skin, White Mask*, DVD (UK: Arts Council of England, 1996).

20 Patrick Ehlen, *Frantz Fanon: a Spiritual Biography* (New York: The Crossroad Publishing Company, 2000): 88.

21 See Fanon, "The Fact of Blackness," in Frantz Fanon, *Black Skin White Masks* (New York: Grove Press, 1967): 109-140.

inferiority and inhumanity. Fanon's personal identity is obscured by the colonial construct of the nègre, which has been superimposed over and obliterated his very sense of self.

Like Thanh, who had been outraged at the inequalities he encountered in other colonies, Fanon's moral conscience was most disturbed when in 1953 he was stationed in the Algerian city of Blida, and observed the major divides between settler and native. "The colonial world," he later remarked in *The Wretched of the Earth* (first published 1961), "is a world cut in two...[it] is a Manichean world."²² This separation flew in the face of the Western humanism in which Fanon had been educated, which had universality and equality as its basis. Confronted with such hypocrisy, "the native laughs in mockery when Western values are mentioned in front of him...today we know with what sufferings humanity has paid for every one of their triumphs of the mind."²³

After three years of trying to rehabilitate Arab mental patients, aggravated by outbreak of war in 1954, Fanon tendered his resignation to Algeria's governor general. He questioned how he could work to reintegrate patients into colonial society, "if everyday reality is a tissue of lies, of cowardice, of contempt for man?"²⁴ How could "the Arab, permanently an alien in his own country," become an effective member of his social environment, when he "lives in a state of absolute depersonalization?" This understanding of his inevitable failure led

²² Fanon, *The Wretched of the Earth*, 38;

41.

²³ *Ibid.*, 43; 312.

²⁴ Frantz Fanon, "Letter to the Resident Minister (1956)," in Fanon, *Toward the African Revolution: Political Essays*, translated by Haakon Chevalier (New York: Grove Press, 1988): 52-3.

Fanon to realize that it was society itself that needed to change if Algerian Arabs could hope to overcome their alienation and oppression.

Like Ho before him, Fanon realized that colonized peoples "must not expect enlightenment from this false ideology" (liberalism), and harbored no illusions about the intransigent character of the colonial regime.²⁵ He was also similarly disappointed to find that the mainstream French Left (both Socialist and Communist parties) marginalized colonial issues in favor of a homogenized anti-capitalism, and subsumed racism under the broad banner of class oppression. In doing so, such leftist groups often dismissed Fanon's writing with the same false claims to equality that liberals purveyed—since blacks had long achieved recognition, the logic went, all attention could be focused on an undifferentiated working class struggle.²⁶

This disillusionment did not, however, lead Fanon into the arms of Leninism as it had Ho. Within a few years after the Second World War, new intellectual currents of phenomenology, psychoanalysis and existentialism emerged within the French Left and pushed back against the dogmatism of Soviet Communists. Though they predated the formation of the New Left that would come to symbolize 1960s youth rebellion, thinkers such as Jacques Lacan, Maurice Merleau-Ponty, and Jean-Paul Sartre provided Fanon with alternatives to what he saw as the stale debate between Stalinists and Trotskyists that still dominated West Indian student politics.²⁷ In other words, the timing of Fanon's encounter with radical thought in the metropole led him to articulate a theory

²⁵ Cherki, *Frantz Fanon*, 12.

²⁶ *Ibid.*, 28.

²⁷ *Ibid.*, 15-16. Ehlen, *Frantz Fanon*, 94.

of emancipation whose rhetoric and practice fit much less neatly than Ho's into the bipolar metanarrative of the Cold War.

For both the young Quoc (Ho) and Fanon, the shortcomings of the French Left establishment were counteracted in part by their ability to associate with other colonial intellectuals in the metropole. Here drastically different peoples were able to find common ground, and to form solidarities through their shared oppressor. Just a couple of years after his failed plea at Versailles, a radicalized Quoc and a handful of other anticolonial intellectuals formed the *Union Intercoloniale* in 1921.²⁸ From "the belly of the beast," men from across the French Empire gathered in this Parisian organization to share their experiences and publish their hebdo (weekly journal), *Le Paria*. As Jennifer Boittin explains, these interactions were crucial in developing and articulating their common cause of anti-imperialism:

*Discrimination germinated into theories and beliefs, such as nationalism or communism, in a metropole that allowed workers and intellectuals of different origins and conditions to mix. Then, ideas spread back to the colonies via newspapers and individuals, traveling on ships manned by sailors whose conditions were miserable enough they could often be persuaded to smuggle revolutionary documents.*²⁹

Quoc was also able to make common company with the Vietnamese diaspora in the metropole, which had grown to over 50,000 strong

28 Jennifer Anne Boittin, *Colonial metropolis: the urban grounds of anti-imperialism and feminism in interwar Paris* (Lincoln: University of Nebraska Press, 2010): 80.
29 *Ibid.*, 97.

by the end of the First World War.³⁰ While the visibility of race could invite discrimination and enmity from unsympathetic Europeans, it also proved to be a potent organizing tool for Quoc and other anticolonial activists who lay the foundations for nationalist organizations and thought in 1920s Paris.

By contrast, Fanon avoided becoming fully enmeshed in the Antillean diasporic community and its many associations that existed during the postwar period.³¹ Fanon's distance was probably due in part to his greater attachment to French philosophy, and a self-proclaimed desire to understand (European) French society on its own terms. More broadly, it reflected his lesser inclination toward political organizations. He connected more closely with Antilleans and Africans on cultural and intellectual levels. For instance, he frequented a number of leftist bookstores and anti-racist circles affiliated with the French Communist Party (PCF), though he decidedly never became a member.³² Despite his affinities for Western philosophy, Fanon was also actively aware of the *Négritude* movement—after having studied in Martinique with Aimé Césaire, he wrote a letter to Léopold Senghor hoping to secure a medical position in Senegal. This literary movement is only the most tangible sign of how "Paris enabled connections among members of the Africa diaspora to flourish."³³

As with other social movements of the 1960s, World War II served in a number of ways to catalyze the national liberation movements that burgeoned in the postwar period, and had profound impacts on both Ho and Fanon. To begin with, the drafting of colonial divisions to

30 Duiker, *Ho Chi Minh*, 56.
31 Chérki, *Frantz Fanon*, 15.
32 *Ibid.*, 16; 24.
33 Boittin, *Colonial metropolis*, 77.

defend the metropole revealed the vulnerability of colonial powers that had hitherto ruled with seeming omnipotence. Though this same routine had occurred two decades earlier during WWI, the looming threat of Nazism put the very real uncertainty of these regimes in stark relief. This was especially true in the case of France, as the Republic was fully toppled and the collaborationist Vichy regime established in the south. As one might expect, the strong reversal that was the occupation of colonial rulers by a foreign power had potent and irreversible effects on the psyches and imaginations of colonial subjects. On the other hand, as with the American Civil Rights Movement of the 1950s-1960s, the mobilization of soldiers from French colonies would psychologically and physically empower them to assert rights claims after the war, when “These men who had fought for the equality of races would realize with all bitterness that they had achieved nothing of the sort.”³⁴

Nazi Germany also functioned to dramatize the terrible possibilities of racism, civilizational hierarchies and territorial expansion in a way that led colonized peoples to see parallels within Allied colonial policies. Aimé Césaire thus characterized Nazism as a fundamentally imperialist ideology that directly sprang from the colonial impulses of Western civilization—liberal French humanists such as Ernest Renan, by justifying their own empire, “have cultivated that Nazism... they are responsible for it.”³⁵ The major difference, he argued, was that prior to Hitler, colonialism “had been applied only to non-European

peoples.” While this last comment overly dismisses the history of intra-European imperialism from Rome to Russia, Césaire fervently illustrates how the horrors of World War II brought Western notions of progress and liberalism under critical scrutiny.

The war also had the effect of bringing racism out into the open in Martinique, where complex social stratification had been “so tightly knit as to appear effectively invisible to most people.”³⁶ While the small island held some 2,000 European inhabitants prior to the war, Martiniquans were soon confronted by another 10,000 or so French sailors who were demobilized from surrounding ships. Within weeks the sailors’ offensive conduct had torn through the “shroud of equanimity” previously enjoyed on the island—a process accelerated by the implementation of Vichy law and ideology by the collaborationist Admiral Georges Robert. Even middle-class black families such as the Fanons, who until the war enjoyed a significant degree of esteem relative to black laborers and servants, were regarded and treated by these new Europeans with a similar disdain. Most Martiniquans, however, would rather rise to the defense of the French motherland than forsake its hypocrisies. As Fanon later noted, they came to believe these sailors were not representative “the real France” or “their France”; “everybody knows that the true Frenchman is not a racist...in other words, he does not consider the West Indian a Negro.”³⁷ Many attributed this change of face to these sailors being in fact members of the German army, camouflaged and tarnishing the name of France.

³⁴ Ehlen, *Frantz Fanon*, 74.

³⁵ Aimé Césaire, *Discourse on Colonialism*, translated by Joan Pinkham (New York: Monthly Review Press, 1972): 3.

³⁶ Ehlen, *Frantz Fanon*, 40.

³⁷ Fanon, *Toward the African Revolution*, 23.

A young Fanon was deeply moved by the patriotic pronouncements of Charles de Gaulle, which he listened to carefully on Radio BBC as the general called on French people everywhere to rise up against the tyranny of the Nazi regime.³⁸ Not all Martiniquans were so quick to identify with the cause of their colonial rulers. This notion is encapsulated by a statement of one of Fanon's high school teachers of the time: "Gentleman, believe me, when whites kill each other it's a blessing for Negroes."³⁹ Eighteen-year-old Fanon pushed back adamantly against this popular idea on the island, clinging to firm beliefs in the same "universal" ideals that attracted Ho to France:

*[W]henever human dignity and freedom are at stake, it involves us, whether we be black, white or yellow. And whenever these are threatened in any corner of the earth, I will fight them to the end.*⁴⁰

Resisting the discouragement of his older brother, Joby, Fanon and two close friends enlisted in de Gaulle's Free French Forces in 1944, and left quickly to train in Dominica.

Like many Black Americans at the time, Fanon would discover during his service that the society he fought to defend did not cling so faithfully to these ideals. Just as he was leaving Martinique's bay of Fort-de-France, Fanon began to notice the systematized racial segregation of the French forces: a handful of white officers stood above deck while 1,200 black conscripts were crowded below.⁴¹ When they eventually joined with other units in

North Africa, the French forces were divided into a series of hierarchies based on race and region: metropolitan-dwelling French sat on top, followed by white *colons* (colonists), North African Arabs, and finally Africans on the bottom. Fanon and his three companions "could hardly miss the irony of the complex racial stratification that had been implemented under the guise of an army that would fight in the name of brotherhood and equality for all humankind."⁴²

The predominant division of the French troops, however, was in the dichotomy between "European" and "native." Fanon and his two comrades were placed among the former, due to the "old colony" status of Martinique.⁴³ This bizarre and artificial racial separation was maintained by red berets, which "European" blacks like Fanon wore to distinguish themselves from Africans. While in France, de Gaulle's commanders decided to "whiten" their forces in preparation for the winter of 1944; that is, black troops who were believed to be incapable of withstanding the European cold were sent packing from the front to stations in the south of France. This order was only given, however, to those blacks classified as "natives." Fanon was again disturbed by the wholly arbitrary and irrational racial calculus by which the "European blacks"—themselves from tropical climates—were kept on in the North while Africans left the ranks.⁴⁴

Despite his serious misgivings about the army's racial organiza-

42 Ibid., 58-9.

43 Martinique, like Guadeloupe and Réunion, was originally colonized under the *ancien régime* in the seventeenth century; its inhabitants were therefore considered much more assimilated and *European* than in more recent African acquisitions such as Senegal and Tunisia. Ibid.

44 Ibid., 66.

38 Joby Fanon, *Frantz Fanon: De la Martinique à l'Algérie et à l'Afrique* (Paris: L'Harmattan, 2004): 56.

39 Ibid., 58.

40 Cherki, *Frantz Fanon*, 10.

41 Ehlen, *Frantz Fanon*, 56.

tion, Fanon proved to be an able soldier, and continued to push back Nazi forces even after sustaining a wound that many would have exploited for early retirement. By April 1945, however, Fanon was beginning to question his duty and allegiance to a country whose collaboration and (as Fanon perceived) lack of resistance showed a kind of ambivalence toward Nazism. In a letter to his family, Fanon conceded, "I was wrong! Nothing here justifies this sudden decision to defend the interests of the French farmer when he himself does not care."⁴⁵ By the end of the war, Fanon's patriotic enthusiasm from 1944 had turned to a seething resentment for France's lack of recognition toward its black troops. While stationed at Toulon, Fanon observed that Italian prisoners of war received better treatment and respect than Martiniquan war heroes from both army personnel and the local population; "the great motherland had called them to fight in its name, and then turned its back on them when the fighting was finished."⁴⁶

Fanon's experience of World War II can perhaps best be summarized by the following observation: "Before 1939, the West Indian claimed to be happy, or at least thought of himself as being so.... The West Indian of 1945 is a Negro."⁴⁷ The profound assimilationist tendencies of the "old colonies" were finally and resolutely challenged by the realities of racism Martiniquans encountered at home and in the French army. This separation would also be accompanied by newfound solidarities with Arab and African peoples to which West Indians had felt superior (as they were assured by their colonial rulers).

45 Joby Fanon, *Frantz Fanon*, 69.

46 Ehlen, *Frantz Fanon*, 74.

47 Fanon, *Toward the African Revolution*, 19, 26.

While vehemently anti-fascist, Quoc (soon to be known as Ho) nonetheless hailed the defeat of the French in 1940 as "a very favorable opportunity for the Vietnamese revolution," adding "[w]e must seek every means to...take advantage of it."⁴⁸ In Southeast Asia, this scene was complicated by the counter-hegemon of imperial Japan, which soon wrested colonial possessions from its putative ally of Vichy France. When Japan finally invaded Indochina on 27 September 1940, Quoc and other cadres of the Indochina Communist Party thus consciously "took advantage of the disarray of the defending French colonial forces" to launch a series of local attacks in the northern Bac Son district. Though Japanese colonial rule was in many ways more brutal and draconian than that of the French, their victory against the Western colonial power irrevocably destroyed notions of Asian passivity and powerlessness vis-à-vis Europe.

After the Japanese had succeeded, however, a newly named Ho Chi Minh galvanized the Vietnamese to resist their new oppressors and organized a mass movement under the banner of the Viet Minh. The group soon surged to the head of the Vietnamese independence movement, and on 2 September 1945 Ho declared victory against the Japanese by founding the new Democratic Republic of Vietnam (DRV).⁴⁹ The war therefore served as an incubator for Ho's political organization and guerrilla tactics, which he would soon reemploy during the attempted French reconquest from 1946-1954. After having proclaimed independence during the war, French attempts at the restoration of the old colonial order made the violence and injustice of colonial-

48 Duiker, *Ho Chi Minh*, 242-244.

49 DeCaro, *Rhetoric of Revolt*, 3.

ism all the more apparent. Perhaps most important from both their war experiences, Ho and Fanon were educated firsthand in “the culture of the Resistance,” which furnished a language of moral righteousness and penchant for action that they would take into anticolonial struggle following the war.⁵⁰

Given that Ho and Fanon drew similar conclusions regarding the emptiness of liberal claims and the need for colonies to radically and violently assert their independence, how did the crucible of the Cold War sort these thinkers and their struggles into basic categories of, respectively, Communism and nationalism?

As late as 1947 Ho still actively sought the support of both the United States and USSR, and was equally ignored by both.⁵¹ Even after politburo member Andrei Zhdanov’s “two camp thesis” of September 1947, which placed the Soviet Union decidedly on the side of anti-imperialism, Moscow continued to hesitate in response to Vietnamese requests for military and economic assistance.⁵² After the 1949 victory of Chinese Communists, however, Western narratives of the Vietnamese struggle began to shift toward the specter of “international communism.” This was not entirely without merit, for although the majority of Vietminh cadres “had read few Marxist-Leninist writings” and had motives “more patriotic than ideological,” Maoist rhetoric and practices began to permeate the Vietnamese movement as the PRC sent military advisors.⁵³

The Algerian National Liberation Front (FLN) more effectively used the international dimensions of the Cold War as political leverage rather than danger.⁵⁴ For one, Algeria benefited from the fact that its surrounding ideological influences and models for revolution were in large part anticommunist.⁵⁵ Nationalists could therefore situate Algeria in this more neutral context, with “more natural affinity with the Arab, the Mediterranean, or the African world than with Russia or China.”⁵⁶ Further, the constant internecine struggles between leading personalities of the Algerian movement allowed both superpowers to hope that it could be tilted toward their camp. Kennedy thus urged the U.S. Senate in 1957, “Instead of abandoning African nationalism to the anti-Western agitators and Soviet agent who hope to capture its leadership, the United States... must redouble its efforts to earn the respect and friendship of nationalist leaders.”⁵⁷

A decisive factor in the Algerians’ ability to dissociate from Communism, and thus escape the aggression of the Truman doctrine, may also be traced in some way to Fanon’s resistance to the dogmatic language of orthodox Marxism. If Ho could have articulated his revolutionary vision without drawing on

54 Matthew Connelly, “Rethinking the Cold War and Decolonization: the Grand Strategy of the Algerian War for Independence,” *International Journal of Middle East Studies* 33 (2001): 223.

55 Consider the national movements in other Maghreb countries such as Morocco and Tunisia. Yahia H. Zoubir, “U.S. and Soviet Policies towards France’s Struggle with Anticolonial Nationalism in North Africa,” *Canadian Journal of History* 30 (1995): 441.

56 Jean Daniel, “Whose Revolution will Prevail in Algeria? Ben Bella and the Communists,” *The New Republic*, November 24, 1962, 12.

57 John F. Kennedy, “Imperialism, the Enemy of Freedom,” U.S. Senate speech July 2, 1957, *JFK Link*, 5.

50 Cherki, *Frantz Fanon*, 14.

51 Mari Olsen, *Soviet-Vietnam Relations and the role of China, 1949-64: changing alliances* (New York: Routledge, 2006): 1

52 *Ibid.*, 6.

53 Duiker, *Ho Chi Minh*, 436.

the ideological rhetoric of Lenin and Mao, perhaps Vietnam's struggle could have remained in the realm of nationalism not become a violent focal point for the halt of Communism. These questions obviously exceed the realm of this paper. It is worth further pondering, however, how the postwar development of the French left provided Fanon (and by extension, the Algerian cause) a political frame that defied Cold War bipolarization, and thus perhaps opened more opportunities to leverage their interests.

Neither Ho nor Fanon lived to see the national independence for which they strived. In addition to nationalist icons, however, they continue to serve as figures of Third World consciousness and anticolonial resistance. While they lived the majority of their lives several thousand miles apart and in highly different societies, their experiences with French colonialism and World War II led them to similar conclusions about the necessity for violent national liberation struggle. Their frustrations with the unfulfilled promises of Western liberal philosophy and power structures embodied an age in which oppressed peoples worldwide would dramatically bring those institutions into question.

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Music and Israeli-Arab Peacemaking

Seeds of Peace International Camp for Coexistence, a summer camp for teenagers from conflict regions around the world, particularly the Middle East, creates a social context that uses music to form and solidify a new identity that allows youth to transcend their nationalities and connect with one another in a meaningful way. Through a discussion of the use of music, particularly the Seeds of Peace song, “I am a Seed of Peace,” as an integral part of the camp’s peacemaking process, I hope to highlight certain processes that can be applied to other instances of conflict resolution. This discussion is based on my experiences as a Seed of Peace, as a music counselor at camp, and on research I conducted at Seeds of Peace in the summer of 2009.

Before embarking upon this paper, I want to make clear that I approach the relationship between music and peacemaking in ethnic conflict as a skeptic, and the arguments presented here do not depend upon a postulate of musical universals or an idealistic belief about music’s political influence. In my experience, music is not a universal language that can somehow transcend barriers of ethnicity and culture to connect people through a shared meaning. Rather, music acquires its meaning through cultural or life experience. Obviously, simply singing a song or playing a piece of music will have no tangible effect upon a situation as deep-seated and violent as an ethnic conflict, un-

less the music is further grounded in the performers’ and listeners’ culture or life experiences. However, as I will explain in this paper, I do believe that music can be used as a powerful tool for peacemaking in ethnic conflict if used within a social system that infuses it with meaning.

Seeds of Peace is an American, politically unaffiliated organization that runs a summer camp in Maine for high school students from the Middle East and other regions of ethnic conflict. Journalist John Wallach founded the camp in 1993, the summer before the Oslo Accords, dreaming that one day, the leader of the Israelis and the leader of the Palestinians would both be graduates of Seeds of Peace, sharing a fundamental identity as “Seeds” and a mutual understanding that would take them that much closer to a peaceful solution to the region’s violence.¹ As an organization, Seeds of Peace straddles two complementary, but fundamentally different, approaches to peacemaking. Its focus on youth and interpersonal understanding—summarized by its slogan, “Treaties are negotiated by governments; peace is made by people”²—emphasizes a bottom-up approach that stresses that without societal preparation, official diplomacy will be ineffective at ending ethnic conflict. However, John Wal-

1 Seeds of Peace. www.seedsofpeace.org/?p=11048

2 Seeds of Peace. www.seedsofpeace.org/about/mission

lach's dream, and Seeds of Peace's ultimate goal to "[empower] leaders of the next generation,"³ resonates more with the top-down approach to peacemaking that focuses on negotiation between the leaders of governing bodies. Only the best and brightest high schoolers are selected by their schools, Seeds of Peace staff, or national ministries of education to attend Seeds of Peace, and the unfortunate necessity of using only English as the lingua franca at camp in order to maintain trust among the campers further limits the pool to the socioeconomic elite of each society.

The community of leaders formed at Seeds of Peace transcends national boundaries through the creation of the identity of the "Seed." This identity is literally imprinted upon all campers from the moment they are given their Seeds of Peace t-shirts (the only attire permissible at camp) and is reinforced throughout each three-week session through a variety of shared experiences and performances. Each "Seed" goes through a combination of professionally-facilitated political dialogue and normal summer-camp activities with a coed "dialogue group" of fifteen or so teens, grouped by region of conflict.

The combination of political dialogue and summer-camp activities is of critical importance: without engaging the difficult issues of the conflict, the teens would not gain any understanding of the "other side's" grievances, its narrative of the conflict, or its identity as a group, nor would they have to confront their own. Without this political dialogue, their experience would be limited to a fleeting dream in which they played basketball and sang together as friends, but which was not ultimately grounded in any

understanding that could be applicable back home, where "Israeli" and "Palestinian" define every aspect of how these teens can relate to each other. Still, playing basketball is every bit as important as political dialogue, because Seeds of Peace's dialogue model could not succeed if the Seeds did not become friends along the way, as will be demonstrated.

The teens in each delegation arrive at camp having been taught their whole lives that the "other side" is inhuman, and immediately prior to arriving at camp, their delegation leaders, educators from their respective societies whose goals do not always correspond with those of Seeds of Peace, prime them with political and historical arguments to hurl at their perceived opponents so that they can "win" dialogue.⁴ "Dialogue," for the teens, starts as a battle to tear down the "other side's" history, sense of righteousness and entire construct of nationhood. Being a good Israeli means rejecting all Palestinian claims of victimhood, and being a good Palestinian means forcing the Israelis to acknowledge that they are the aggressor.

Each dialogue group has a unique progression, but usually, about halfway through a session, the teens in each dialogue group run out of arguments, and it is precisely at this point in the program that they have begun to become close friends with one another through the activities they share outside of dialogue. They have also begun to adopt the identity of the Seed. A good Seed is one who is able to listen, rather than speak, in dialogue, and it is each Seed's job to "make one friend" from the "other side." Once the Seeds stop arguing and realize that their interlocutors

3 Seeds of Peace. www.seedsofpeace.org/

4 Micah Hendler, Field Notes.

are actually their friends, whom they have come to trust, they open up to one another and begin sharing personal stories of pain and loss. At this point in a session, Seeds from both sides of the conflict realize that their former enemies, but now fellow Seeds, are suffering too. This fundamental insight, the first step towards mutual understanding, would be inconceivably more difficult without the trust of friendship and the common identity of the Seed, which frees the teens from the constriction of their national identities and allows them to empathize with one another without betraying who they are.

What do Seeds usually take from a three-week session at camp? Surveys that Seeds of Peace conducts at the beginning and end of each session show that Seeds feel increased comfort with the perceived “other side” and have dispelled various stereotypes about its members by the time they leave camp.⁵ More importantly, Seeds of Peace produces lifelong friendships. Forged within the conflict itself rather than by ignoring it, these friendships can stand arguments, political turmoil and violence without shattering. Finally, while Seeds of Peace may not change a participant’s political opinions, nor is it its goal to, it invariably broadens and deepens each Seed’s political understanding, and reinforces this understanding with the strong friendships that are made at camp.

Music plays an integral role within this process of building friendship and understanding. While not an explicit part of political dialogue, music is used, through

repeated communal performance, to create and sustain community at Seeds of Peace by establishing and reinforcing the identity of the Seed. As Najat, an Israeli Seed, said, “at camp, we have our own language – of music, sports, table cheers and fun”⁶ From the moment delegations arrive off the bus, they are welcomed with a drumming and chanting celebration, which Hamzeh, a Palestinian Seed, said made him feel “at home in the first ten minutes of camp.”⁷ On day two, the first full day of camp, each new Seed learns the Seeds of Peace song, “I am a Seed of Peace.” This song is a critical part of the Seeds’ orientation, and is repeated throughout camp on important occasions to reinforce communal solidarity and identity. It goes as follows:

“I am a Seed of Peace”⁸

Chords: Am7 // C7/G // Fmaj7 // Esus4 -> E7

CHORUS:

I am a Seed of Peace, a Seed of Peace, a Seed of Peace.
I am a Seed, a Seed of Peace.
I am! You’re what? A Seed! That’s right. I am a Seed of Peace.
Peace, peace, peace, peace.

VERSE 1:

People of peace, rejoice, rejoice!
For we have united into one voice:
A voice of peace and hate of war;
United hands have built a bridge
between two shores.

6 Hendler, Interview with Najat, Field Notes.

7 Hendler, Interview with Hamzeh, Field Notes.

8 “I am a Seed of Peace,” Words by Amgad Nagiub & James Durst, Music by James Durst, © 1997 PhoeniXongs ASCAP / S.O.P.I.C.

5 Liza Beinart, “Children as Agents of Peace: Conflict Transformation, Peacebuilding and Track Two Diplomacy Amongst Children in Israel/Palestine, Doctoral Dissertation, 268.

VERSE 2:

We on the shores have torn down
the wall;
We stand hand-in-hand as we watch
the bricks fall.
We've learned from the past and
fear not what's ahead;
I know I'll not walk alone, but with a
friend instead.

The chorus reiterates the identity of the Seed of Peace. Indeed, the call and response section of the song ("I am!" "You're what?" "A Seed!" "That's right") can be understood as a rehearsal for maintaining the identity of the Seed when challenged, the most formidable hurdle Seeds face when they return home. The verses narrate, metaphorically, the process that Seeds undergo of coming together to break down barriers and work together to construct a better future. Moreover, the verses are self-fulfilling, as Seeds enact their words by singing them together, hand-in-hand (as the Seeds of Peace song is always performed). With the end of the second verse, in particular, each Seed assures all others that they are not alone in their quest for peace, an assurance that is indeed realized through the song's performance.

Perhaps the most important performance of the Seeds of Peace song occurs at the flag-raising ceremony on the third day of camp. Everyone gathers at the camp gates for each delegation to raise its flag and sing its national anthem, a display of national identity that is not permitted once the campers re-enter the camp gates as Seeds. Once the national anthems are completed, all of the Seeds, delegation leaders and staff join hands and sing, "I am a Seed of Peace" together.⁹ As an American Seed, Eliza-

9 "Seeds of Peace Campers Confident About Changes." *News Center*. NBC. WCHS,

beth, remarked, "Everyone has their national anthem, and they're really proud of it, so if you sing the Seeds of Peace anthem, then everyone's proud of the same thing."¹⁰ The young leaders repeat the song as they walk into camp as Seeds who have embraced their new identity and left all performances of the old at the camp gates.

It is a powerful moment, though a moment that perhaps feels more symbolic than real so early in the session. But the Seeds of Peace song acquires more meaning as the Seeds begin to understand what it means to struggle with who they are. Throughout camp, when the Seeds need support from one another, the Seeds of Peace song helps the individuals who sing it reaffirm their faith in themselves, in one another, and in the project they have decided to undertake together. Particularly when performed back in the conflict regions, it summons a powerful memory of all that was accomplished at camp and an assurance that one is not alone in the quest for peace. As Cameel, a Palestinian Seed, affirmed, "It unites us all."¹¹

A special case in which music acts in much the same way is when there is a song that both sides of a conflict region come to camp already identifying strongly with. In the summer of 2009, A.R. Rahman's "Jai Ho" from *Slumdog Millionaire* was such a hit for the Indian and Pakistani. Whenever there was an argument in the bunk, or Seeds came back from a heated dialogue session, counselors could play *Jai Ho* and everyone would almost auto-

Portland, ME. 29 July 2011. Television.

10 Micah Hendler, "I am a Seed of Peace: At a summer program in Maine, children of conflict sing out a new harmony," *The Yale Globalist* (Fall 2009) p. 36.

11 Hendler, "I am a Seed of Peace," *The Yale Globalist*, p. 36

matically begin dancing and singing along.¹² “Jai Ho” made the South Asian Seeds feel comfortable and at home – and that home, musically, was a place they already shared with one another. Such a dynamic raises questions about the potential for such a song in the Middle East, were an artist to succeed in composing a popular song that the Israeli and Palestinian societies could both identify with as their own.

In addition to cross-conflict identity formation, music is also used within the framework of summer-camp activities as an effective method for fostering teamwork among the Seeds, as well as one that provides them with avenues for developing close friendships. The music curriculum at Seeds of Peace involves a variety of listening, discussion, and performance-based activities, aimed towards using music as a vector for interpersonal and intercultural understanding as well as fostering teamwork. Seeds bring in their favorite music to talk about and teach one another their favorite songs in their native languages. Instructors play different musical samples from the conflict regions and guide discussions around the pieces as sociopolitical signifiers.

Perhaps most effective have been the activities at Seeds of Peace that involve small performance ensembles. The camp’s music curriculum in 2009 grew to include a cappella groups, rock bands, and an African drumming and dance troupe.¹³ Even just in normal music classes, entire dialogue groups sang songs together in multipart harmony. Such small performances not only have the virtue of strengthening the smaller communities that exist within Seeds of Peace, but also have the power to draw teens who

feel excluded from normal camp life into a positive relationship with their peers and a feeling of membership at camp. For example, a percussion ensemble during the first session of 2009 provided a social space that allowed Amir, an Arab citizen of Israel who felt caught in between his two national identities to feel at home in the group. Rather than annoy his peers to get attention, this Seed realized that he would be valued simply if he contributed to the group as a musician. His contributions made the performance, and his behavior changed completely.

The potency of large- and small-group performance for the creation of identity is greatly strengthened during the last few days of each session. Each session culminates with Color Games, an intense camp-wide competition between arbitrarily divided teams of green and blue.¹⁴ Seeds compete in everything from volleyball to chess, and music is no exception. In addition to an “all-star music” event in which eight campers from each team have an hour to work together to write and perform a song about their experience at Seeds of Peace, each team competes at the variety show for the best a cappella group, instrumental ensemble, and original team song, a song that all its members must learn and perform together. Seeds take the competition very seriously – indeed, one’s color is just as important for graduate Seeds as what session one went to camp, or even what delegation one came with. The music that is created by Color Games is similarly treasured in Seeds’ memories: in 2006, Ghasan, a Palestinian, remembered every word written for his Green Team

12 Hendler, Field Notes.
13 Hendler, Field Notes.

14 Seeds of Peace. www.seedsofpeace.org/?page_id=1586

song two years before.¹⁵

But it is at the end of this competition that the Seeds of Peace song once again assumes its primacy. After the results of Color Games are announced, everyone rushes into the lake, laughing and hugging one another. After much splashing, everyone joins hands in the water and once again sings “I am a Seed of Peace” to come together again as a community, and it is at that moment that all of the drive of color games is redirected to the real challenge of camp - working together as Seeds of Peace to make friendships and end war. In the halo of Color Games, the Seeds feel like anything is possible - the performance of “I am a Seed of Peace” in the lake after Color Games is a profound and undeniable moment of communal determination for all who have experienced it.

The Seeds of Peace song and the meaning it accrues have several implications. Firstly, the role that the song assumes in the lives of the Seeds who sing and remember it shows that music largely devoid of cultural signifiers can be used as a tool of cross-cultural identity formation in situations of ethnic conflict. This conclusion makes three claims. Firstly, it asserts that music devoid of cultural signifiers can acquire significance through one’s life experience. The Seeds of Peace song shows very little musical influence from the cultures of any of the conflict regions represented at Seeds of Peace - it is essentially in the style of a strophic American folk-rock song with an unusual chord-structure (Am7, C7/G, Fmaj7 and Esus4 -> E7) that shares very little with the traditional music of the Middle East, South Asia, or the Balkans. Secondly, it shows that music can aid in the creation of a

new identity, or even a new culture: through the repeated use of the Seeds of Peace song as communal ritual, “I am a Seed of Peace” becomes a critical part of, and helps instantiate, the identity of the Seed of Peace. Thirdly, and perhaps most interestingly, it works with members from opposing sides of several ethnic conflicts - Israelis and Arabs, Indians and Pakistanis, Greek and Turkish Cypriots, and others.

The most pressing question, though, is whether music can have such an impact on peacemaking efforts in the conflict region itself. Can music create a cross-cultural identity when not sheltered from the external pressures and pulls of one’s family, friends, and nationality? Can music become so infused with life (and life with music) when the peacemaking program is more diffuse and drawn out over a longer period of time? And can music actually succeed in creating a meaningful community if a political dialogue process to ground it is not explicitly intertwined with that community’s formation?

Ultimately, I occupied a dual role of researcher and participant at Seeds of Peace. Two summers ago, after first giving this paper, I traveled to Jerusalem to further study the questions I had thought about and lived at the camp. In Jerusalem, the programs I studied (including Seeds of Peace’s regional follow-up) had immense difficulty not only balancing music and politics within the interaction, but also even getting kids to come on a regular basis. I was confronted instead with a new question: how do you incentivize participation in regional programs when both societies discourage involvement? And how does your choice of incentives affect the kinds of programming that is possible? As I work to establish an Israeli-

15 Hendler, Interview with Ghassan, Field Notes.

Palestinian youth choir in Jerusalem this coming year, I will have to fully contend with the realities of life on the ground. But I will never forget the process I am seeking to emulate: that through repeated performance, the song “I am a Seed of Peace” plays a critical role in the development and sustenance of the identity of the Seed at Seeds of Peace – an identity which is ultimately critical to the camp’s success, and to the growth of future leaders.

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Seeds of Peace. www.seedsofpeace.org

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Iran's relationship with the West

The recent international disagreements over Iran's nuclear advances and related economic sanctions signal an all-time low in Iran's relationship with the West. There is currently widespread support in Israel and in some more conservative sectors of the U.S. policy-making community for an air strike to dismantle Iran's nuclear program and it would not be entirely surprising (though very short-sighted of the Israeli authorities) if an attack occurs before this article comes into print. As the U.S. government decides how to address this high-tension scenario, there seems to be little room or will in Washington to approach the Iranian issue in the constructive manner outlined by Flynt and Hillary Mann Leverett in their "Grand Bargain" proposal. The United States must acknowledge that increasingly coercive sanctions and preemptive strike rhetoric towards Iran represent a poorly developed contingency plan to rectify the American-Israeli failure to "manage" Iran in the aftermath of the Iraq War. The demise of the Hussein regime and the U.S. handing over of power to Shia factions profoundly altered the regional balance of power, propelling Iran to the status of regional power, a position it had not been able to assume under Saddam Hussein's watch. The invasion of Iraq unwittingly weakened America's power and reputation in the Middle East, strengthened Iran's regional influence and intensified Iran's nuclear ambitions. In order to pre-

vent the disintegration of Iraq into civil war and the horrific violence of a potential Israel-Iran conflict, the United States now must actively engage with Tehran with an aim of a normalized relationship.

The invasion of Iraq seriously damaged the United States' ability to employ soft power in influencing the geopolitics of the Middle East. More specifically, involvement in Iraq distracted the United States from the Middle East peace process while further cementing a reputation for American militarism in the region. To many in the Middle East, the United States came to be seen as an occupying force in Iraq, parallel to Israel in the occupation of the Palestinian territories. U.S. Middle East analyst and negotiator Aaron David Miller succinctly illustrates the impact of the Iraq War on the U.S. mediation of the Arab-Israeli negotiations by highlighting the United States' neglect of the 2003 Road Map: "With the focus now on Iraq, no one wanted any initiative that might drain time, energy, or political capital away from that enterprise....at no point did anyone...believe that advancing the Arab-Israeli issue might actually help in the president's war on terror and his goals in Iraq."¹ Looking at the broader context, it is also clear that the shift in U.S. priorities away from the peace process was detri-

1 A. D. Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace* (New York: Bantam Dell, 2008), 350.

mental to its involvement with the Arab world. By neglecting the peace process, the United States forfeited much of its leverage with Arab nations that could have been used to mend the power vacuum in Middle Eastern politics left by the Iraq invasion. In other words, as the Iraq invasion put a halt to any advances in the peace process, the perceived American neglect of the Palestinian plight only intensified the overall Arab discontent with the United States' occupation of Iraq and its increased militarization of the region. Moreover, once the initial success of Operation Iraqi Freedom waned and the United States became stuck in a quagmire of increasing sectarian violence and suicide terrorist actions, it essentially lost its status as an unchallenged superpower and with that its ability to act as a mediator in the region. As per Miller's argument, "the second Iraq campaign has left America weakened in a region that respects power, strength, and above all success," as it demoted the United States from a superpower with "unique capabilities" to one of many small states embroiled "in the passions, hatreds, and humiliations" of Middle Eastern politics.²

The Iraq War's most debilitating and direct impact on U.S. strategic standing in the Middle East was the disruption of the pre-war regional balance of power. The removal of Saddam Hussein from power redefined the region's political and security order. With Hussein in power, Iraq was a key player in Middle Eastern politics, providing a check, alongside Saudi Arabia, to the hegemonic aspirations of the Shi'a-majority Iran. With the overthrow of the Ba'athists in Iraq and the creation of a democratic

government under Hamid Karzai in Afghanistan, "the Bush administration eliminated two of the Iranian regime's most deadly enemies (the Taliban and Saddam Hussein)," leaving Iran at ease to pursue its anti-U.S. agenda and seek to influence the rise of friendly regimes in the two fledgling democracies.³ Additionally, the regional power vacuum left by Hussein's overthrow prompted the emergence of a Shi'a-Sunni anti-U.S. partnership between Syria and Iran. Despite high levels of mutual distrust, the two nations saw their policies converge in key areas such as opposition to Western intervention and support for terrorist groups in Lebanon and the Palestinian Territories. While this latest development plays down the sectarian divide, it is harmful to U.S. policies in the region, as it strengthens Iran's political clout, and increases the operation capacity of the terrorist groups the United States seeks to eradicate. These trends have pushed Iran to a higher position in the struggle for regional hegemony, radically changing the balance of power in the Middle East. The responses of Saudi Arabia and other Gulf States to Iran's rising influence has, in turn, increased the region's sectarian competition.

The political reconstruction of Iraq and Afghanistan offered the United States a potential opportunity for constructive engagement with Iran, as the geopolitical situation provided incentives for U.S. and Iranian officials to work together. Though an analogy with the U.S.-U.S.S.R. negotiations over the future of post-War Germany might be

3 R. Khalidi, *Sowing Crisis: the Cold War and American Dominance in the Middle East*, (Boston: Beacon Press, 2009), 229. ; R. Spencer, "Anger as Iran Tries to Broker Shia Coalition to Rule Iraq," *The Daily Telegraph*, April 1, 2012, accessed May 3, 2011, Lexis-Nexis Academic, 22.

2 Miller, *The Much Too Promised Land*, 366.

misleading, the two cases are analogous in terms of their importance to the future political and security stability of their respective regions. The historic rivalry between Iran and Iraq means that any successful state building project in Iraq requires at least Iran's implicit consent. Given Iraq's historic disregard and opposition to Iran's national interests and territorial integrity, Iran will work to ensure that a Shi'a, pro-Iranian regime remains in power. It would be naïve of the United States to expect that Iran would act any differently. Just as the U.S. has actively interfered in the domestic politics of its southern neighbor, Mexico, over the last two centuries, Iran would like to exert influence on the politics of its Western neighbor, Iraq. Iran's foreign policy toward Iraq may be "antithetical to U.S. interests, but the two countries do share common objectives."⁴ Cooperation between the two countries after the deposition of the Taliban in 2002 and the talks on the future of Iraq in 2007 have created a precedent for regional cooperation. As per Flynt and Hillary M. Leverett's overarching "Grand Bargain" argument, if the Obama administration is serious about Middle Eastern diplomatic engagement, the Iraq War may have created the potential for the one policy that might help restore some of the U.S. strategic standing in the Arab world despite all of its previous blunders: reengaging Tehran in the rebuilding of a perhaps not fully democratic, but certainly more peaceful Middle East.⁵

4 M. M. Milani, "Iran's Policy Towards Afghanistan," *The Middle East Journal*, 60:2 (2006): 255, accessed May 7, 2011, JSTOR database.

5 F. Leverett, & H. M. Leverett, "The Grand Bargain" *Washington Monthly*, October 1, 2008, accessed May 3, 2011, <http://www.washingtonmonthly.com/features/2008/0808.leverett.html>.

However, instead of the potential path of constructive cooperation outlined above, the past two years have only witnessed further deterioration in relations between the United States and Iran. In response to being categorized as part of the "Axis of Evil" and having seen the United States' invade two of its neighbors, Iran has continued to strengthen its nuclear program. Iran's drive to achieve independence in uranium enrichment production can be viewed as a logical move by Iranian authorities to articulate the country's drive for regional assertion in a post-Saddam Hussein Middle East. Similarly, Iran's recent threats to block the Strait of Hormuz represent an expression of its strengthened regional influence. The strong diplomatic actions taken by the U.S. and its allies seem to be self-defeating attempts to place Iran back in check. Constructive negotiations over the Iran's nuclear program require United States officials to adapt to the new shift in the balance of power in the Middle East and to interpret the outcome of the Iraq War in a manner that few in Washington are willing to accept.

Recognizing this shift in the balance of power and the way it impinges on the future of Iraq and Afghanistan offers a possible way to begin constructive engagement with Tehran. The 2007 talks between the United States and Iran over Iraq's political stability show that, the United States can engage Tehran responsibly and constructively by acknowledging Iran's regional importance. In fact, the talks opened the way for improvements in the Iraqi security situation: Iranian-sponsored militias such as Muqtada al-Sadr's were ready to initiate cooperation talks with the Iraqi Government and the Coalition

Provisional Authority (CPA), and Iran seemed keen on contributing its share to Iraqi stability by joining the U.S. and the Iraqi Government in a “trilateral security mechanism.”⁶ In this context, it was the failure on the part of the US to disentangle the Iraq stability talks from the Iranian nuclear impasse that led to a breakdown in cooperation between the two countries.

Perhaps the best way forward would be to attempt once again to bring Iran to the negotiating table on Iraqi and Afghan stability. Iran has demonstrated its desire to participate in the Afghan future by recently meeting with the Pakistani and Afghan authorities in Islamabad, so it may be the time for the United States to take Tehran up on its promises.⁷ Unless the United States agrees to serious engagement with the Islamic Republic, the relationship will remain lacking. Especially as the situation in Iraq seems to be improving, it is essential that Iran be urged and incentivized to help ensure that after the complete withdrawal of U.S. troops, the country will not disintegrate into a new sectarian bloodbath. For U.S. policy-makers, approaching Tehran constructively also means making an effort to assess the state of po-

litical power play within the Iranian regime. The nuclear stalemate will need to be frozen and sidelined for enough time to allow for positive contact between Iran and the U.S. on the future of Afghanistan and Iraq. Ultimately, if Flynt and Hillary Leverett rightly believe that restructuring the Iran-U.S. relationship requires a “Grand Bargain,” insuring the Middle East against a calamitous open-ended conflict may only require a modestly sized deal.

6 “Iran, US Talk on Iraq: Now What?,” *The Christian Science Monitor*, accessed February 23, 2012, <http://www.csmonitor.com/2007/0529/p08s01-comv.html>.

7 Richard Leiby, “At Iran-Afghanistan-Pakistan Summit, a Show of Unity,” *Washington Post*, February 17, 2012, accessed February 22, 2012, http://www.washingtonpost.com/world/asia_pacific/at-pakistan-afghan-iran-summit-a-show-of-unity/2012/02/17/gIQA-8I4eJR_story.html.

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Nestled at the heart of the thick and humid Amazon jungle in Ecuador, the Huaorani tribe lives a quiet and conflicted existence, walking a perilous tightrope between tradition and modernity. These cultural transitions manifest themselves in the everyday anachronisms of their surroundings, a Frisbee lying beside a blow dart quiver or a boy typing on a laptop as his mother weaves a basket, anachronisms that highlight the enormity of the changes that have taken place in mere decades. In the 1940's, oil giant Shell Oil caught whiff of the 900 million barrels of crude oil beneath what is now Yasuní National Park and began extraction on Huaorani territory. The Huaorani, who were then an un-contacted people, killed several oil workers, forcing Shell to abandon their operations in the area. In 1955, five American missionaries ventured into Huaorani territory in an attempt to evangelize the indigenous peoples in what was known as "Operation Auca," 'auca' being the Kichwa word for 'savage.' By 1956, all five had been killed. Peaceful contact would be made for the first time in the next decade, followed almost immediately by relocation efforts and new extraction attempts by Texaco, today the subject of a class action lawsuit by 30,000 Ecuadorians living in the Amazon rainforest.

Since contact, the presence of the oil industry in the remote

eastern regions of the Ecuadorian rainforest has introduced an assortment of what the outside world would consider everyday objects to the Huaorani—a volleyball net, soccer jerseys, a boxy old television set. These items have slowly penetrated the peripheries of the "Intangible Zone" of Yasuní and found their way to the Huaorani villages, carried in the packs of oil workers, shoved in the suitcases of missionaries, or crammed into the cargo space of government-funded charter planes. Yet the Huaorani, having been contacted so recently, are still in the process of adapting to these new circumstances; they are a time capsule, offering insights into the lifestyles of ancient cultures and the experiences of indigenous peoples around the world as they make first contact with the rest of the globe. Perhaps no aspect of Huaorani culture has been as affected by this transition as health care; a 2012 YIRA trip to Ecuador sought to investigate from an ethnographic perspective the experience of the Huaorani as they navigate this uncertain new globalized landscape.

Bameno, the largest Huaorani community, comprises just 98 villagers and 20 families. Most immediately apparent upon first encounter with the Huaorani is their stature; the Huaorani are very short by Western standards, their height belying a great strength often put to use scaling trees or catching croco-

diles. There are many elders in the village, all of whom maintain active positions in their old age. The shaman, a man appearing to be in his late 70s, still hunts and walks miles at a time collecting ingredients for traditional medicines. While the Huaorani have been known to live into their 70s and 80s, their life expectancy is unknown. In fact, many members of the tribe do not know their exact age.

Physically, the Huaorani seem healthy by most appearances. The tribe practices several types of body modification in keeping with Huaorani standards of beauty. Many of the elders have gaping, loose earlobes, the effects of traditional gauging. Both men and women grow their thick, black hair long, and no one in the village shows signs of balding. Men and women, especially in the older generation, walk around in a state of semi-nudity, wearing neither shoes nor any kind of sun protection. As a result, their feet have taken on a splayed and malformed shape from constant exertion without the support of shoes, though the condition appears to have no effect on their ability to walk, or on their gait. Although tribesmen boast of their resistance to the smoldering heat of the equatorial sun, skin cancer has been an occasional problem. As for their diet, the Huaorani do not take prenatal or daily vitamins or consume any kind of dairy product. They live off of monkey meat, bird meat, fruit, fish, and the occasional government shipment of food. "There were only two diseases before the outsiders came," said Penti, the chief of the Huaorani, "wounds and pain." Today, cancers have grown more common, possibly the result of their natural water source, which shimmers on occasion with the rainbow sheen of oil residue left

behind by Texaco. Despite their limited exposure to the outside world, the Huaorani believe themselves to be healthier than average Ecuadorians and associate most health problems they have with outsiders. Their wariness of outside contagions is a historically justified fear, given the outbreaks of smallpox and malaria that struck shortly after missionaries began to live alongside the tribe, diseases against which the Huaorani had no immunity. More generally, the Huaorani concept of disease revolves around the idea of nature as a net good, capable of producing cures, and outside forces as pathogenic. They believe their own exposure to processed and artificial foods has worsened their health, as has exposure to foreigners.

The shaman, the healer and the spiritual leader of the community, is venerated within the tribe. A shaman is selected by being healed by the previous shaman during his youth, and then receiving a vision (in the case of the current shaman, this was a panther) in a dream as an adult to inform him of his calling. The shaman is responsible for the practice of traditional medicine. The Huaorani have hundreds of uses for plants and animals, from an extract from boiled termites used as an antibacterial agent for infected wounds to curare employed as a poison for the tips of their darts. The shaman is responsible for this knowledge, and for the passage of these ancient recipes to the next generation. The shaman is by no means the sole provider of healthcare for the Huaorani, though he is consulted as the source of primary care. He has no role in birthing procedures, for example, which is an exclusively feminine responsibility, and he is also powerless in cases of serious injury, like the hunting accident that cost Penti

three of his fingers. Despite a progressively more pluralistic health system and the emergence of new diseases since contact, the shaman continues to reprise his central role in Huaorani health care system.. In part, this is a product of Bamenó's isolation; reaching the village from the outside is by no means easy. From Coca, the gateway to the Amazon, the journey begins with a two hour drive on the Auca Road, to the edge of the Intangible Zone in Yasuni National Park, followed by nearly two days travel by motorized canoe on the winding Napo River before arriving at Bamenó. The remote village, situated on the river, is 200 km away from the nearest road, allowing its inhabitants to remain in voluntary isolation. They still depend on their canoes for their everyday needs, and when a villager becomes seriously ill, transportation is a major barrier to care when the nearest hospital is back in Coca. Although Bamenó is

the site of an old airstrip, built by oil companies and later reclaimed by the indigenous peoples, the Huaorani have limited access to emergency transportation by air on short notice, though it is not uncommon for the occasional small airplane to deliver supplies or tourists with Huaorani clearance.

Penti has worked in recent years to establish an emergency fund that will hopefully provide his people with greater access to care by land and by air when needed. At the same time, the logistical difficulties of transporting the sick and injured are a product of conscious decisions that the Huaorani of Bamenó have made. They have chosen to remain in Bamenó even as other Huaorani tribes traded access to rivers for access to roads built by the oil companies, like the Auca Road. To those tribes, the roads represented opportunities for education, access to markets, and perhaps the inevitability of modernization.



Although they have recognized the potential and the need for better healthcare through better access, the Huaorani of Bameno prefer their traditional canoes just as they prefer their ancestral territories.

The permeation of Western medicines into Huaorani territory has also been difficult owing to the remoteness of Bameno; allopathic medicines provisioned by the government reach some Huaorani, but rarely those in Bameno. Disappointed but not disheartened, the Huaorani procure medicines from Coca on their own to supplement their traditional medicines. Between traditional and modern medicines, the Huaorani of Bameno believe that they have covered all their bases and that they are, as a result, healthier even than outsiders. Other tribes have, since contact, welcomed the exploitation of natural resources by oil companies in exchange for money and medicine. While the government of Ecuador has taken steps to minimize the imbalance of power between multinationals and indigenous peoples, the cycle of dependence is difficult to break. Many Huaorani have embraced a new, and easier, way of life.

A day's stay in Bameno as an outsider costs more than \$100 USD, the cost of food, shelter, and cultural edification. Profits from the sale of blowguns, bags, and necklaces are communal, used whenever needed. At present, the Huaorani are saving up for a satellite radio for communication with the outside world in the event of an emergency. Other supplies bought using revenues from tourism include drugs from Coca, which the Huaorani pay for out of pocket. Penti is most interested in safeguarding the future of Bameno, and following contact, the Huaorani have had no choice

but to adapt. In order to sustain their independence, they are forced somewhat contradictorily to open up to outsiders. They have many takers; there is no shortage of visitors captivated by the Huaorani's rich history, their unique culture, and their unusual seat at the tipping point between tradition and modernity.

The narrative of the Huaorani is so interesting to outsiders precisely because it is one that is so filled with conflict, both physical and cultural. The Huaorani subjected many missionaries to the spear in the early years of contact, then oil workers in later years, and were in turn killed not only by the outsiders directly, but by diseases like malaria that the outsiders carried with them, according to Martin, Penti's brother. Some violence persists to this day, with reports of loggers killing the indigenous, and of still-un-contacted tribes attacking trespassers in a desperate effort to maintain their lands. In the early years, culture shock killed many people, with the introduction of Western foods that weakened many of the elderly residents. Today, the Huaorani strike a balanced approach, allowing the gradual introduction of new technologies and even Western culture in moderation; in Huaorani schools, Spanish is taught alongside their own language and history.

Before we left via small airplane from the airstrip, we were asked to send some of our pictures to the Huaorani via email, which they could access every now and then while in Coca. This came as a surprise, coming from the same individuals that had days earlier led us through the jungle, wielding machetes and blowguns. The pictures included the shaman standing next to the airplane, a family of

half-dressed elders next to children in T-shirts and jerseys. The clash between tradition and modernity displays itself in every aspect of the Huaorani existence. The story is now more complicated than ever, with government and businesses interests pulling at the Huaorani, and the Amazon itself, from all directions. As a result, the Huaorani are undergoing an unprecedented transition over which they have limited control. The Huaorani of Bameno, self-pronounced guardians of the rainforest, have protected their culture and their surroundings, and possibly in turn their health. All the same, the challenges that they face today are different from the challenges that they have had to face before. As international development continues, it will be increasingly important to weigh the benefits against the costs to those who are so easily overlooked. Should the Huaorani continue to be neglected by the rest of Ecuador, their health will be among the first indicators of their declining society.

Nearing outskirts of the Amazonian Rainforest, looking down on the vast canopy and the winding Napo River, the effects of urbanization and modernization begin to appear. Rivers become roads, rainforests become villages, villages become towns, and towns become cities. In the face of these developments, the Huaorani look towards an uncertain future. What will be the final state of the Huaorani?

Can they continue to choose a middle road between our present and their past, or is modernization inevitable? Will they come to embrace change, and will they have a choice in the matter?

We find no answers.

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CLIMATE CHANGE, BASIC RIGHTS, AND
INTERNATIONAL OBLIGATIONS

ABSTRACT

Climate change threatens to create a human rights crisis, jeopardizing access to essential rights such as food, water, and health for billions of people. The international climate change regime has failed thus far to deliver the consensus needed for a global effort to reduce greenhouse gas emissions. Meanwhile, as human rights advocates have become more vocal about the risk that global warming poses to human welfare, interest in the potential for a rights-based intervention in climate policy has grown. To examine the standard that UN human rights organizations are setting for international cooperation on climate change, this essay analyzes resolutions by the UN Human Rights Council and a report from the Office of the High Commissioner for Human Rights on the relationship between human rights and climate change. This essay will argue further that UN human rights bodies should take a stronger stance on the international duty to provide adaptation assistance. These human rights bodies alone, however, cannot resolve the global climate impasse unless they are accompanied by grassroots demand for responsible climate policy.

INTRODUCTION:
THE IMPACT OF
CLIMATE CHANGE ON
BASIC HUMAN RIGHTS

Climate change poses an immense and growing threat to human rights around the world, but national governments have not come together around a global climate change agreement with the force needed to prevent a widespread human rights crisis. Humphreys states it clearly:

“As a matter of simple observation, climate change will undermine—indeed, is already undermining—the realization of a broad range of internationally protected human rights: rights to health and even life; rights to food, water, shelter, and property; rights associated with livelihood and

culture; with migration and resettlement; and with personal security in the event of conflict.”¹

Unmitigated, climate change will lead to human rights violations on a massive scale: millions of individuals worldwide are projected to lose access to food, water, health, and other rights essential to life. In some regions of the world, human rights violations from climate change are already a reality. The Inuit Circumpolar Conference, to cite one example, submitted a petition to the Inter-American Court of Human Rights claiming that emissions from the electricity generation industry in the United States were undermining Inuits’ rights to life, health, security, subsistence, residence, movement, inviolability of

1 Humphreys, S. (Ed.). (2010). *Human rights and climate change*. New York: Cambridge University Press: 1.

the home, property, and culture.² Nevertheless, many policymakers claim that anthropogenic climate change lacks the scientific consensus that would justify committing resources to reducing emissions and empowering adaptation. Indeed, climate doubt has become a credo for many American politicians.³ Two fundamentally opposed claims – on the one hand that climate change is denying people access to basic rights today, and on the other that we do not yet know enough to act – coexist in policy discussions. This divide shows how far the international community remains from coordinating an effective response.

While national governments are a long way from committing to a comprehensive plan to manage the threat of climate change, they have invested in the creation of inter-governmental institutions meant to inform and coordinate a global response. In 1992, a number of states signed onto a treaty, the United Nations Framework Convention on Climate Change (UNFCCC), agreeing to work cooperatively to curb global warming.⁴ The stated goal of the UNFCCC is:

“The stabilization of greenhouse gas concentrations in the atmosphere

2 Crowley, P. (2005). Petition to the Inter-American Commission on Human Rights Seeking Relief from Violations Resulting from Global Warming Caused by Acts and Omissions of the United States: Summary of the Petition, (2005). Retrieved from <http://earthjustice.org/news/press/2005/inuit-human-rights-petition-filed-over-climate-change>

3 New York Times. (2010, October 17). In climate denial, again [Editorial]. *New York Times*, Retrieved from <http://www.nytimes.com/2010/10/18/opinion/18mon1.html>

4 United Nations Framework Convention on Climate Change. (2011). *Background on the UNFCCC: the international response to climate change*. Retrieved from http://unfccc.int/essential_background/items/6031.php

at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame that would allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.”⁵

The text of the Convention also includes five principles to guide the action taken by the Parties: 1) concern for present and future generations, equity, and “common but differentiated responsibilities”; 2) consideration of the vulnerabilities of developing country Parties; 3) commitment to minimize and mitigate the effects of climate change, with the intention of acting early and in a cost-effective manner, notwithstanding some level of scientific uncertainty about the specific impacts of climate change; 4) respect for the right to sustainable development; and, 5) support for international economic policies that do not unfairly hinder the economic growth of developing states (Article 3). Annually, member states convene at Conferences of the Parties (COPs) to negotiate and plan the international response to control climate change. In 2010, parties agreed to the goal of limiting increases in global average temperature to less than 2 degrees Celsius (UNFCCC, “Essential Background,” 2011). Unfortunately, the opportunity to limit warming to 2 degrees is rapidly disappearing, according to the International Energy Agency. Unless global emissions peak and begin to decline

5 United Nations Framework Convention on Climate Change. (1992). *First steps to a safer future: the United Nations Framework Convention on Climate Change*. Retrieved from http://unfccc.int/essential_background/convention/items/6036.php

within the next five years, warming will exceed the international target (Harvey, 2011).

Perhaps the better known international climate change regime is the Intergovernmental Panel on Climate Change, or IPCC. The IPCC is a scientific body founded by the United Nations Environment Programme and the World Meteorological Organization in 1988 and charged with reporting on the latest research on the environmental and social risks associated with climate change. The IPCC states that there is little doubt about the basics of climate change. The Summary for Policy Makers on the physical science of climate change, published in 2007, states that it is “very likely”—i.e. there is a 90 to 99 percent probability—that climate change will lead to more heat waves and heavy precipitation, and it is virtually certain to increase average temperature and make hot days more frequent over most land areas. According to the IPCC, there is more than a 66 percent probability that human action has contributed to the warming trend observed in the late 20th century.⁶ In many areas of the world, a warmer climate is believed to be increasing mortality and morbidity, and, looking forward, unchecked climate change is expected to do grave harm to human rights and wellbeing.

Though others, including Humphreys, can provide an extensive list of rights threatened, either directly or indirectly, by climate change, this essay will focus on the risks to the rights to water, food, and health, drawing from evidence in the IPCC’s Fourth Assessment Re-

port. Other rights will very likely be violated, but the risk is less vividly demonstrated in the work of the IPCC. The risks to these rights are also emphasized because they make for uniquely compelling evidence that the human rights regime ought to advocate for greater international cooperation in coping with climate change. However, despite the fact that these rights are essential to survival, their legal status is controversial. Respected scholars of rights like O’Neill (2005) contend that they are not real human rights at all, arguing that real rights create duties obliging other actors not to violate those rights. In the case of liberty, or negative rights (the right not to be subjected to something), all people in a society have a duty not to infringe on particular rights. Economic, social, and cultural rights, by comparison, are rights to be fulfilled. The human right to food, for example, is a right to access to nourishment, rather than a right not to be interfered with. It is difficult to say who exactly has the duty to fulfill this right;⁷ it does not impose intelligible correlative duties. The rights to food, water, and health were first recognized at the global level in the International Covenant on Economic, Social and Cultural rights (ICESCR). According to Hamm, economic, social, and cultural rights have been referred to as “second-generation rights” because, it is sometimes argued, they are categorically different from the “first-generation rights” enumerated in the International Covenant on Civil and Political Rights (ICCPR).⁸ Civil and political rights are described as creating clear-cut, negative duties

7 O’Neill, O. (2005). The dark side of human rights. *International Affairs* 81(2), 427-439: 428.

8 Hamm, B.I. (2001). A human rights approach to development. *Human Rights Quarterly*, 23, 1005-1031: 1006.

6 Intergovernmental Panel on Climate Change. (2007). *Fourth assessment report: climate change 2007*. Geneva, Switzerland. Retrieved from http://www.ipcc.ch/publications_and_data/publications_and_data_reports.shtml: 8.

to prevent harm, whereas the justifiability of economic, social, and cultural rights is debated, because they supposedly impose positive duties to provide unspecified goods and services. Furthermore, the ICESCR calls upon states to take action “to the maximum of its available resources, with a view to achieving progressively the full realization” of covenant rights.⁹ The Covenant does not create a clear standard for the steps a state must take immediately in order to be in compliance.

Nonetheless, jurisprudence on economic, social, and cultural rights has been evolving, clarifying the obligations of states and the international community that are effective immediately under the ICESCR. The Committee on Economic, Social and Cultural Rights (CESCR), the UN body with the authority to interpret and monitor the implementation of the Covenant, has defined the minimum core obligations of states to fulfill economic, social and cultural rights without delay. The CESCR writes:

“A minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights is incumbent upon every State party. Thus, for example, a State party in which any significant number of individuals is deprived of foodstuffs, of essential primary health care, of basic shelter and housing, or of the most basic forms of education is, prima facie, failing to discharge its obligations under the Covenant.”¹⁰

9 United Nations Office of the High Commissioner for Human Rights. (1966). *International covenant on economic, social and cultural rights*. Retrieved from <http://www2.ohchr.org/english/law/cescr.htm>: Article 2.

10 United Nations Committee on Economic, Social and Cultural Rights. (1990). *The nature of States parties obligations (Art. 2, par. 1):12/14/1990. CESCR General Comment 3*. Geneva, Switzerland. Retrieved from <http://www.unhchr.ch/tbs/doc.nsf/0/94bdfaf59b43a424c12563ed0052b664?Opendocument>

While the ICESCR calls upon the international community to assist in the realization of all rights enumerated in the treaty, the CESCR states that international obligations are especially strong in relation to fulfilling the minimum core of rights.¹¹ Minimum core obligations provide an intelligible standard to which states can be held accountable, along with the international community; the minimum core approach discredits the idea that these rights are not justifiable. Pogge has further challenged the claim that human rights law does not create well-defined obligations in relation to economic, social, and cultural rights. He asserts that extreme poverty is a human rights violation and that participation in the current global institutional order, which has produced more than 300 million premature deaths related to poverty since the end of the Cold War, represents a violation of a negative duty not to deny people their human rights.¹² This point will be discussed at length below.

The rights to food, water, and health are compelling because they are what Shue calls “basic rights”. Shue describes access to adequate food, water, and “minimal preventive health care” as constituents of the right to subsistence, or the right to “have available for consumption what is needed for a decent chance

www.unhchr.ch/tbs/doc.nsf/0/94bdfaf59b43a424c12563ed0052b664?Opendocument

11 United Nations Committee on Economic, Social and Cultural Rights. (2002). *Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights, general comment no. 15, the right to water*. Retrieved from <http://www.unhchr.ch/tbs/doc.nsf/0/a5458d1d1bbd713fc1256cc400389e94>

12 Pogge, T. (2007). Severe poverty as a human rights violation. In T. Pogge (Ed.), *Freedom from poverty as a human right* (pp. 11-53). New York: Oxford University Press: 51-52.

at a reasonably healthy and active life of more or less normal length, barring tragic interventions.”¹³ The right to subsistence and the right to security are basic rights, which demand respect because they are the rights upon which the enjoyment of all other rights depends.¹⁴ By this logic, those committed to the realization of any human right should be invested in the fulfillment of these most fundamental entitlements.

In many places, climate change is already undermining the enjoyment of the basic rights to water, food, and health. The IPCC’s Fourth Assessment Report gives a comprehensive account of the current impacts of climate change upon human populations, and although those impacts are not reported in terms of rights lost, it is not difficult to draw connections between environmental change and risks to rights. For example, the IPCC reports that climate change and the El Niño climate pattern have caused very dry areas to double in size worldwide.¹⁵ The expansion of water-depleted areas threatens global access to water and food. Hotter, drier weather has reduced the growing season in the Sahel region and made it more difficult to grow food (IPCC WG II AR4 SPM). Many people are experiencing loss of health and loss of life as a result of climate change. According to the World Health Organization, since the 1970s, climate change has contributed to the deaths of 150,000 people

from additional cases of diarrhea, malaria, and malnutrition.¹⁶ The 2003 heat wave in Europe struck during the hottest summer since 1500 and led to between 25,000 and 30,000 deaths.¹⁷

Left unchecked, climate change will be shockingly destructive to human welfare over the course of the next century. *Human Rights and Climate Change*, a collection of papers compiled by the International Council on Human Rights Policy in 2010, provides a useful summary of the impact climate change would have over the next hundred years if it were to continue at its current rate. The collection was gathered from the IPCC’s assessment and the Stern Review, an authoritative report on the economic impact of climate change. The summary focuses on the effects of climate change on the rights to water, food, and health.

The right to water will be drastically undermined by climate change if it continues at its current rate. According to the Fourth Assessment Report, one-sixth of world population depends on water from snow and glaciers, stores that are likely to diminish as a result of climate change.¹⁸ Similarly, the Stern Review predicts a water crisis of similar magnitude: climate change and population growth could threaten access to water for billions of people, and current water management strategies fall far short of what is needed to ensure access under future conditions.¹⁹

13 Shue, H. (1997). *Basic rights: subsistence, affluence, and U.S. foreign policy* (2nd ed.). Princeton, N.J.: Princeton University Press: 23.

14 Shue, 21.

15 Intergovernmental Panel on Climate Change. (2007). *Fourth assessment report: climate change 2007*. Geneva, Switzerland. Retrieved from http://www.ipcc.ch/publications_and_data/publications_and_data_reports.shtml

16 Humphreys, S. (Ed.). (2010). *Human rights and climate change*. New York: Cambridge University Press: 331.

17 Intergovernmental Panel on Climate Change. (2007). *Fourth assessment report: climate change 2007*. Geneva, Switzerland. Retrieved from http://www.ipcc.ch/publications_and_data/publications_and_data_reports.shtml

18 Humphreys, 327.

19 Humphreys, 328.

Similarly, access to adequate food is a human right; worldwide, the ability to obtain food will be undermined if climate change continues without substantive action. Extreme weather events, warmer temperatures, shifting precipitation patterns, and changes in animal and plant populations will all endanger food sources on which people depend.²⁰ According to the Fourth Assessment Report, “future climate change is expected to put close to 50 million extra people at risk of hunger by 2020 rising to an additional 132 million and 266 million by 2050 and 2080, respectively.”²¹ According to the Stern Review, 12 percent of all people are at risk of hunger and 4 million die from malnutrition each year. If global average temperature increases by 3 degrees, between 250 and 550 million more people may be at risk for hunger.²²

The predicted health impacts of climate change are diverse and difficult to quantify. The Fourth Assessment Report predicts that climate change could result in a significant increase in the number of deaths from heat exposure, an additional 220 million-400 million people at risk from malaria, a 2 to 5 percent increase in diarrheal diseases in poor countries, and a 4.5 percent increase in deaths related to exposure to ozone. Stern notes that climate change will only add to unequal health outcomes between rich and poor.²³

These reports show that if world greenhouse gas emissions do not fall, climate change will lead to severe and widespread human rights violations. This claim is

vulnerable to the criticism that the non-fulfillment of positive rights to subsistence and health should not be considered genuine human rights violations. Anticipating this argument, Caney intentionally offers a very conservative formulation of several key human rights in order to demonstrate that climate change is, even by those standards, a rights violation. He cites the right not to be “arbitrarily deprived of... life,” recognized in the ICCPR, and points out that many people will be deprived of life both as the result of sudden-onset and slow-onset environmental disasters caused by climate change, for no other fault than having been born in the wrong region and social position.²⁴ He also presents more modest formulations of the rights to health and food that entail negative rather than positive duties. The human right “that other people do not act so as to create serious threats to their health” and the right “that other people do not act so as to deprive them of their means of subsistence,” are both violated by climate change. In failing to rein in their emissions, states that produce a large amount of greenhouse gases will knowingly be depriving others of access to these rights.

International action on climate change has so far been totally inadequate. In 1997, parties to the UNFCCC adopted the first world climate treaty, the Kyoto Protocol, under which 37 developed states and the European community committed to reducing their greenhouse gas emissions five percent below 1990 levels between 2008

20 Humphreys, 329.

21 Humphreys, S. (Ed.). (2010). *Human rights and climate change*. New York: Cambridge University Press: 328.

22 Humphreys, 328.

23 Humphreys, 330.

24 Caney, S. (2010). Climate change, human rights, and moral thresholds. In S.M. Gardiner, S. Caney, D. Jamieson, and H. Shue (Eds.), *Climate ethics: essential readings* (pp. 101-111). New York: Oxford University Press: 166.

and 2012.²⁵ The Kyoto Protocol has been criticized for failing to set forth emissions-reduction goals for developing countries, even fairly affluent states like South Korea, which numbers among the 25 top emitters and the 25 largest economies in terms of GDP.²⁶ Although the United States signed the treaty, President Bush refused to ratify in 2001, claiming that it would hurt the American economy and that it unfairly exempted developing countries from emissions reductions.²⁷ The move seriously destabilized the UNFCCC process and dimmed hopes for global commitment to decisive action on climate change going forward. While carbon dioxide emissions in the European Union have remained fairly flat, US emissions have grown almost 20 percent from 1990 levels. Emissions in Asia have grown more than 110 percent, and world emissions have grown by 40 percent.

Progress towards an international agreement to replace Kyoto has been unimpressive. The past two climate conferences, COP 15 in Copenhagen and COP 16 in Cancun, produced only a few commitments by states to reduce their emissions, and a large portion of these commitments are conditional upon action from other states. The European Union, for example, committed to reduce its emissions between 20 and 30 percent below a 1990 baseline, but only if other states, like the United States, make comparable

25 United Nations Framework Convention on Climate Change. (2011). *Kyoto Protocol*. Retrieved from http://unfccc.int/kyoto_protocol/items/2830.php.

26 Bailis, R. (2011). *The international policy regime* [PowerPoint slides] Retrieved from Yale University course FES 848, Climate Change: Impacts, Adaptation, and Mitigation.

27 Revkin, A. (2001, March 17). Bush's shift could doom air pact, some say. *New York Times*, Retrieved from <http://www.nytimes.com/2001/03/17/us/bush-s-shift-could-doom-air-pact-some-say.html?src=pm>.

commitments.²⁸ The United States, anticipating Congress's passage of climate and energy legislation, committed to reduce its emissions by about 17% by 2020. Congress, however, voted down the bill, and therefore both its commitment and that of the European Union were nullified. Ahead of COP 17, the United States announced that it would reject a commitment to emissions reductions without emissions targets for developing states with large annual emissions, like India, China, and Brazil.²⁹ The insistence of the United States on this point is not surprising: most of the increase in global emissions in the last 20 years has come from non-OECD countries, and that trend will continue. Though per capita emissions remain much higher in developed countries and developing countries' capacity to reduce emissions is much lower, the American position remains unchanged.

The slow progress towards an international commitment to limit emissions after the Kyoto Protocol expires in 2012 may explain why adaptation policy has recently received greater attention. The IPCC defines adaptation as "adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities."³⁰ As the human impacts of climate change become more widespread, adaptation policy might evolve to prevent violations

28 Bailis.

29 National Public Radio (Producer). (2011, November 29). Stern discusses possible outcomes of climate talks. *All Things Considered* [Radio broadcast]. Washington, DC: NPR News. Retrieved from <http://www.npr.org/2011/11/29/142911210/stern-predicts-outcomes-of-climate-talks>.

30 United Nations Framework Convention on Climate Change (2011). *The Cancun agreements*. Retrieved from <http://cancun.unfccc.int/>

before they occur or restore access to rights after harm has been incurred. One commitment to emerge from COP 16 was the pledge to provide \$100 billion in funding per year by 2020 for a Green Climate Fund for mitigation and adaptation in developing countries. However, the United States, Saudi Arabia, and Venezuela raised concerns about the structure of the Fund at COP 17 and may delay its implementation.³¹

Barring a dramatic reversal in American climate policy, the prospects for an agreement that would prevent “dangerous anthropogenic interference with the climate system” appear bleak. According to Metz, without commitments from the United States and large developing economies, the post-2012 climate regime will most likely lack a global emissions target and formal penalties for those countries lagging. Instead, states will likely participate in a “pledge and review system”, in which they establish individual emissions-reduction goals and accept some minimal international oversight.³² Such a system is unlikely to create deep cuts in global emissions. The climate regime is not on course to avert widespread rights violations, as climate change will not be adequately slowed.

HUMAN RIGHTS, THE UNFCCC, AND RESPONSIBILITY FOR CLIMATE ADAPTATION

Scholarship on the relationship between human rights and climate

31 Morales, A. and Chipman, K. (2011, December 1). UN’s \$100 billion green climate fund stalled by U.S., Saudi Arabia. *Bloomberg*. Retrieved from <http://www.bloomberg.com/news/2011-11-30/u-s-says-un-green-climate-fund-needs-small-changes-in-structure.html>.

32 Metz, B. (2011). *Controlling climate change*. New York: Cambridge University Press: 348.

change is emerging, as the need for climate policy to avert rights violations grows more urgent. Dudai notes that, until fairly recently, there has been a strange silence on the part of human rights organizations, lawyers, and scholars on climate change, which he attributes to the fact that resources for human rights organizations are already scarce and that climate change presents an enormous new challenge that they are ill-prepared to confront.³³ There are also conceptual challenges to presenting a human rights-based approach to climate change policy. No international human rights treaty recognizes a right to the environment. For example, the UN has so far characterized the relationship between human rights and the environment as “indirect.” The 1972 Declaration of the United Nations on the Human Environment – the first document in international law to recognize a link between human rights and the environment – does not assert a direct right to the environment, but instead argues that environmental quality is vital for the enjoyment of human rights.³⁴ Beyond the absence of an internationally-recognized human right to the environment, there exist several challenges in proposing a rights-based response to climate change: 1) whether a rights-based approach should be remedial or preventative; 2) whether large emitters should be treated as having violated human rights; and, 3) whether human rights can propose a system for distributing responsibility for funding climate change adaptation.

To articulate a human rights-

33 Dudai, R. (2009). Climate change and human rights practice. *Human Rights Practice* 1(2), 294-307: 296.

34 Shelton, D. (1991). Human rights, environmental rights, and the right to environment. *Stanford Journal of International Law* 28, 103-138: 112.

based response, one must determine whether the focus should be remediation or prevention of violations. Within climate policy, prevention of climate change through mitigation of emissions and remediation of impacts through adaptation are often treated as two separate ventures. Mitigation policy has received more attention in the UNFCCC because the opportunity to limit climate change to 2 degrees is fast disappearing. The emphasis on mitigation may also be explained by the implicit assumption that curbing emissions must be a global effort, whereas adaptation need not be. It is difficult to imagine limiting carbon dioxide concentrations at 450 ppm without international cooperation, whereas individual states could be left to manage adaptation independently. While all states would be affected by uncontrolled warming, the security of the international community does not depend on universally successful adaptation.

Rights scholars, too, have focused on mitigation. This emphasis is consistent with the traditional role of human rights in ensuring that a states' particular policy upholds the negative duty to not impede the enjoyment of rights. Many proposed features of mitigation policy—emissions targets for developing states, displacement of communities for the construction of large clean energy projects, rules limiting the use of forests, on which many indigenous people depend—all require careful, rights-based analysis, so as not to deny people access to rights once they are implemented. A human rights-based approach to climate change adaptation is a greater challenge, because it is more likely to impose positive duties to protect, respect, and fulfill human rights. But the international

community, and human rights advocates in particular, should not shy away from asserting these positive duties. Climate change is a global threat, to which all nations have contributed: the entire international community should be held accountable for meeting the needs of victims of rights violations.

Another point of contention in human rights and climate change literature is whether states that have produced exceptionally large amounts of greenhouse gas emissions have committed a human rights violation. Jodoin describes a proposal to prosecute individual states for emitting excessive amounts of carbon dioxide, calling it the “liability approach to climate policy.”³⁵ The idea of prosecuting states with excessive emissions is appealing because it would entitle those who have suffered because of climate change to compensation. However, Jodoin argues that it would prove nearly impossible to establish legal responsibility for rights violations related to climate change.³⁶ He refers to a section of a 2009 report from the Office of the High Commissioner on Human Rights (OHCHR) on the relationship between climate change and human rights explaining why establishing liability is unrealistic: it is impossible to draw a causal connection between one states' emissions and a natural disaster that leads to human rights violations. Furthermore, the bulk of the human rights impacts of climate change have not yet been realized, and today we have only predictions of harm, making it dif-

35 Jodoin, S. (2011). Rights-based frameworks and approaches for combating climate change. *Towards an appropriate and effective Institutional Framework and capacity building for combating climate change*, the third Lagos state summit on climate change. Lagos, Nigeria: 3.

36 Jodoin, 4.

difficult to demonstrate that states are committing a human rights violation by emitting.³⁷ The difficulty of establishing legal responsibility on the basis of a causal contribution to harm makes the liability approach untenable.

With this in mind, Jodoin contrasts the liability approach with a shared-responsibility approach to climate policy, which would call upon the international community to assist in the realization of economic, social, and cultural rights not only for all victims of climate harm, but for all people worldwide.³⁸ Rather than relying on proof of individual state responsibility to compensate harms to climate victims, this approach draws upon the familiar obligation of international assistance and cooperation described in the ICESCR. States would be expected to help protect and restore rights through climate adaptation not on the basis of their contribution to climate change, but on the basis of universally shared “obligations to fulfill all human rights for all.”³⁹

The choice between a violations/liability approach and a shared-responsibility approach is fundamental to the future involvement of the human rights regime in climate politics, but it implies a tragic tradeoff. On the one hand, calling excessive carbon dioxide emissions a human rights violation

and acknowledging a legal right to compensation would, in theory, provide a secure source of revenue for climate change adaptation. The cost of restoring access to basic rights to those whose lives have been disrupted by climate change will likely be massive. If there is no mechanism for assuring adequate funding adaptation—that is, if donor states feel no more obligation to provide adaptation assistance than they do to help realize economic, social, and cultural rights—then, many victims will likely go uncompensated and suffer. Therefore, a state-specific duty of compensation is appealing. On the other hand, the liability approach has enormous problems, even beyond the difficulty of establishing legal responsibility for harm. For instance, impacts from climate change would have to be recognized as rights violations on a case-by-case basis. Given that access to food, water, and health care may be threatened for billions of people, any process that considers complaints on a case-by-case basis would be unworkable. A shared-responsibility approach, on the other hand, in which all states would contribute to a global adaptation fund on a voluntary basis, is the more feasible option, but the long history of shirking by donor states suggests that discretionary contributions would not produce adequate adaptation funding.

The situation requires a compromise between the two systems: a shared-responsibility approach that creates clearly defined obligations for individual states and that has enforcement mechanisms. Such a system would reflect the fact that those states in a position to assist are also those most responsible for creating the rights violations in the first place, due to large historical emissions from early industrializa-

37 United Nations Office of the High Commissioner for Human Rights. (2009, June 15). *Human Rights Council panel discussion on the relationship between climate change and human rights*. Retrieved from <http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/HRClimateChangeIndex.aspx>: 23.

38 Jodoin, S. (2011). *Rights-based frameworks and approaches for combating climate change. Towards an appropriate and effective Institutional Framework and capacity building for combating climate change*, the third Lagos state summit on climate change. Lagos, Nigeria: 4.

39 Jodoin, 5.

tion and high per capita emissions. While it's impossible to establish responsibility for individual climate change-related events, Knox points out that we do know roughly how much individual states have emitted.⁴⁰ On the basis of our knowledge of states' historic fossil fuel consumption and other activities, we can comfortably assert that affluent, industrialized states, which are also donor states, have emitted greenhouse gases at levels disproportionate to their population size. Because climate change is a global phenomenon, all emitters are responsible for some fraction of all impacts;⁴¹ therefore, they should contribute to a global adaptation solution. Under a hybrid liability/shared-responsibility approach, states would be held accountable on an individual basis for contributing to a general adaptation fund. The objective of this fund would be to enable the protection, fulfillment, and restoration of basic economic, social, and cultural rights for all those whose have suffered severe harm, in the form of deprivation of basic human rights, because of climate change.

However, the question that casts the greatest doubt on the plausibility of a rights-based approach to climate policy is whether human rights norms can be used as guidelines for distributing responsibility for funding climate change adaptation. Prominent features of human rights law limit its applicability to the justice problems posed by climate change. Human rights law is state-centric; as Humphreys points out, the rights threats from climate change are the result of actions taken outside of the states that will

be the most affected.⁴² Furthermore, many of the states that will be most affected lack the resources to carry out adaptation that would protect the basic rights of their citizens, whereas the developed states that have contributed most to the problem have the capability to fund adaptation. To be sufficient, climate remedies would have to be international. The difficult question for human rights law then is: who should pay for climate change adaptation? Dudai claims that human rights analysis is best suited to ensuring that policies do not impose unfair burdens on certain groups, rather than proposing how responsibility for curbing emissions should be distributed. He writes that in creating a global mitigation and adaptation plan:

"There are pros and cons for each course of action, and choosing which to adopt would depend on multiple variables and would be context-sensitive, differing from the clearer right-and-wrong and universal absolutes of much of the human rights framework."⁴³

Given the scale of the threat climate change poses to human rights, such a narrow role for rights standards in climate policy is inappropriate.

It is true, however, that in the past human rights law has seldom been used to promote a particular distribution of burdens to achieve a rights objective. International obligations to assist developing states in fulfilling economic, social, and cultural rights are left very vague

42 Humphreys, S. (2010). Competing claims: human rights and climate change. In S. Humphreys (Ed.), *Human rights and climate change* (pp. 37-68). New York: Cambridge University Press: 64.

43 Dudai, R. (2009). Climate change and human rights practice. *Human Rights Practice* 1(2), 294-307: 298.

40 Knox, J. H. (2009). Linking human rights and climate change at the United Nations. *Harvard Environmental Law Review*, 33, 477-498: 489.

41 Knox, 489.

in the ICESCR. Indeed, the Covenant says only that states should provide “international assistance and cooperation” to achieve progressively the realization of rights.⁴⁴ Because the Covenant does not specify a minimum level of foreign assistance, human rights law has not been read as establishing specific obligations for the international community. Even making good on the oft-reiterated promise by OECD countries to give 0.7% of GNI as official development assistance has rarely been described as a duty under human rights law.

The language of the UNFCCC, on the other hand, makes international obligations central. Equity and “common but differentiated responsibilities” are enshrined principles. As a result, within the climate regime, the obligation to assist poor countries in their mitigation and adaptation efforts is generally accepted but “barely implemented.”⁴⁵ However, the UNFCCC does not have the reporting infrastructure of UN human rights organizations. States are never made to stand before a committee and held accountable for the extent to which they have served the cause of equity in accordance with the UNFCCC, as they would be had they ratified a human rights treaty. Furthermore, the Convention has nowhere near the international recognition and credibility of human rights law. Distrust

abounds within the UNFCCC, and its dictates have less power to influence policy. Therefore, standard setting for states’ fair share of adaptation payment is desirable; naming and shaming states that avoid their duties may be the strongest means for encouraging compliance, as states will likely shy away from lost political capital.

A less-conventional reading of human rights norms does in fact address the fair distribution of adaptation burden. Caney, writing on mitigation policy, argues that a human rights-based approach would differ dramatically from the current decision-making model employed in the UNFCCC.⁴⁶ Caney’s approach would narrow the focus of climate policy to consider only the impact of potential emissions scenarios upon human rights – prioritizing the rights to life, health, and subsistence. According to Caney, emissions reduction goals should not threaten access to human rights like subsistence, healthcare, and education in poor countries.⁴⁷ Finally, and more radically, he proposes that states that have contributed more than their fair share in greenhouse gas emissions should be responsible for funding mitigation, adaptation, and compensation for victims.⁴⁸

Salomon also promotes more extensive responsibilities for affluent states in eradicating extreme poverty and fulfilling the minimum core of economic, social, and cultural rights. Ending human rights violations related to extreme poverty poses a problem similar to that of protecting and restoring rights in the wake of climate change. Indeed,

44 United Nations Committee on Economic, Social and Cultural Rights. (2002). *Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights, general comment no. 15, the right to water*. Retrieved from <http://www.unhchr.ch/tbs/doc.nsf/0/a5458d1d1bbd713fc1256cc400389e94:Article 2>.

45 Humphreys, S. (2010). Competing claims: human rights and climate change. In S. Humphreys (Ed.), *Human rights and climate change* (pp. 37-68). New York: Cambridge University Press: 64.

46 Caney, S. (2005). Cosmopolitan justice, responsibility, and global climate change. In S.M. Gardiner, S. Caney, D. Jamieson, and H. Shue (Eds.), *Climate ethics: essential readings* (pp. 101-111). New York: Oxford University Press: 104.

47 Caney, 107.

48 Caney, 108.

in both cases success depends upon greater international assistance. As with climate change, Salomon argues that those most able to help end poverty-related rights violations are also those most responsible for the problem.⁴⁹

To resolve the human rights crisis created by severe poverty, Salomon promotes a doctrine of universal basic rights, a principle that resolves many of the dilemmas in establishing a rights-based approach to climate change and provides a powerful framework for funding adaptation. She asserts that there exists today an obligation within international customary law to ensure access to basic rights.⁵⁰ Its inclusion in international law would mean that all people have a right to those goods and services, regardless of whether their national government had signed and ratified the ICESCR. She identifies basic rights as the minimum core content of economic, social, and cultural rights specified by the CESCR.⁵¹ Basic rights now face a global threat from climate change, which only strengthens the case for their recognition in customary international law. All states share some responsibility for creating the problem, and only through a bold, international response are rights likely to be preserved.

Salomon also proposes a method for assigning responsibility for

the universal fulfillment of basic rights. In a briefing note to the UN High-Level Task Force on the Implementation of the Right to Development, she writes:

“When all countries...are to contribute to the common objective of eradicating world poverty, the responsibility of a state for the creation of a just institutional order is in accordance largely with its weight and capacity in the global economy. The content of this principle of common but differentiated responsibilities... is informed by the contribution that a state has made to the emergence of the problem.”⁵²

This system for distributing responsibility is consistent with the one that Baer, Athanasiou et al present on mitigation in the framework of greenhouse development rights. They argue that responsibility for emissions reductions should be distributed according to a “responsibility and capacity index” – namely, that states ought to be assigned obligations for reducing their emissions based on the amount that they have emitted (“responsibility”) and their ability to reduce their emissions without endangering the livelihoods of their people (“capacity”).⁵³ A similar index should be used to establish states’ obligatory contributions to a global adaptation fund. Capacity and re-

49 Salomon, M. E. (2007). *Global responsibility for human rights*. Oxford Scholarship Online. Retrieved November 11, 2011, from <http://www.oxford-scholarship.com/view/10.1093/acprof:oso/9780199284429.001.0001/acprof-9780199284429-chapter-1: Chapter 1>.

50 Salomon, Chapter 4.
51 Salomon, M. E. (2007). *Global responsibility for human rights*. Oxford Scholarship Online. Retrieved November 11, 2011, from <http://www.oxford-scholarship.com/view/10.1093/acprof:oso/9780199284429.001.0001/acprof-9780199284429-chapter-1: Chapter 4>.

52 Salomon, M. E. (2005). Briefing note to the 2nd session of the UN High-Level Task Force on the implementation of the right to development: addressing structural obstacles and advancing accountability for human rights. Retrieved from www2.ohchr.org/english/issues/development/docs/salomon.pdf: 12.

53 Baer, P., Athanasiou, T., Kartha, S., & Kemp-Benedict, E. (2010). Greenhouse development rights: a framework for climate protection that is ‘more fair.’ In S.M. Gardiner, S. Caney, D. Jamieson, and H. Shue (Eds.), *Climate ethics: essential readings* (pp. 215-230). New York: Oxford University Press: 218

sponsibility would determine funding targets for individual states.

Taken together, Caney's work and the doctrine of basic rights suggests a way forward: a human rights-based approach that assumes there is an international obligation to prevent a loss of basic rights to climate change. Furthermore, such an approach assigns states differential levels of responsibility for climate assistance as a function of their contribution of emissions, providing a distributive standard for the responsibility for adaptation. Though we lack the ability to pin causality of climate change events on an individual state,⁵⁴ and thus establish responsibility for violations in the legally relevant sense, we can assert that states have a responsibility to provide a portion of global adaptation assistance on the basis of their contribution to climate change. To support adaptation worldwide, a global fund should be created, to which states would be expected to contribute annually according to their responsibility and capability. The funds would be distributed to states on the basis of need, as interpreted by a body of climate science experts. This body would be similar to, or an extension of, the IPCC.

BASIC RIGHTS AS A STANDARD FOR ADAPTATION

Because the magnitude of climate change is unknown, the overall price of restoring access to basic rights in the wake of climate change is impossible to estimate accurately. Even while making assumptions about the magnitude of climate

change, local-level impacts are still hard to predict. There have been a number of estimates of the cost of adaptation in the developing world, where rights violations would be greatest, but they have varied enormously, from as little as \$4 billion per year to more than \$100 billion per year.⁵⁵ These estimates figure the cost of adaptation as the cost of "climate-proofing" gross direct investment, foreign direct investment, and official development assistance in developing countries.⁵⁶ The damage incurred on these investments is only indirectly related to violations of basic rights. Because a rights-based approach to climate change focuses solely on protecting and restoring access to basic rights, it might seem that the expected cost would be lower. However, the cost estimates do not include the price of eradicating the "adaptation deficit" – the shortfall in investment and development that leaves basic needs unmet and communities extremely vulnerable to climate change.⁵⁷ If the adaptation deficit is not addressed, adaptation efforts will fail.⁵⁸ This critique may be more relevant to adaptation policy that focuses on infrastructure and development, rather than basic rights. However, the cost of eradicating the adaptation deficit may be a better proxy for the price of fulfilling basic rights because the Millennium Development Goals, which will cost about \$200 billion

55 Parry, M. (Ed.). (2009). *Assessing the cost of adaptation to climate change*. London: International Institute for Environment and Development: 11.

56 Fankhauser, S. (2009). The range of global estimates. In M. Parry (Ed.). *Assessing the cost of adaptation to climate change*. London: International Institute for Environment and Development: 23.

57 Parry, M. (Ed.). (2009). *Assessing the cost of adaptation to climate change*. London: International Institute for Environment and Development: 11.

58 Parry, 7.

54 Knox, J. H. (2009). Linking human rights and climate change at the United Nations. *Harvard Environmental Law Review*, 33, 477-498: 489.

by 2015, are presented as an effort similar to that of eradicating the deficit.⁵⁹ To make up the adaptation deficit, it's estimated that official development assistance would need to rise to 0.7% GNI, or about \$282 billion, from 0.32% GNI in 2010.⁶⁰ This price tag covers adaptation outside of basic rights, so \$282 billion per year should represent the highest possible cost of a protecting basic rights through adaptation.

So what would a basic rights approach to climate adaptation look like? Focusing on the core basic rights, CESCR General Comment 12, written on the right to adequate food, exemplifies the minimum core content of economic, social, and cultural rights, which would be the focus of rights-based adaptation. The CESCR identifies the basic obligations of States parties to the Covenant that are effective immediately and not subject to progressive realization: to ensure:

“1) the availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; and,
2) the accessibility of such food in ways that are sustainable and do not interfere with the enjoyment of other human rights.”⁶¹

59 Parry, M. (Ed.). (2009). *Assessing the cost of adaptation to climate change*. London: International Institute for Environment and Development: 11.

60 OECD. (2011, June 4). Development: aid increases, but with worrying trends. Retrieved from http://www.oecd.org/document/29/0,3746,en_21571361_44315115_47519517_1_1_1_1,00.html.

61 United Nations Committee on Economic, Social and Cultural Rights. (1999). *Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights, general comment no. 12, the right to food*. Retrieved from <http://www2.ohchr.org/english/bodies/cescr/comments.htm>: Article 8.

In the CESCR General Comment 15 on the right to water, the Committee is unequivocal in asserting that international obligations are much more extensive in relation to core obligations. It states,

*“For the avoidance of any doubt, the Committee wishes to emphasize that it is particularly incumbent on States parties, and other actors in a position to assist, to provide international assistance and cooperation, especially economic and technical which enables developing countries to fulfill their core obligations indicated...above.”*⁶²

In order to fulfill these obligations, developing states will surely have to rely on increased international assistance. Because states are required to fulfill these rights immediately, and the CESCR has identified international assistance as integral to the realization of minimum essential rights, the demand for greater international assistance in climate adaptation is justified. The standard articulated by the CESCR for core obligations is generous enough to alleviate the worst hardship related to the scarcity of food; assuming strong international assistance, the obligation of the international community to help meet this standard is well-founded in international law, and is cost-feasible for donor countries. Therefore, it is an appropriate goal for an international adaptation policy.

The challenge for the realization of this doctrine is enforcement.

62 United Nations Committee on Economic, Social and Cultural Rights. (2002). *Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights, general comment no. 15, the right to water*. Retrieved from <http://www.unhcr.ch/tbs/doc.nsf/0/a5458d1d1bbd713fc1256cc400389e94>: Article 38.

How could policy makers assure that countries' funding commitments will be treated more seriously than the 0.7 GNI target? Human rights institutions hold some promise. The Optional Protocol to the ICESCR could be used to create greater accountability for states in funding adaptation. Individuals and other states would have a mechanism for making complaints, and states would have to stand before a treaty body to explain their level of compliance and receive criticism.

During the UN Human Rights Council Panel Discussion on the relationship between climate change and human rights, delegates representing Costa Rica, the Philippines, Bangladesh, and the Maldives called for the creation of a special procedure on climate change to hold states accountable for fulfilling their obligations related to climate change under human rights law.⁶³ Mauritius, Maldives, and the Philippines made the further suggestion that a new standard be established to define the relationship between rights and the environment and entitlements and duties in an increasingly interdependent world.⁶⁴ To further encourage compliance, the UNFCCC could also make participation in climate negotiations and programs conditional on a state's fulfillment of its obligations to fund adaptation. For example, states that have not met their funding target can be excluded from participating in the Clean Development Mechanism (CDM). The CDM is one of the flexibility mechanisms established

to help developed countries meet their emissions-reduction commitments at the lowest possible cost by counting clean energy projects carried out in developing countries toward their national quotas.⁶⁵ Without access to the CDM, developed countries would have to meet their emissions-reduction targets domestically at higher costs, thus providing an incentive to fund adaptation.

Even these measures, however, are inadequate to compel every powerful state to provide mitigation and adaptation assistance. Monitoring and reporting by human rights bodies would create pressure for compliance, as would criticism from the rest of the international community on the basis of human rights standards. Additionally, barring participation in the CDM would be costly for states. However, none of these measures have the power to compel states to provide more adaptation assistance. Therefore, we must conclude that there may exist powerful countries that choose not to comply, as they may not fear retaliation or costs. Salomon's doctrine of universal basic rights is the principle needed if the human rights regime is to advocate for adequate adaptation assistance. However, to be realized, it would need to be embraced by powerful states, in addition to the human rights regime.

The problem of enforcement aside, Salomon's stronger standards for international cooperation may offer insight into the future of human rights norms, if UN human rights organizations cooperate and succeed. There are substantial theoretical and political challenges to the effective involvement of the

63 United Nations Office of the High Commissioner for Human Rights. (2009, June 15). *Human Rights Council panel discussion on the relationship between climate change and human rights*. Retrieved from <http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/HRClimateChangeIndex.aspx>: 16.

64 United Nations Office of the High Commissioner for Human Rights, 16.

65 United Nations Framework Convention on Climate Change. (2011). *About CDM*. Retrieved from <http://cdm.unfccc.int/about/index.htm>

human rights regime in the creation of climate policy. The extent to which the climate regime makes assertions about the duties of wealthy states in addressing global warming and extreme poverty may teach us both how human rights standards are established and their future role in global affairs.

CONCLUSION: THE CHALLENGES OF IMPLEMENTATION

Overall, UN human rights organizations are not advocating as forcefully as is necessary in favor of extensive international assistance in funding climate change adaptation. This should not, in truth, come as a surprise: asserting such responsibilities would be a dramatic step for rights organizations. Taking that step might mean weakening the global consensus around human rights and making donor states like the United States less willing to cooperate with UN human rights initiatives. Attempts to enforce international obligations related to climate change would also commit rights bodies to an array of new monitoring and oversight challenges, which would likely prove very resource-intensive.

It is more surprising that large emitters should publicly dispute the claim that there is a relationship between climate change and human rights, given that UN human rights bodies have so little ability to enforce standards of behavior. Without a dramatic political reversal on the part of the United States, Canada, and other large emitters like China and Russia, enforcing adequate contributions to an adaptation fund appears impossible. Why then the resistance to the very idea of a direct relationship between climate

change and human rights? Farer and Gaer raise the same question in relation to the efforts of many governments to limit the growth of human rights norms in general: why stand in the way of an idea if it's not enforceable? They argue that national governments must feel some fear of the impact of the idea of human rights upon their people. "By their acts they have acknowledged the influence of the idea of human rights has acquired over the minds of their subjects," they write. "Hypocrisy continues to offer credible evidence of the possibility of virtue."⁶⁶ The behavior of the United States in relation to UNFCCC climate talks is consistent with this hypothesis. The United States government has taken pains to blame China and other rapidly developing states for the failure to reach a global deal, rather than acknowledge its own rejection of obligatory emissions reductions. Were the United States to acknowledge the direct link between climate change and human rights, American popular opinion might change. The outrageously evasive rhetoric of the United States government in relation to human rights and climate change reflects fear of disapproval, or even resistance, from their own people.

Grassroots resistance to irresponsible climate policy in developed countries is growing, but it is doing so too slowly. In the United States, the presently weak economy and the struggle to make ends meet has led many people to act as if there were no climate change, and politicians have distanced themselves from environmental commitments that might hinder economic growth. Over the next few years, the

66 Farer, T. J. & Gaer, F. The UN and human rights: at the end of the beginning. In Roberts, A. & Kingsbury, B. (Eds.), *United Nations, divided world* (2nd ed.). New York: Oxford University Press: 296.

financial crisis in Europe may similarly degrade the EU's commitment to strong climate policy. The truth is that this is a difficult moment for many industrialized countries to slash their emissions. It is a catastrophe for human rights that in this increasingly globalized world, basic rights in some regions rely heavily on actions taken halfway across the world, and yet vulnerable nations have very little ability to confront those who are undermining the welfare of their people. If human rights are to be realized everywhere, the law must evolve to create stronger and more enforceable international obligations, and civil society must mobilize to compel their governments to heed that law. Without that change, human rights law will become ever more irrelevant for the emergent global threats to basic rights.

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BLACKWATER AND PRIVATE MILITARY
CONTRACTORS

BLACKWATER

On March 31, 2004, an enraged mob attacked and overturned a vehicle in the streets of Fallujah, Iraq.¹ Four men were dragged from the wreck and beaten with sticks and stones. All four men were US citizens with Special Forces backgrounds. Their training and skills were of little help to them as they were dragged through the streets by an ecstatic crowd, shot and dozed with gasoline and burned. Their charred bodies were hung from a bridge for all to see, including international news media. This violent tragedy would be the first time that most Americans heard about the men's employer, a relatively unknown Virginia-based security firm, and the new and controversial world of private military contractors.

In 2010, private military companies (PMCs) invoices accounted for more than \$50,000,000,000 annually, or about a third of the US defense budget for military personnel². Blackwater, the employer of the four Fallujah victims, is the most successful security contractor to have been in existence, but also also the most controversial. Its story teaches us more about the economic and political benefits and pitfalls of outsourcing security than any other company. At the peak of its activity in the late 2000s, Black-

1 <http://www.nytimes.com/2004/03/31/international/worldspecial/31CND-IRAQ.html?pagewanted=all>

2 <http://www.whitehouse.gov/omb/budget/Historicals/>

water ran thriving operations in the US, Afghanistan, Pakistan and Iraq, offering a wide array of services ranging from close-quarter combat training to personal protection of US Diplomats and airlift support for the Department of Defense. The company also provided security services at fixed locations for some of the CIA's most sensitive, and sold security intelligence and risk management services to government agencies and corporations alike.

The background and philosophy of Blackwater rests almost entirely on a man who, in the late 90s, had made it his mission to pursue aggressive and lucrative private-sector solutions to some of the world's stickiest problems. His name is Erik Prince. In his 20s, Prince trained and served in the elite US Navy SEALs. The corps had been conceived by President John F. Kennedy in the 60s in response to the changing nature of warfare that called for increasingly unconventional solutions to replace traditional large-army military operations. Inspired by this principle and his own experience with the armed forces, Prince left the SEALs at age 29 when his father died and left his family a \$1.35 billion inheritance. He started to work on his own company, and in 1997 incorporated Blackwater³.

Prince used his military connections both to staff his new start-up and also to win the govern-

3 Robert Young Pelton (November 30, 2010). "An American Commando in Exile". *Men's Journal*. Retrieved 28 May 2011.

ment contracts that would become the foundation of the business. The company initially operated a state-of-the-art training facility for military and law enforcement. The September 11 attacks on the World Trade Center and the ensuing War on Terror, however, soon afforded the growing business much more lucrative opportunities in the field of private security contracting.

Prince's strategy was for Blackwater to be to the Pentagon what FedEx was to the Postal Service, and save everyone money and time by providing one-stop shopping solutions to whatever issues the US armed forces and diplomacy would encounter in unfamiliar, high-risk territories. And Prince may have had a point. In 2005, Blackwater was called upon to assist with humanitarian and crowd control efforts after Hurricane Katrina had struck New Orleans. The Blackwater personnel arrived two days before FEMA.

The CIA-led operation in Afghanistan that launched in late 2001 was in dire need of protective security details for its staff and operations, and Prince was ready to look through Blackwater's Rolodex of some 40,000 former elite military forces and law enforcement personnel to find the right men in a matter of days.

Then came Iraq. In the spring of 2003, the old-fashioned land invasion was over and had given way to a huge and complicated political mission. The Department of Defense, the CIA and State Department were all in need of security services which landed Blackwater numerous contracts for a variety of services ranging from guarding facilities to escorting diplomat convoys. Whatever the government needed, Blackwater could provide. And quickly.

As the war decade unfolded,

Prince took great pride in his ability to "look over his skis" and foresee the next security need, then figure out how Blackwater could accommodate. At the same time, once the company had a foot in the door, it was easy to spot 10 other regional offices that needed the same solution. This helped Blackwater quickly spread its influence and increase its revenue, which was more than \$1.5 billion in government contracts alone between 2001 and 2009.

WHY CONTRACT?

But why hire a private security contractor in the first place?

Ambassador John D. Negropon-te served as a client of Blackwater's in three different capacities: as US ambassador to Iraq in 2004, as the first ever Director of National Intelligence from 2005 to 2007 and as Deputy Secretary of State from 2007 to 2009. He explains that in the 90s, Vice President Al Gore was responsible for utilizing the 'peace dividend' that was expected to result from the end of the Cold War⁴. Defense expenditures would be cut reducing the budgets of many agencies by as much as 40%. When the US found itself in a 'war decade', after the attacks on 9/11 and the subsequent invasions of Afghanistan and Iraq, , neither the Pentagon nor the CIA or State Department had the personnel required to meet these new endeavors of the Bush Administration. In need of man power, they turned to the marketplace.

Erik Prince suggests another reason when he delivers his no-nonsense sales pitch that Blackwater does it "cheaper and better".. Blackwater charged \$1,500 per day for the security services of an opera-

4 Interview with Ambassador John Negropon-te, Yale University, Oct 3 2011

tive with Special Forces background (who would receive about \$550 in daily salary). \$1,500 is roughly equal to the government's daily expenditure for a similar operative employed internally. But the government must also account for the additional costs of paid leave, medical, insurance and pension funding, and the total life time cost of an army operative; even divided by the number of days in active service, these costs far exceed the daily Blackwater rate. Moreover, external contractors are a variable cost that can be put on hold or terminated on short notice, providing greater flexibility over that of a US officer. In the government's view, contracting also outsourced the political risk in the event of a screw-up or fatality. The contractor, not the client, would take the heat — and the bullets.

With government willing to staff out responsibilities for security that had traditionally been its exclusive domain, the opportunity proved perfect for an individual with the experiences and worldview of someone like Prince. Raised a die-hard libertarian, Prince declared, "I'm a very free market guy. I'm not a huge believer that government provides a whole lot of solutions. Some think that government can solve society's problems. I tend to think private charities and private organizations are better solutions." He also refuses to label Blackwater operatives as 'mercenaries'. Mercenaries, to Prince, are people who have no loyalty and will work for the highest bidder. Blackwater has only employed US citizens with a strong track record of patriotic duty, and the company will only work for the US and its allies. He believes the sky is the limit with respect to what can and should be outsourced, and that private cor-

porations can leverage their profit motive to do things in better, faster and more cost-efficient ways, a privilege that government agencies do not enjoy because their performance metrics are not centered on profit.

These factors help explain why Blackwater was doing so well in Afghanistan in Iraq. The department received the services they needed and were satisfied. Blackwater made a ton of money, and landed more and more contracts, ever eyeing new opportunities to help the government.

SCANDALS

In September 2007, the number of contractors in Iraq reached a one-to-one ratio with US troops. On Sunday the 16th, a Blackwater convoy on contract for the State Department came to a halt at a Baghdad intersection called Nisour Square. Operatives emerged from the four vehicles and started opening fire on a perceived threat. When the smoke cleared, 17 Iraqi civilians lay dead.

The scandal spawned a number of investigations and congressional hearings. After 15 months of investigation, the Justice Department charged six Blackwater operatives with voluntary manslaughter, stating the use of force was not only unjustified but unprovoked. Now, the world wanted to know more about who these contractors were, and so did lawmakers, democratic leaders in particular.

How could things have done so wrong? The heightened focus quickly showed that the current model for employing contractor might have been a ticking bomb. Analysis made it apparent that contractors operated in a soup of legal grey zones and that it was dangerously unclear which jurisdiction they

should answer to when on mission abroad, or if their actions need comply with the Geneva Convention and so on. The question boiled down to: if contractors made mistakes, like in Nisour Square, who could punish them? Moreover, oversight and management of contractors was so complicated that it, too, was outsourced to another contractor, Aegis Defense Systems, which had existed for less than a year when it was awarded a \$293 million contract to manage other contractors. The State Department's own limited staff of contracting officers would rotate every six months, making it impossible for individuals to grasp processes and requirements, and intricacies of the contracts. Finally, there was the problem that personal relationships seemed a little too close between private contractor executives and government bureaucrats, especially because companies like Blackwater hired aggressively among military and government officials, offering drastically increased paychecks, leading to numerous conflicts of interest.

In the end, Congress called for various reforms and increased oversight and accountability⁵. Jurisdiction and immunity processes were clarified as the heated debate went on, and CIA and Pentagon officials would have to wait 18 months after resigning before they could go work for a contractor. Furthermore, by January 2008, a Memorandum of Agreement had been issued by the State Department and the Pentagon that would better coordinate future work by contractors, and also imposed strict limitations on their use of force. At the same time, contracting data would be tracked more

closely, and uniformed personnel would receive training in how to cooperate with contractors. From now on, things would be different.

THE GLOVES COME OFF

Blackwater's alleged responsibility in the Nisour Square shootings increased scrutiny on the company's role in what was already a very public and politically controversial war. In the aftermath of the shooting and subsequent hearings, The State Department curtailed Blackwater's activities—most painfully for the company, its revenue dropped 40%. To his great frustration, Prince was unable to give his enterprise the public defense he wanted. A confidentiality clause in the State Department contract limited communication with the media to government representatives, who had little desire to shield Blackwater from the controversy that erupted.

With his security contracting business was under assault and rapidly becoming a household name in the worst way, Prince changed course. Hounded by public scrutiny, he doubled down on services where opacity was not merely tolerated, but encouraged: spycraft and assassinations. In 2004, the CIA had approached Prince to recruit him and, by extension, his wealth and his company, as an asset to help hunt down and assassinate terrorists in areas where the US could not ordinarily maneuver. Prince, in turn, hired the CIA, in shape of Mr. Cofer Black, a classically trained spy and head of the CIA's Counterterrorism Center. Black, who right after 9/11 had promised President George W. Bush that when the CIA was through with al-Qaeda, they would have "flies walking across their eyeballs", was hired and became vice

5 http://articles.cnn.com/2007-10-03/world/iraq.contractors_1_iraq-contractor-military-extraterritorial-jurisdiction-act-contractor-bill?_s=PM:WORLD

chairman of Blackwater in 2005. He was put in charge of setting up Total Intelligence Solutions, a Blackwater subsidiary that would provide covert intelligence services, and remained part of the group until 2008.

Avoiding public scrutiny ultimately proved to be a futile effort. Art began to imitate life, and Prince's exploits inspired increasingly sensational storylines. On the Fox show *24*, a villainous character appeared as a thinly veiled version of Prince—in this case building a secret missile arsenal. In August 2010, details of the assassination program leaked to media, and the *Washington Post* reported that CIA HIRED FIRM FOR ASSASSIN PROGRAM⁶. Prince, still battling with legal fallout from Nisour Square, had had enough: "I put myself and my company at the CIA's disposal for some very risky missions. But when it became politically expedient to do so, someone threw me under the bus."⁷ He resigned from his posts as Chairman and CEO, and later in 2010 sold Blackwater to a group of investors for an undisclosed sum.

THE FUTURE PHILOSOPHY

Ambassador Negroponte has a more nuanced view. He purports that the philosophical and moral intricacies are too many and too varied to give a definitive answer to how far one should go when outsourcing patriotic duties to private companies. It is, he says, "inevitably a political decision"⁸. To figure out if a complicated concept will

work in statecraft, much experimentation, evaluation and debate is required, as the past decade makes abundantly clear.

Many thought the Obama Administration would bring an end to the era of private military contractors, whose image and philosophy had become closely associated with neo-conservatism and the Bush Administration. For instance, in 2008, then Senator Hilary Clinton stated that "[these] private security contractors have been reckless and have compromised our mission in Iraq. The time to show these contractors the door is long past due."⁹ But the opposite happened. The Obama Administration awarded Blackwater (which had re-incorporated and changed its name to Academi) contracts worth \$220 million in 2010. As of late 2010, more than 7,000 private security guards were operational in Iraq alone, protecting amongst other places, the Vatican City-sized, \$592 million US Embassy in Baghdad.

Meanwhile, Erik Prince, who is a top target on Al-Qaeda's 'hit list', has moved to Abu Dhabi in the United Arab Emirates, where the crown prince Sheik Mohamed bin Zayed al-Nahyan is paying him \$529 million to create an 800 person battalion¹⁰. Trained by Prince and US Navy SEALs, the small army will serve as sort of Praetorian Guard for the crown prince's own purposes, a useful tool during times of turmoil in the Middle East. It would not be the first time that a foreign player has patiently watched the US experiment - and struggle - with a concept before adopting it and all best practices as their own.

6 <http://www.washingtonpost.com/wp-dyn/content/article/2009/08/19/AR2009081904315.html>

7 Interview with Mr. Erik Prince, Virginia, August 26 2011

8 Interview with Ambassador John Negroponte, Yale University, Oct 3 2011

9 <http://www.thenation.com/blog/37877/iraq-withdrawal-obama-and-clinton-expanding-us-paramilitary-force-iraq>

10 <http://www.nytimes.com/2011/05/15/world/middleeast/15prince.html?pagewanted=all>

Despite seemingly endless controversy, it seems that private military contractors are here to stay.

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Little more than two years ago, European news outlets and politicians spoke about the prospect of economic downturn and financial unrest as if it were only caused by the contained crisis in Greece. Comprising less than three percent of the total Gross Domestic Product of the euro zone, the economically peripheral country posed little threat in the minds of political actors. Investors disagreed. Today, many of those same shortsighted politicians continue to add to the economic woes—only this time as statistics in the increased unemployment rate.

Some ousted leaders may have been correct in downplaying the seriousness of the Greek threat, but they perniciously underestimated the deeper pan-European problems that Greece reflected. The Greek situation has highlighted the frailty of other major European economies and the unsustainable nature of disjoint fiscal policy in the monetary union. As the window of opportunity to act shrinks, the extent of necessary measures swells—all the while the requisite political will wanes.

While Greece threatened instability, emergent situations threaten total collapse. Italy—the third largest economy in the entire euro zone—is the most recent and most serious concern in the sovereign debt crisis. This paper will thus focus on Italy, the most recent and significant actor in the dramatic European saga. Italy demonstrates the

economic and institutional factors that must be addressed, nationally and EU-wide, for this crisis to be resolved. Above all, however, Italy is not just a paradigm or microcosm of the European crisis that gives leaders the luxury of experimenting with possible solutions to the larger, continental threat. Italy is the continental threat. The opportunity to test solutions—if it ever existed—was exhausted with Greece. This paper will focus on Italy because—if Europe does not act swiftly and correctly—not only will the euro zone necessarily fail, but the entire project of European integration will be brought to the brink.

I will begin with an exploration of the economic factors and corresponding institutional flaws within Italy that have caused this most recent scare. I will then outline the associated economic and institutional problems in the European Union that have also contributed to the gravity of the situation. I will finally discuss various proposals and possible solutions—domestically and internationally—and evaluate the possibility of long-term viability. I posit that deep structural reform domestically and internationally is needed to resolve the current crisis, and that national leaders have not yet done enough to salvage the continental currency.

As yields on Italian bonds crept up to seven percent last month—the borrowing rate at which other European nations have needed financial aid—the government continued to

refuse support.¹ While it is true that Italy remains solvent, many of the arguments in support of Italy's economic stability either do not withstand scrutiny or miss the point entirely. As economist Tyler Cowen recently affirmed, one frequently cited optimistic argument about Italian debt is that it is largely held domestically.² The International Monetary Fund estimates, however, that bonds held by foreigners still constitute forty-seven percent of total Italian debt.³ Furthermore, although Italy's debt constitutes less than 120% of its GDP—compared to Greece's 160% of GDP—Italy's total GDP is seven times larger than that of Greece, making the absolute amount of foreign-held debt significantly larger.^{4 5 6 7} In fact, Italy's absolute debt is higher than that of Greece, Ireland, Portugal and Spain combined, meaning that its sheer size—irrespective of its percentage of national GDP—makes it more concerning than other Southern European debts for its potential effect on the Eurozone as a whole.⁸

Despite the insistence by the government that Italy remains a competitive producer, the nation has run a trade deficit since 2005.⁹ While exports have actually begun increasing recently, the trade imbalance remained negative from September to January of 2011, at just over 23 billion Euros.¹⁰ Despite the putative success of Italian manufacturing, labor productivity remained stagnant from 2001 to 2005, and it actually diminished in the four-year period immediately thereafter, often recording the lowest in the OECD area.¹¹ As a result, Italy has recorded the lowest economic growth of any nation in the world—besides Haiti and Zimbabwe—and been the only OECD nation to record negative GDP growth per person over the past decade.¹² This reflects

underlying and sustained structural problems in the Italian economic model and the country's institutions, which I will attempt to identify shortly.

One of the measures of a sound economy—the successful development of human capital—also indicates grave systematic weaknesses in the Italian system. While politicians continually dismiss the loss of skilled Italian youth to other countries by claiming the loss is less in absolute terms than that of other nations, those countries offset this trend with an import of talent in other sectors. Italy, however, is the only large European economy that maintains a net brain drain.¹³ Italian youths continue to leave in droves, while Italy has one of the oldest populations and lowest birth rates in the world.¹⁴ At its current rate, Italy will either have merely two workers for every pensioner within a decade, or be forced to raise the retirement age drastically to 77 to maintain its current worker to retiree ratio.¹⁵ The desire to maintain the standard of living and social services for an ageing population has contributed to rising levels of borrowing and, subsequently, been one of the underlying causes of the recent crisis.

These economic conditions reveal serious structural flaws in Italian institutions. In order to achieve any long-term solution to the current crisis in Italy and, consequently, to the sustainable preservation of the euro zone, these flaws must be elucidated and corrected. In addition to the aforementioned lack of competitiveness that has forced the state to borrow, tax evasion remains a serious problem in the southern peninsula. Tax evasion has been a contributing factor in other Southern European debt levels, notably in Greece. In Italy,

the primary causes reside in institutional culture, namely in the limited use of electronic currency. According to an estimate by the Bank of Italy, Italians evade an aggregate 100 billion Euros in taxes annually because of cash transactions.¹⁶ Additionally, the country's banking association—ABI—asserts that the government loses 10 billion Euros every year in revenue paying for the security and labor necessary to process excessive cash payments.¹⁷ Furthermore, there seems to be a connection between tax evasion and government corruption, and Italy is ranked the most corrupt nation in all of Western Europe.¹⁸ Regardless of its role in contributing to tax evasion, government corruption has no doubt undermined investor faith in the political system and the credibility of reform.¹⁹

Another problem is the lack of efficient corporate expansion, caused partly by professional barriers to entry and the legal difficulty of mergers and acquisitions. Italian law has often favored small family-owned businesses, and the continued political defense of family pact law has proven economically inefficient, regardless of its charming cultural motivations.²⁰ One of the few economically efficient initiatives of former Prime Minister Silvio Berlusconi included his abolition of inheritance and gift taxes at the turn of the century. In 2006, however, Romano Prodi reintroduced such legislation and made it once again legal for family owned businesses to discriminate against non-family members and secure inherited ownership.²¹ This institutional action persists, despite independent studies—including a particularly comprehensive one by the Bank of Italy—demonstrating that firms' returns diminished when management was handed over to a rela-

tive and increased with non-family management.²² Currently, 93% of all Italian firms are still family-owned, revealing the extent of institutional and legal action favoring inefficiency over expansion.²³ At the same time that the Italian government staunchly supports these inefficient business models, legal protection for efficient models has been lacking. As an example, bankruptcy provisions in Common Law tradition that permit and compel companies to restructure are generally made difficult under Italian Law in favor of punitive actions that help neither the creditor nor the debtor economically.^{24 25}

Institutional and legal discrimination against Italian youths has also caused the serious brain drain outlined earlier; another cause of Italian economic ails. While Prime Minister Mario Monti has recognized the need to make the labor market more flexible, he is a technocrat who can seem at odds with the interests of an ageing electorate. The same cannot be said of his predecessors, who have favored undue burdens on young employees, while permitting older workers to continue with jobs from which employers are legally unable to fire them. For example, Legislative Decree 276 in 2003—known popularly as Biagi law—permitted employers to easily fire employees without guaranteeing them extensive unemployment benefits—but only for employees in the youngest age bracket.²⁶ This complemented a 1995 pension reform that left older workers unaffected but diminished the current and future benefits for younger workers.²⁷ Such institutional discrimination through Italian legislation—with the support of an increasingly ageing electorate—has hurt Italian innovation, efficiency and future labor prospects by dis-

couraging young talent to remain in the country. In addition to outright legal discrimination, the Italian government has underutilized the talent of the younger generation and simultaneously inhibited innovation by investing less in Research and Development than any other pre-2004 member of the European Union.²⁸

Institutional discrimination against the younger bracket of the labor market is not confined to explicit legislation, but also results from one of Italy's other major inhibitors of expansion and growth. The prevalence of legal self-regulating guilds—known as “*ordini*”—has enervated competition and undermined efficiency.²⁹ These guilds restrict entry into their professions in order to artificially inflate wages and secure employment. Such associations now exist in nearly every sector of the economy, and the requirement of membership—legally protected and monitored by a notary public—ensures the stranglehold of the groups over entire vocations.³⁰ As a result, members of these professional associations gain undue profits from lack of competition, but keep national growth stagnant by limiting innovation, keeping costs artificially high, and crowding out new labor.

While this discussion is necessarily incomplete, it has outlined some of the major economic concerns and their various institutional causes within Italy. Later, I will argue in favor of certain proposed and recently enacted reforms, but for now I will turn to a similar discussion of the economic causes of the crisis that originated outside of Italy and the corresponding failure of certain European Union institutions.

While political dialogue has focused on the debt of select na-

tions, the European sovereign debt crisis is particularly protracted and dangerous because of the threat of contagion. Investors have continued to panic from the levels of unsustainable debt incurred by all European nations, fearful that the entire continent could be headed toward default. Indeed, twenty-three of all twenty-seven members are currently under a European Council judgment indicating inordinate fiscal deficits.³¹ The economic conditions in certain European Union member states have thus triggered self-fulfilling prophecies by market speculators. In this sense, Italy has suffered a bond run because of panic in countries like Greece, Spain, Ireland, and Portugal, even though Italy has run primary budget surpluses for years and remains solvent.³² Markets have continued to undermine the notion of an economic union by discriminating between the bonds of different Member States in the European Union, fleeing to less debt-ridden countries like Germany and away from countries like Greece. Over the course of the past year, this has caused investors in German bonds to gain 8.2%, and those in Italian bonds to lose 7.6%.³³ As I will discuss shortly, these domestic gains have discouraged bold action by Germany to rectify imbalances across the Eurozone.

This is indeed a myopic and dangerous move. Rising yields on Italian bonds, even though Italy is readily able to pay its interests for the immediate future, reveals that the number of European countries on which investors are willing to bet has artificially shrunk from pan-European panic. The fact that Germany—the putative fiscal safe-haven of the continent—had had difficulty selling its debt demonstrates the negative reflexivity oc-

curing in Europe.³⁴ In other words, investors are feeding off their own fears of contagion and, as time passes, may eventually abandon Europe altogether. The interconnectedness of European financial markets may expedite the spread of contagion. For example, fears in Greece have spurred rises on Italian bond yields, which could cause a banking crisis in France, which owns more than half of all Italian debt held by European banks.³⁵ This would force the French government to incur greater debt to recapitalize its banking system, inviting already threatened downgrades by credit agencies and bringing panic to the United Kingdom, whose banks hold large portions of French debt.³⁶ It is evident now that Italy is not simply the largest of the fiscally irresponsible Southern European nations, but can also become an example of how panic throughout Europe can bring down solvent Member States and cause the collapse of the entire European Union. Only European leaders and institutions can solve the crisis now, and yet they are precisely the cause of the inflated economic ills outlined above.

Indeed, while the creation of the euro seemed to be a radical move toward economic integration, politics trumped sound economic considerations from the beginning. The Stability and Growth Pact—adopted in 1997 to guarantee the stability of the euro zone and ensure Member State compliance—was more poorly enforced than it was inherently flawed.^{37 38} Unfortunately this reveals the deeper institutional difficulty of creating a true economic union within the political framework of the European Union. For example, perhaps the two primary institutional causes of the current crisis stem from the precedence of politics over econom-

ics. Firstly, profligate nations that did not truly meet the convergence criteria were allowed into the euro zone for political reasons. As illustration, Greece was deferred admission for four years because they lacked political influence, while Italy was admitted because of French political support, despite not truly meeting the necessary debt limit.³⁹ As a result, European supranational failings are in some sense responsible for the effects of the Italian crisis, as the nation's problems have not actually changed since Europe chose to ignore them over a decade ago, encouraging further moral hazard.

The second and arguably more calamitous failing of the Stability and Growth Pact was that it failed to enforce its regulations even after admission. Germany and France—generally regarded as two of the most fiscally secure states in the Eurozone—were in fact the two nations that set the current precedent that undermined the credible authority of the Stability and Growth Pact. In 2003, the European Commission was forced to recommend sanctions after both countries defied the public deficit limit for three consecutive years.⁴⁰ Once again, politics trumped economics, as the national ministers of the Economic and Financial Council decided to wave such sanctions under political pressure.⁴¹ In so doing, they sent a message to all Member States that it was acceptable to defy the necessary terms of the economic union—a message some nations took to heart. The crisis in Greece began as much as a result of poor enforcement after its adoption of the common currency as from the fact that it was unfit for its initial admission, which was evident despite its government's falsified economic portrait.⁴² Germany and France

have preferred to allow their banks to purchase Greek debt rather than sanction the nation for rising levels.⁴³

The blind hope the Economic and Monetary Union placed in convergence also devalued the necessity of European regulation to ensure that nations like Greece did not suffer from unsustainable inflated public sector costs after currency appreciation.⁴⁴ This was an institutional oversight with severe consequences. Similarly, the Stability and Growth Pact seemed to assume that investors would treat European debt as equally worthy, without any institutional guarantee or coupling of European debt. It has become clear from the sovereign debt run that investors have concluded otherwise. This poor assumption has led to national insolvencies in Europe, which unfortunately indicates another institutional oversight: that the European Union system simply had no backup plan to resolve domestic insolvencies.⁴⁵ This lack of institutional agreement from the outset has left political leaders scrambling to concoct solutions as the crisis unfolds—and the generosity of the learning curve may just run out with Italy.

As politics has continued to trump sound economic policy in Europe, even the primary politically independent organ of the economic area has failed the common currency. The European Central Bank does not seem truly independent enough in its current form to give credibility to the governments of debt-ridden Member States.⁴⁶ In fact, it is rather clear that the French government only submitted to formal independence to convince the Germans the ECB would nominally model the Bundesbank, all the while intending to maintain political influence over its authorities.⁴⁷ The Germans

have likewise put political pressure on the bank, demanding the ECB not act as a lender of last resort or implement measures similar to the Federal Reserve's quantitative easing that helped the US economy in 2008.⁴⁸ Even as markets responded positively to the implication that the ECB would defy such pressure and take a more active role in solving the crisis, ECB President Mario Draghi re-emphasized institutional restrictions, asserting that the European Union "[has] a treaty and Article 123 prohibits financing of governments."⁴⁹ This further reveals that institutional strictures—along with personal refusal to use the "legal tricks" Draghi denounced—are undermining action to bolster the currency.

Further legal qualifications of the economic union have in some ways caused the crisis by sapping the strength and speed of European action. German support for financing Greece was halted by its Constitutional Court's threat to challenge any assistance under Article 125 of the Lisbon Treaty, which states, "A Member State shall not be liable for or assume the commitments of central governments."⁵⁰ While Europe finally did offer assistance, it came later, and the speed of European action since then has followed the same trend: when support finally is approved, its size and scope are no longer sufficient. The eventual establishment of the European Financial Stability Facility may create a firewall against Greek debt, but its details have taken too long to outline and its scope is simply too small to protect from potential calamity in Italy.⁵¹ As a result, suggestions for necessary changes, such as the proposed creation of a \$3.1 trillion jointly financed fund to pay down the seventeen euro zone member debts, may require significant

treaty changes, including renegotiation of the Lisbon Treaty. These treaty changes are the only ultimate solution and perhaps the only short-term source of calm. Nevertheless, according to German Chancellor Angela Merkel, they would still take too long to enact even under the circumstances.⁵² While Italy is indeed culpable, the ultimate message from equally myopic European leaders is thus that Italy is too big to fail, but also too big to bail out.

And so we find ourselves at the height of a protracted crisis that continues to threaten European integration and the global economy because the continent's leaders find themselves in a state of paralysis. While various attempts have been made to reassure markets and calm the storms, action within the Italian government and within the European Union have been insufficient or misguided. Nonetheless, there remains hope that the threatening consequences of failure compel proper action—hope that has been reinforced by the recent action of well-minded technocrats.

Since the fall of the Berlusconi government and the imposition of the technocratic governance by President Giorgio Napolitano—led by Premier Mario Monti—swift propositions have been made to contain and mitigate the effects of the crisis in Italy. The most recently proposed austerity measures focus primarily on spending cuts and tax hikes, both of which are necessary in Italy. Some of the reforms Prime Minister Monti has advocated include necessary increases in the retirement ages for men and women, as well as increases in the number of employed years necessary to receive pension benefits.⁵³ Monti has further begun structural reforms to correct some of the previously noted structural

issues. To combat tax evasion, the Italian government will eliminate tax amnesty loopholes, as well as lower the maximum cash transaction level, which will also combat the monetary inefficiency described previously, which has stagnated Italian growth.⁵⁴ The government also plans to increase value-added taxes, which will increase revenue sharply, especially when coupled with the aforementioned efforts to reduce cash transactions, which allow Italians to avoid paying VATs.⁵⁵ Furthermore, new legislation that will make it easier for employers to dismiss employees will make the Italian labor force more efficient, productive, responsive and mobile.⁵⁶ Apart from these changes, however, the remaining measures hinge on the specifics on increasing revenue and decreasing spending.

This is ultimately the problem with the new proposals. While the reforms give due attention to improving Italy's account sheet, they fail to address the deepest—and most politically sensitive—structural problems in the economy. The proposals are ultimately permutations of tax hikes and spending cuts that presuppose that Italy's problem is an abundance of debt, when in reality it is a lack of growth. Less than one-third of the increased revenue will go to spurring growth, and in the most standard and non-innovative ways. While making it easier to fire employees is necessary, for example, Monti has failed to also increase taxes on the wealthiest Italians. He claims that such an action would cause a capital flight in Italy.⁵⁷ This is like the Northern League claiming eased immigration laws would cost Italian youths their plentiful jobs—except that Italian youths are decreasing in numbers from brain drain and low fertility and the economy needs those

immigrants to fill labor shortage. Likewise, Monti must realize there already is very little capital flowing into Italy, and there is no growth; raising taxes will only increase the government revenue to which the wealthy have avoided contributing for too long.

In addition to tinkering with the financial system, Italian leadership must tackle related societal issues. The government must eradicate the stranglehold of organized crime and government corruption—both economical inefficiencies that disjoint the markets. According to some studies by leading trade associations, the power of the mafia is so significant that recovering the money it saps from the economy would be enough to pay off the vast majority of Italian debt.⁵⁸ The technocrats need to end the “ordini” system of private cartels that crowd out competition and starve innovation in many fields.⁵⁹ The new cabinet must generate more opportunities for youths, eliminate laws that discriminates against the young, and combat the national brain drain. Much of this will require increased investment in Research and Development, which has fallen over the last decade, along with innovation and—not coincidentally—the Italian standard of living over the same time period.^{60 61} The government still has yet to address the quaint but inefficient culture of family-owned businesses that keep average costs high and prevent more efficient mergers. Lastly, while the government must spur production in the long run, it can begin by more successfully exporting the attractive goods the nation already produces.⁶² The current government has only had a month to enact changes, and it has successfully approached some of the fundamental issues holding back

the Italian economy and making it a problem for the entire continent. The problems run deeper, however, and the Italian government must begin making more radical changes more rapidly.

Italy, however, cannot solve the crisis alone at this point. Although the Italian government has made reasonable progress, the elected leaders of Europe have unfortunately been slower and more ineffectual in staving off the crisis. The creation of the EFSF may have brought down yields on Greek debt temporarily, but lack of details on funding sources have tarnished its credibility; regardless, its scope is not wide enough to withstand runs on Spanish debt, let alone that of Italy.⁶³ The most recent solution—deemed the “Euro Pact”—does admittedly move in the requisite direction of fiscal unity and corrects the problem of the Stability and Growth Pact by ensuring automatic penalties for non-compliance. Nevertheless, the move has been coupled with decreased ECB investment in European sovereign debt—a move that is philosophically cohesive but economically disjoint.⁶⁴ In other words, while the Euro Pact and the reticence of the ECB both demonstrate an ideological urge to keep the burden on political actors, long-term political integration cannot be viable without short-term support from the ECB. Moody’s rating agency has already threatened the most fiscally responsible nations in Europe with downgrades beginning next month for failure to address the immediate issue of sovereign debt.⁶⁵

Ultimately, Europe has committed to the necessary long-term goal of centralized fiscal policy, but it has yet to solve the short-term credit crunch. Only a more active European Central Bank can solve

the crisis at this point—just as the Fed was active during the crisis in the United States a few years ago. Politics has taken precedence over economics for too long in the European Union. While European memory resists appeasing indignant trouble-makers, this time it is the right thing to do: give the tempestuous economy what it wants and institutionally value it above politics. This begins by allowing the politically independent central bank to do what is necessary, which is to back sovereign debt on the condition that political actors plan to achieve full fiscal integration. While some may prefer heightened oversight in favor of fiscal integration, European leaders have proven their inability to mitigate political temptation when given the option, making fiscal integration effectively the safest form of oversight. Such integration will also reverse the current trend of necessary economic sanctions and austerity, which are unsustainable and economically deleterious in the long-run.

The resistance to such action, however, stems from legitimate concerns in Berlin. The Germans and other hardliners are correct in that only a strict ban on bailouts will pressure Southern European leaders enough to hedge the risk of continued moral hazard. This is, in some sense, what forced Berlusconi out of Italy, which may not have happened otherwise—or at least not so soon. But, at the same time, there is so much reflexivity in the market, that no matter what Italy does at this point, investors will not trust the government alone. As a result,

Germany and the ECB must take some action in conjunction with Mario Monti's reforms. The terrible irony seems to be that for Italy to be forced to act, Germany and the ECB must credibly refuse to act—and if Germany and the ECB do act, then Italy may no longer be forced to act as well.

Nonetheless, Germany was right about this insofar as it is able to force non-political actors and technocrats to take the realms. Therein is the credibility. Now it must retreat from the same hard-line stance and support Italy in order to save the euro. The Germans can allay their fears by relying on the ECB and other lending institutions, such as the IMF or foreign governments, to make interest rates for Italy high enough to deter any relapse into moral hazard. In turn, however, there needs to be almost unconditional security of bonds guaranteed by the ECB—at least in the short-term so that inflation can still be avoided in the long-term. This has already been suggested in the form of Eurobonds, which were also rejected by the Germans.⁶⁶ Claims that this is impossible because it would require treaty changes are moot at this point; if some form of joint debt assumption does not occur, the treaties are ineffectual anyway and the union they support could crumble. Europe must change the treaties if necessary. If that takes too long, they should defy them—after all, Europe has done so in the past when it was politically expedient, and it seems more compelling now that it is economically imperative.

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BOOK REVIEWS

To forgo reading *Why Nations Fail* – a weighty but intensely engaging investigation of the determinants of economic prosperity – is, it seems, to risk being left out of the conversation of the day on political economy. Widely discussed in recent weeks, the book, the work of MIT’s Daron Acemoglu and Harvard’s James A. Robinson, takes as its sizable task a compelling account of what makes for a successful nation. The answer emerges over the course of the book’s 500 pages through a series of historical case studies designed to hammer in a central point: economic success is the product of particular political institutions, and the political institutions that breed success are “inclusive” as opposed to “extractive.” Pluralism begets prosperity; by the same token, autocracy begets decline.

The book opens with the case of the bisected town of Nogales, whose split halves lie in Arizona and Mexico respectively. The town represents, from the perspective of the authors’ hypothesis, a beautiful natural experiment, one that is returned to repeatedly and joined later in the book by other borderland examples: two populations separated neither by space nor by culture, but instead by their governing institutions. In that regard, the great disparity in wealth and health between the two sides of Nogales makes for a powerful opening salvo, the first of a number to come. The town is then used to open a his-

torical sketch of the contrasting colonial experiences of North and South America as an introduction to the work’s thesis, which hybridizes economic and political concerns through a discussion of institutional structures that either work to spread opportunity and incentivize economic activity or to concentrate wealth and influence in the hands of a fortunate few. Acemoglu and Robinson summarize the large-scale structure of their argument at the end of this introductory jaunt through the history of the Americas:

It is about the effects of institutions on the success and failure of nations – thus the economics of poverty and prosperity; it is also about how institutions are determined and change over time, and how they fail to change even when they create poverty and misery for millions – thus the politics of poverty and prosperity.

Over the course of the book, the authors largely execute this program as promised. Leaping from continent to continent, the authors build a substantial catalogue of examples to bolster their case. From Botswana to Uzbekistan, the same arguments hold sway: extractive political institutions dedicated to the wellbeing of the elite breed similarly extractive, and counterproductive, economic institutions, while the same holds for the transmissible benefits of inclusive political institutions that meaningfully

guarantee property and political rights.

The implications of Acemoglu and Robinson's thesis are at times hopeful, at others unsettling, and overall distinctly controversial. First, the unsettling: the authors argue that the reciprocal relationships between political and economic structures produce vicious and virtuous circles in the cases of extractive and inclusive institutions respectively. On a global scale, then, when it rains it pours; the rich getting richer while the poor fall deeper into poverty. Growth, while achievable under extractive institutions, isn't sustainable under the same circumstances, the authors argue, an observation that hardly offers reassurance to those concerned about growing inequality worldwide. At the same time, there is a ray of hope: as Acemoglu and Robinson note, "neither the vicious nor the virtuous circle is absolute." It is possible, in the pair's view, to effect meaningful change to extractive institutions on the heels of particularly disruptive or revolutionary events, what the two label "critical junctures," like the Black Death or the Industrial Revolution. Most contentious of the authors' findings, perhaps, is their assertion that China's growth will not only slow from the breakneck pace that has characterized its development over the past several decades but will gradually stall out unless accompanied by political reform. All of their findings though, whatever their character, are of tremendous import for the conversation on international economics, and *Why Nations Fail* is a valuable book to pick up not just for exposure to hot topics in development but for a more serious engagement with one particularly powerful vision of the mechanisms behind them.

The work's strong points aside, there are nits to be picked, some small, some larger. For one, in addressing itself to a lay audience the book necessarily handicaps itself; the statistical analyses undergirding many of the authors' claims are consigned to references in the book's length bibliographic essay. That isn't to say that the book doesn't make its argument well; it does, but it does so rhetorically, by way of anecdote. Also problematic is the sometime slipperiness of what the Acemoglu and Robinson mean by inclusive and extractive institutions, particularly given the work's broad time frame; institutions that were inclusive in the context of the Glorious Revolution are, in relative terms, extractive as compared to modern Western democratic structures. Although the authors likely intended that inclusive and extractive be considered in gradations, their use of the terms as quasi-absolute adjectives sometimes makes their examples seem like anachronistic judgments. Finally, there is China, something of a fly in the ointment for the pair at a theoretical level. As mentioned above, Acemoglu and Robinson characterize China's extraordinary growth as founded on fundamentally extractive institutions, and therefore as unsustainable; at the same time, their account doesn't fully explain how exactly those extractive institutions worked to produce such atypical growth. As to whether China's growth will eventually collapse, the verdict will likely be out for some time. Until then, perhaps the weight and force of the authors' remarkable argument ought to spare them that criticism.

Finishing *Why Nations Fail* is satisfyingly final; the book is as exhausting as it is exhaustive. Were the authors' arguments less

thorough, it would be tempting to convict Acemoglu and Robinson of grandiosity in their case for a “Theory of Everything” of global inequality. It does, after all, take gumption to dedicate just 25 pages to “Theories That Don’t Work,” as one of the book’s chapter heading labels them. Some reviews have taken such a tack, albeit mildly; judgments on the work range, for the most part, from “great” to “very good, but let’s not get too excited here.” Audacity notwithstanding, Acemoglu and Robinson’s ambition here is entirely welcome, an encouragingly bold attempt to get right to the heart of the thorny questions that wreath discussions of global inequality. That *Guns, Germs, and Steel* author Jared Diamond, whose geographic account of wealth differences is heavily criticized in the book as exactly one of those errant theories, was willing to provide a nonetheless glowing blurb for *Why Nations Fail* is testament to just how convincingly the authors make their case for their perspective on political economy. The ideas catch and resonate remarkably, and ought to inform any casual discussion of international inequality. At length and in depth, *Why Nations Fail* is a book worth reading.

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The question “who is to be blamed” wafts uneasily through the entire tapestry of Changez’s tale. *The Reluctant Fundamentalist*, by Mohsin Hamid, leaves the reader disturbed and questioning. Why does Changez adopt the rabid path that he does? Who really is the quiet and muscular American sitting across the table from Changez, sharp and cautious, with a metallic object by his chest, for which he repeatedly reaches upon sensing a threat? Who is the waiter, formidable and terse, serving Changez and the American at the café, and why does he seemingly pursue them through the dark alleys of the Pakistani city of Lahore? And what happens after the novel ends, late at night, as the waiter signals to Changez to stop the American, Changez cryptically pronounces—“we shall at last part company”—and the American reaches for the metallic object under his jacket?

The novel, a dramatic monologue, follows Changez from Pakistan to America and back to Pakistan. Changez recounts his tale when he sees an American at a Lahore café and initiates a conversation with him. Born and brought up in Pakistan, Changez matriculates at Princeton, graduating *summa cum laude*. He begins work, thereafter, with a dauntingly selective and boutique valuation firm, Underwood Samson, based in New York. Just as his professional career is about to start, he forms an intimate friendship with the enchanting

and well-placed Erica. Content both financially and socially, Changez is enthusiastic about his new life as a New Yorker. But then, as he is in Philippines on a work trip, 9/11 happens.

It seems odd, perhaps, to review today a book published in 2007. Revisiting *The Reluctant Fundamentalist*, however, is instructive. Examining Changez’s political trajectory following 9/11, for example, is increasingly important given the continued challenges America faces in the War on Terror, and in its engagement with the Muslim world. Reassessing the novel seems necessary not least as we try to find answers to the tempestuous relations between the United States and Pakistan. The novel itself has gained remarkable fame: American universities, including Georgetown, Tulane, and Washington University in Sr. Louis, have encouraged entire incoming classes to read the book. It is presently being adapted into movie form, which will vastly increase the number of people acquainted with Changez’s story. With all the attention that has been awarded to the novel, one wonders as to the political message being extracted from the story. Reviews worldwide have been adulatory towards the book’s literary merit. Without question, the prose is crisp, understated, and charming.

Alarming, though, is the sympathy that several respectable reviewers have accorded Changez. Is it not rather charitable and mislead-

ing of *Kirkus Reviews* to note that the novel is a “grim reminder of the continuing cost of ethnic profiling, miscommunication and confrontation?” These practices may all be questionable undertakings, but they are not the subject of the novel. *The Daily Telegraph*, likewise, notes that the novel is “a microcosm of the cankerous suspicion between East and West.” It isn’t. *The Reluctant Fundamentalist* is about the twisted, self-righteous, simplistic, and self-serving political path that Changez adopts. He isn’t a “reluctant” fundamentalist. Rather, he is a fairly deliberate and self-deluding one.

MISPLACED HAUTEUR

Changez feels betrayed by America in the aftermath of 9/11. Manhattan, which had always seemed welcoming to him, and its crowds, in which he had always found a place and felt at ease, suddenly began to seem to accuse him. Suddenly, he became the target of racist slurs. As America prepared for military retaliation in the Afghanistan-Pakistan region, he began to feel even more discomfited. By working in American high finance, was he implicitly serving as an agent for the expansion of American empire, he wondered. Was he, by working in Wall Street and indirectly financing the American military, waging a war against his own family and friends in Pakistan? He felt betrayed, furthermore, by Erica, the American girl he loved, but who withdraws to a clinic to contend with a chronic psychological battle. Soon, as the once uplifting American winds seemed suddenly to reverse their course towards him, Changez begins to further identify

as a Pakistani. He decides to abandon his job in New York and returns to Pakistan. In Lahore, he becomes a university lecturer, an advocate for anti-Americanism, and an inspiration for oft-violent political rallies.

Changez’s rationale for becoming fundamentalist is contemptible. He wrongly reduces the contemporary political context to a binary—that he could either continue with his New York job and thereby side with America, or abandon America and return to Pakistan. As various inspiring real life accounts attest, these were not the solitary options available to a Pakistani and a Muslim in the aftermath of 9/11.

Pakistan’s current Ambassador to the United States, Sherry Rehman, is a forceful example of the courage and thoughtfulness that has inspired many Pakistanis to meaningfully develop and strengthen Pakistan, particularly after 9/11. Ambassador Rehman has worked towards increasing the autonomy of Pakistan’s media from the army, politicians, and religion, and towards enhancing the quality of its journalism. She has fought for women’s rights and against home-grown terrorism. Recently, on February 15, 2012, she noted in a speech at the US Institute for Peace that terrorism from Pakistani extremists at home was as much a breach of Pakistan’s sovereignty as an intrusion from another country might be. One may choose to dismiss Ambassador Rehman as an outlier, an elite exception, or as superficially preaching modernity and liberalism. There are, though, various other inspiring people working at the Pakistani grassroots. One example is Shahnaz Bukhari, head of the Progressive Women’s Association in Pakistan. Among various endeavors, a crucial issue for which Mrs. Bukhari has advocated is the empowerment of

victimized women, especially in the face of the hundreds of “acid attacks” Pakistan has witnessed over recent years. Rejected suitors and offended husbands, in seeking to uphold some twisted conception of honor, have taken to slewing acid over women’s faces, leaving them disfigured and often blind. Ordinary individuals such as Mrs. Bukhari seek legal, psychological and medical recourse for victims of such attacks. There are hundreds of other Pakistanis who, like Ambassador Rehman and Mrs. Bukhari, have worked more effectively towards strengthening Pakistan than have the likes of Changez.

Extremist groups in Pakistan, nevertheless, continue to insinuate that to be a patriotic Pakistani, one must fight for Jihad and defeat America. They adopt what we might call a Changezian view. A wry joke among scholars of South Asia is that the three chief sources of trouble for Pakistan—all starting with A—have been the Army, Allah, and America. Such an assessment may or may not be correct, but it is clear that Changez singularly accuses America (and tangentially India) for Pakistan’s problems. He takes a chilling pride in the nativism prevalent in parts of his country. In addressing the American, he says with not insignificant hauteur that none “of these worthy restaurateurs [in the Lahore bazaar] would consider placing a western dish on his menu.”¹ He states rather glibly that Pakistanis “were not the crazed and destitute radicals you see on your television channels but rather saints and poets.”² However, he hardly helps the country by himself acting the radical.

‘SMILER WITH THE KNIFE’

One could be forgiven for thinking that Changez’s rationale for his actions is too abundant with conundrums and contradictions for a Princeton *summa cum laude* graduate. After 9/11, it wasn’t, as he suggests, only America that decided to wage war on the Taliban and Al-Qaeda, but a union of diverse countries with support from around the world. He is critical of America’s inhumanity in collaterally harming innocent people around the world, but is above expressing sorrow for the lives lost on 9/11. On the contrary, he recalls that he smiled as he saw, on television, the Twin Towers fall. Even as he meditates on America’s foibles around the world, he does not deign to consider the identity of the 9/11 perpetrators, and by what coincidence they had been in Pakistan and Afghanistan before 9/11. He complains, with breathtaking cynicism, of how India and America together sought to harm his country following the attack on the Indian Parliament, three months after 9/11; yet, he fails, again, to consider that the men behind this attack were from Pakistan. He levels the contention that the American “flag invaded New York after the attacks; it was everywhere.” Well, one might ask, “So what?” And, further, “Why not?” After all, New York was the focus of the destruction that September morning. A country was shaken. Is it not natural to become patriotic at such a time? Is it inconceivable for a country to come together around its national symbol, the stars and stripes, at a moment of tragedy?

Changez’s actions betray, as well, a deep lack of gratitude. It was in America that he received a remarkable education, with financial aid; as he recounts to the American

¹ P.101
² P.102

at the Lahore café, “Princeton inspired in me the feeling that my life was a film in which I was the star and everything was possible. *I have access to this beautiful campus, I thought, to professors who are titans in their fields...*”³ It was in America that he was able to earn \$80,000 as starting salary. But with 9/11, at a time when America was most vulnerable, he turned on the country that had given him so much. He isn’t, in light of his various shortcomings, a *reluctant* fundamentalist, as he so luxuriously and conceitedly considers himself. A more accurate appellation, in Chaucer’s chilling words, would be “the smiler with the knife under the cloak.” His English is sweet, he is intelligent, as well as somewhat agreeable; but his unthoughtful assessment of America, his host country, leads him to become unwarrantedly adversarial towards it.

CONCLUSION

The reader is disappointed with Changez because as a young and well-educated Pakistani who has experienced American life, he is uniquely placed to encourage moderation and engage critically in the post-9/11 debate. At a time when most in his country saw the conflict as a zero-sum situation, he could have argued for positive-sum solutions, fighting for ideals and not simply the home government. Many, indeed, have striven to do so since then. But Changez failed.

The problem with his politics is clear: he fails to hold his homeland, Pakistan, and himself to the same standards and expectations to which he holds America. A book review by *The Guardian* questions Changez the most pointedly: “By

what higher personal virtue does Changez presume to judge? ... one expects Changez’s opposition to America to be founded on some morally superior alternative set of values.” But he hardly provides anything by way of a suitable alternative.

His exclusivist posture of fighting for Pakistan and against America contradicts, further, his more complex identity. For instance, he casually tells Erica that since “alcohol was illegal for Muslims to buy... I had a Christian bootlegger who delivered booze to my house.” He does drink, so in a sense he cannot be a Pakistani, for Pakistan is an Islamic state, and Islam does not permit alcohol. In a similar conundrum, he is encouraging of women sunbathing with the sparsest of garments. It would be beyond the most sporting of imaginations to see such a view as consistent with traditional Pakistani culture. Such a conflict between strict Islamic ideals and his more eclectic identity should have suggested to him that the puritanism he decides to embrace could not be the answer. As many renowned Pakistani scholars, such as Najam Sethi, have argued, it is in Pakistan’s interest to honestly examine its own shortcomings, rather than seek to apportion blame abroad. Pakistani youth should understand that they have a more fulfilling and effective alternative to a blind alliance with the most extreme interpretations of Pakistan’s national interest, which inevitably tend to espouse excessive militaristic and religious vigor.

None of the criticism directed at Changez and others like him should diminish the blame that many Americans deserve for their particular expression of anger in the aftermath of 9/11. Actions such as the targeting of Muslim taxi-driv-

ers and the subjection of American Muslims to racist slurs were and are inexcusable.

But the question remains: who is to be blamed? While there is, of course, no single answer regarding the larger political milieu in Afghanistan and Pakistan, within the novel there is no doubt regarding Changez's culpability. His "reluctance" is too convenient, too self-satisfying. No one had forced him to work in American finance. He chose to. And if he believes that doing so made him an agent of American imperialism, he has only himself to blame.

One might contend that Changez is a fictitious character and that his views do not mirror modern conditions in mainstream Pakistan. Current events, however, suggest that those emulating his example are active and abundant. Most astounding, in this regard, are the events surrounding Dr. Shakil Afridi. Afridi, a Pakistani citizen, allegedly helped America with locating and identifying Osama bin-Laden. Yet the Pakistani state, instead of felicitating him for having assisted with the capture of a terrorist, is currently working towards charging him with treason. So what, the state seems to be asserting, if the doctor helped kill the man who is responsible, directly and indirectly, for hundreds of Pakistani and other deaths? He is guilty, nonetheless, of having helped the Americans! Changez would approve.

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