The Interdisciplinary Journal of International Studies

IJIS

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EDITORIAL BOARD, 2011-2012

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PREFACE

This 8th volume of *The Interdisciplinary Journal of International Studies (**IJIS**)* is a product of the continuing revitalization process that the journal has undertaken since 2010. Very significant recent developments in this process are the ***IJIS'*** successful listing in the Directory of Open Access Journals (DOAJ), its subsequent earning of a SPARC Europe Seal, and its procurement of a Creative Commons license. Its listing in the DOAJ means that **IJIS** is recognized as a 'free, full text, quality controlled scientific and scholarly journal'. Earning the SPARC Europe Seal for Open Access Journals allows **IJIS** to have, *inter alia*, 'long-term archiving of content' and 'better exposure as a high-quality journal based on state-of-the-art dissemination technologies'. Having a Creative Commons license means that **IJIS** is 'approved for free cultural works'. Of course, these achievements have been made possible by the commitments and generosity of many people—current students, alumni, and faculty members—to whom we express our sincerest gratitude and appreciation.

For this issue, we thank those who submitted their papers and also congratulate those whose papers have been accepted for publication, particularly for their patience and enthusiastic reception to the review process, critical comments, and important suggestions from the faculty reviewers and editorial team. The peer reviews of submitted papers have been conscientiously and generously done by faculty members from three Departments at Aalborg University, namely: Culture and Global Studies, Political Science, and Development and Planning. Based on their reviews, advice, and recommendations, this year's **IJIS** is publishing two sets of papers: *articles* (i.e., research-based analyses contributing to the field of international studies) and *essays* (i.e., attempts to study and understand particular themes, topics, or problems). The accepted ***articles*** are:

- 'From Potential to Contribution: The Effect of Government Policies on the Development Potential of the Bosnian Diaspora in Germany' by Puck Graafland;
- 'The Reproduction of Neoliberalism and the Global Capitalist Crisis' by Bonn Juego;
- 'State Control Policies and the Path Towards Ethnic Cleansing: The Case of the Palestinian Arab Bedouin in Israel' by Kamil Qandil, Nicolò Di Marzo, and Katherine Walkiewicz;

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- 'Aid Effectiveness in the Democratic Repulic of Congo: A Case Study Investigating the Factors Influencing Ineffective Aid' by Meghan Kathryn Reardon, Marianne Nørgaard Jensby, Jens Boesen, Mengxi Tian, and Stepan Malinak; and
- 'The Clean Development Mechanism and Its Failure in Delivering Sustainable Development' by Birthe Vichit Petersen and Kamille Bollerup.

The reviewers have also recommended the following *essays* for publication:

- 'The Existentialistic Premise of the Thermonuclear Dilemma' by Andreas Aagaard Nøhr;
- 'Why is the resettlement in a third-country the chosen solution by the Bhutanese refugees? A personal answer to a political problem' by Nicolò Di Marzo and Shiba Chapagain;
- 'Strategies Implemented to Stop FGM/C: A Case Study of Kenya and Ethiopia' by Esther W. Waweru; and
- 'Manufacturing Consent in the Age of YouTube: The Case of Kony 2012' by Jonas Ecke.

The completion of this issue has benefited immensely from the great editorial assistance of Dave Allington, Henrik Skaksen Jacobsen, Larissa Mansfield, Andreas Aagaard Nøhr, Viviana Pădurean, and Meghan Reardon. Likewise, special thanks to the thoughtful and solicitous editorial advice from the faculty members, especially: Torsten Rødel Berg, Ole Gunni Busck, Jacques Hersh, Peter Hervik, Martin Bak Jørgensen, Diana Højlund Madsen, Mammo Muchie, Jens Müller, Bjørn Møller, Helene Pristed Nielsen, Henrik Plaschke, Johannes Dragsbaek Schmidt, and Trine Lund Thomsen.

Finally, the *IJIS* Editorial Team for the period 2010-2012 wishes the upcoming and future editors and authors very well. We believe that they will get the same kind assistance, warmth, and generosity that we have received and cherished from the faculty members during the last couple of years of our stint working for the *IJIS*. We have been through challenging, yet meaningful, learning years that have significantly added to our professional and life experiences. Thank you so much for this distinctive opportunity and unique experience.

On behalf of the *IJIS* Editorial Team:

Bonn Juego
Aalborg, November 2012

From Potential to Contribution: The Effect of Government Policies on the Development Potential of the Bosnian Diaspora in Germany

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ABSTRACT. The diaspora of Bosnia and Herzegovina currently consists of an estimated 38,9% of Bosnia's entire population. Together they provide for 13-20% of Bosnia's national GDP by consistently sending money to family and friends at home. They thereby actively contribute to the socio-economic development of their home country. Nonetheless, there are clear signs that the fulfilment of the existing potential would be much higher if national policies that actively support and assist Bosnian diaspora contribution would be in place. Research on the Bosnian contribution environment is, however, largely absent, predominantly due to the fact that the overwhelming majority of the literature view the Bosnian diaspora as former refugees who have not (yet) returned, instead of as a permanent diaspora that can function as 'agents for development'. This study aims to fill this gap and provide a first cautious step towards an overview of the most salient issues in the Bosnian-German migration and development environment. By applying Brinkerhoff's model of enabling government roles, this paper argues that a lacking diaspora policy on the side of Bosnia and the restrictionist immigration and refugee policies of Germany form major obstructions to effective home country development contributions of Bosnian migrants in Germany. Hollifield's theory of the 'liberal paradox' and Delgado Wise and Márquez Covarrubias' approach on 'northern dominance' further explain why national and international politics shape the presence of such policies, despite their obstructing effects on diaspora contribution.

Introduction: The Development Potential of Diasporas

With growing right-wing, popular, anti-immigrant sentiment currently strengthening its grip on many European countries with sizeable immigrant populations, there is a dire need to look at the positive impact of diasporas worldwide. Apart from the long-recognized contributions that migrants make to their host countries, academics and politicians in migrant sending and receiving countries, non-governmental organisations (NGOs), and international organisations have, for several decades,

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increasingly acknowledged that migrants also provide the possibility of contributing to the socio-economic development of their countries of origin. In this way, migration and development domains have increasingly been linked in both the growing academic and political fields in order to analyse the negative and positive effects of migrants on their home countries. During the last two decades there has been an immense increase in money sent by migrants to developing home countries, from $31.1 billion in 1990 to $76.8 billion in 2000 and $325 billion in 2010, which has led to a renewed interest in migration and development (de Haas 2007; World Bank 2011). These so-called remittances are an important reason for migrants to be viewed as 'agents for development', since their financial contributions have shown to have a positive, direct impact on poverty alleviation (Faist 2007). Hence, following these good results, other forms of diaspora contribution, such as the transfer of knowledge and skills (human capital) and networks (social capital), extend the migration development potential and spur worldwide interest from both migrant sending and receiving countries.

However, upon recognizing this potential, the question arises whether the migration and development potential is being fulfilled and what the conditions are for diasporas to effectively contribute to their home countries. One way to formulate that the potential is not fulfilled is when one can identify people who have expressed their interest and have the ability to contribute but are not engaged in doing so. More and more national and international bodies pay attention to the question of how to create an enabling environment with conditions that facilitate the potential of diaspora contribution as much as possible (Brinkerhoff 2012). Even though there are a number of structural conditions that are subject to forces that are out of national reach, such as global economic relations, there is also a large part that is directly shaped by the national government. National government policies, in part, have the ability to create or at least influence the conditions that shape an enabling environment for diaspora contribution. De Haas (2007) even claims that "if states fail to implement general social and economic reform, migration and remittances are unlikely to contribute to nationwide sustainable development" (p. 25). The development effect of migrant contributions is hence conditioned by the government policies of the migrant sending as well as the receiving country – meaning, that the contribution potential of migrants is fulfilled to a higher degree when facilitating government policies are in place (Valenta and Ramet 2011). Some scholars do not only recognise the causal link between the national government and diaspora contribution, but moreover argue that the state carries a responsibility to support this contribution potential. For example Bakewell (2008), and Castles and Delgado Wise (2008) argue that a key responsibility lies with the government to provide 'an appropriate legislative framework' and play a proactive role in setting up institutions and programs to facilitate migration and development.

The contribution environment of diasporas differs for each single case. Among many factors, this also has to do with the attention that is given to the topic of migration and development in a certain country. In the case of Bosnia and Herzegovina[1], the interest for this issue is largely shaped by its recent war history. Partly due to this destructive civil war that took place in Bosnia between 1992 and 1995, one third of its current population lives outside Bosnian borders. Over the last two decades, many of the refugees that resulted from the war have stayed, integrated, and some have even adopted new nationalities (Valenta and Ramet 2011). Nevertheless, to many, Bosnia still bears the image of the war-torn country, and literature on the Bosnian diaspora in many cases still perceives the diaspora as former refugees who have not (yet)

returned, instead of as a permanent diaspora. As a result, the recognition of the potential of the large Bosnian diaspora to function as 'agents for development' develops only slowly. Literature that analyses the Bosnian diaspora contribution environment in general is highly insufficient, and on the Bosnian diaspora in one of the most important destination countries, Germany, is lacking completely. This paper therefore aims to take a first step in filling the large literature gap that currently exists on the development contribution environment for Bosnians, and specifically for the Bosnian diaspora in Germany. This study examines which effects Bosnian and German government policies have on the development contribution potential of Bosnian migrants in Germany and why effective contribution facilitating policies are lacking.

Primary sources such as policy papers and German and Bosnian government documents provide the basis of this paper's data resources. Furthermore, since Bosnian government institutions such as the embassy in Germany and the relevant ministries provide for a very limited amount of official sources (in English), secondary data—including expert information—has also been put to use. Official correspondence with the Bosnian Ministry of Human Rights and Refugees provided missing information on Bosnia's official stance towards migration and development and its diaspora policy. Additionally, two Bosnian researchers based in Sarajevo have, based on previous unpublished academic research, contributed further detailed information and provided insights for further analysis. Apart from the lack of information on Bosnian diaspora policy, data on the Bosnian diaspora in Germany in particular is also scarce. Two academics based in Germany who have conducted research among this diaspora community, albeit on a different topic, were able to provide information on the research population via personal correspondence and an informal interview with one of the scholars.

Framing Effects of and Explanations for Government Policies

In order to analyse the role of the government in diaspora contribution, the question that consequently needs to be asked is which government approach and government policies are actually necessary to enable and facilitate diaspora contribution. When this benchmark is established, the effects of an imperfect policy situation on diaspora contribution can be analysed. The following three theories provide this benchmark, as well as a framework that guides the analysis of why such policies are in place. Due to a gap in theories that specifically focus on the migration and development field, development theory and the political approach within migration theory provide for a theoretical basis for this paper's research.

Brinkerhoff (2012) has developed a framework on the role of the government in diaspora contribution, which aims to outline which actions governments can and should take to create an enabling environment for diaspora contribution to the development of the home country. The framework proposes five government-enabling roles: mandating, facilitating, resourcing, partnering, and endorsing. Mandating refers to the legal and regulatory framework that affects diasporas and the general political and socio-economic development of the sending country that support a general, developing environment. A government's facilitating role provides incentives for diasporas to contribute, through active government support. Creating government agencies to connect with diasporas, support in improving diasporas' living conditions abroad, and creating inter-diaspora networks can all lead to providing the conditions

for migrants to get involved in homeland contribution. Resourcing is mainly aimed at providing public funding and financial incentives for diasporas to engage in financial contributions such as remittances and foreign direct investment. In partnering, a partnership based on mutual interest is established between the government and diaspora organisations. Lastly, the role of endorsing points to the recognition by the government of the value that diasporas are to the homeland.

In the model these government roles are then applied to Uphoff's model on the access to power resources, government strategies of the diaspora option, and government agencies involved (locus). For the clarity of the argument, in this paper the government roles are only combined with Uphoff's access to power resources in order to analyse the effects of German and Bosnian policies on migrant development contribution to Bosnia. Uphoff argues that diaspora contributions are facilitated when diaspora members have access to five types of power resources: "economic, social (social status based on social roles or on complying with socially valued criteria), political (ability to influence the exercise of authority), moral (perceived legitimacy of actions), and informational"[2] (in Brinkerhoff 2012: 78). Government policies of both the sending and the receiving country can enable diasporas' access to these power resources, be neutral, or pose barriers to them (Wescott and Brinkerhoff 2006). When applied to Brinkerhoff's government enabling roles, certain government actions can actively provide support to access power resources and hence facilitate diaspora's ability to contribute.

Whereas Brinkerhoff only applies her model to the sending country, the application of Uphoff's power resources enables the model to be extended to the receiving country as well, as this paper will aim to demonstrate. For the use of the model in practice, Brinkerhoff (2012) calls attention to a number of cautions. Firstly, the author remarks that even though it might be desired, governments are not necessarily always the most enabling partner. Secondly, not all governments may be as welcoming to the interference of their diaspora communities abroad. Especially where it concerns political influence, governments may view their diaspora as a threat, posing the ability for fuelling political opposition. This can especially be the case for countries with a history of intra-ethnic conflict, such as Bosnia. Thirdly, diaspora involvement does not necessarily benefit the society as a whole but may only selectively aid some individuals or families. Even more, the government could feel that diaspora contributions counteract the priorities of international organisations and government programs and thereby undermine other sources of aid. Lastly, this model presumes the unquestionable right to access of power for diasporas. For governments, the diaspora can be seen as an extra interest group next to the local residents who are just another group looking for power and resources (Brinkerhoff 2012). All together, these caveats may explain why certain policies are in place, specifically on the side of sending country Bosnia.

When analysing receiving countries' policies, and in specific immigration policies, Hollifield provides a theoretical basis. In the field of migration and development Hollifield (2000) recognises three major themes: national security, citizenship, and control in the meaning of "the role of the nation-state in establishing rules of entry and exit" (p. 185). Based on these three themes is Hollifield's theory of the _liberal paradox_, which aims to explain the difficulty that lies with liberal democratic states in the regulation of immigration. The liberal paradox holds that there are two opposing powers of national immigration interest. The first is an economic liberal interest of openness, recognising the need for cheap foreign labour. Simultaneously, the pursuit of protecting national security produces a political interest of closure. These two

conflicting national interests shape immigration policy to a large degree (Hollifield 1992) and help to explain German immigration policies.

  The focus on security and control in the migration and development field can be explained by the approach of Delgado Wise and Márquez Covarrubias on northern dominance. This approach argues that the migration and development field is dominated by the northern hegemony of rich, northern countries and international bodies ruled by those same northern countries. Consequently, rich, receiving countries hold the ability to shape both the debate and set migration and development regulation (Castles and Delgado Wise 2008). The result is that an asymmetric relationship exists between the sending and the receiving country, in which the former is subordinate to the interests of the latter. Also, at an international level, migrant sending countries are dependent on international bodies dominated by the northern hegemony (Delgado Wise and Márquez Covarrubias 2010). This approach helps to explain the bilateral relationship between Bosnia and Germany and the effect of international regulation on Bosnian policy.

The Diaspora Contribution Environment of Bosnians in Germany

In 2010, official accounts recorded a flow of remittances that reached USD 2.2 billion[3], sent by Bosnian migrants all over the world to friends and family in Bosnia. This was six times more than the amount of foreign direct investment and three times the amount of official development aid that Bosnia received. Bosnia places number fifteen on the world list of remittance-receiving countries in relation to GDP, with remittances making up 13-20% of Bosnia's national GDP (Oruč 2011; World Bank 2011). Not surprisingly, Bosnia is also one of the leading migrant 'exporters' in the OECD countries (Nikolić, Mraović, and Ćosić 2010). With currently about 1.46 million Bosnians living abroad, its diaspora consists of an estimated 38.9% of Bosnia's entire population (World Bank 2011). Nikolić et al. (2010) argue that during the EU accession process, this migration trend is likely to continue and even increase.

  One can conclude from this brief picture that Bosnia is a country that has a big potential to put its (very large) diaspora population to use to positively contribute to the development of Bosnia. As the European country containing the highest number of Bosnian migrants (approximately 240,000) except for Croatia, Germany is an important source of remittances to Bosnia (Ministry of Security - Immigration Sector 2011). Hence, the Bosnian migrants in Germany form an important contribution potential to Bosnia. However, for such a development potential to be fulfilled, effective facilitating policies from above are vital (Brinkerhoff 2012). With 10.8 million immigrants, Germany ranks number three on the world list of migrant destination countries, after the USA and the Russian Federation. Being one of the most prominent immigrant countries in the world, its immigration policy receives much attention both at a national and an international level (Bundesministerium des Innern [BMI] 2008; World Bank 2011). Therefore, to combine Bosnia's extraordinary diaspora potential with Germany's attention to immigration policy forms a relevant and unique case study on the effect of both migrant sending and receiving government policies on diaspora contribution. This paper attempts to provide a first cautious step towards an overview of the most salient issues in the Bosnian-German migration and development field. It will thereby mostly concentrate on German immigration and Bosnian diaspora policies, as a way to create a picture of the German Bosnian diaspora population and its development contribution environment.

To gain a background picture of the research population at focus, first the context and the general characteristics of the Bosnian diaspora in general and in Germany in particular will briefly be outlined. Subsequently, the most important Bosnian and German policies and their effects on diaspora contribution will be discussed, thereby focussing on three main policy fields. Lastly, an explanation will be sought as to why these policies are in place.

Bosnia and its Diaspora (in Germany)

With an unemployment rate of 70% among the youth (aged 18-30), it is not surprising that many young Bosnians view their future possibilities abroad (IOM and IASCI 2010:129). While Bosnia still experiences the aftermath of the destructive civil war that took place between 1992 and 1995, its economic growth rates can be called 'decent' but still a little lower than other nations at a similar stage of development (Jakobsen 2011). However, during the last couple of years its economy has stagnated and poverty levels are also considerable, with an estimated 17.8% of the population living below the poverty line (Ministry of Security - Immigration Sector 2011). It is very likely due to those reasons that Bosnia is currently an emigration country, with 20,000 people moving to an EU country each year, versus approximately 9,500 immigrants (ibid.). Estimations of the total number of Bosnians living abroad vary between 1,350,000 (the Bosnian Ministry for Human Rights and Refugees) and 1,461,000 (according to the World Bank) (ibid.). It is, however, very difficult to know whether these numbers are accurate, due to the different identification criteria and definitions of migrants, as well as the varying nature of statistical sources in the various host countries (Valenta and Ramet 2011). Nevertheless, what is certain is that, even though exact numbers are not available, the Bosnian diaspora accounts for a considerable share of the Bosnian population.

An important characteristic of the Bosnian diaspora is its division along ethnic lines. The Bosnian population distinguishes between three ethnicities: Bosnian Croats, Bosnian Serbs, and Bosnian Muslims, also known as Bosniaks. This ethnic division is consolidated in the political structure as laid down under the Dayton Peace Agreement in 1995, which consists of two separate entities: Republika Srpska and the Federation of Bosnia and Herzegovina, with a weak central authority at the top. Republika Srpska is mostly inhabited by the orthodox Bosnian Serbs, whereas the catholic Bosnian Croats and the Muslim Bosniaks mainly live in the Bosniak-Croat Federation (Jakobsen 2011). While abroad, this ethnic division often continues to exist among Bosnian communities, of which many are organised on the basis of ethnic belonging. Bosnian Serbs and Bosnian Croats, who constitute the minority of the Bosniak-dominated Bosnian diaspora, are often more attracted to Serbian and Croat migrant communities respectively than to mixed or Bosniak-dominated Bosnian organisations (Valenta and Ramet 2011). Some argue that this heterogeneity undermines internal solidarity among the diaspora and reinforces ethnic divisions (ibid.).

The approximately 240,000 Bosnians that currently live in Germany arrived in roughly three phases. During the decades before the war and particularly in the 1960s and 1970s, tens of thousands of Bosnian builders, craftsmen and entrepreneurs emigrated with the help of *Gastarbeiter* (guest worker) programs to work in Germany (ibid.). At the outbreak of the war in 1992, large refugee streams resulted in a total number of 320,000 Bosnians that fled to Germany. While the largest share of refugees repatriated after the signing of the Dayton Agreement in 1995, new waves of

economic migrants immediately followed, with mostly young people searching for better educational and economic opportunities (Ministry for Human Rights and Refugees 2008). Although no clear data exist on the exact legal status of every individual Bosnian case, what is at least clear is that up until 2009, 83,000 Bosnians have obtained German citizenship, and from 2002 no Bosnians in Germany hold refugee status anymore (Ministry of Security – Immigration Sector 2011).

In a report based on information of the Bosnian embassy in Berlin, the Bosnian Ministry for Human Rights and Refugees claims that many, of which mainly highly educated, Bosnian migrants do not participate in migrant organisations, although a wide variety of Bosnian organisations exist in Germany. The majority of these clubs and associations are related to sports, religion, or the preservation of a local or regional culture. Also in Germany many, albeit not all, associations are organised on an ethnic basis and many Bosnian Croats and Bosnian Serbs are involved in the national Serbian and Croatian associations in Germany (Ministry for Human Rights and Refugees 2008). There is no statistical information on exactly how many migrants are engaged in such diaspora organisations, as such networks often work informally and their existence and size highly fluctuate (Bundesministerium des Innern [BMI] 2008). Apart from engagement with fellow Bosnians via migrant associations, other forms that contribute to maintaining the connection to the homeland are radio broadcasts[4] and websites with news from Bosnia and the rest of the world.[5] Furthermore, satellite TV channels and Internet portals form an important source of information and connection with the country of origin (Ministry for Human Rights and Refugees 2008). A quick search on the Internet brings about a number of forums where (mainly young) Bosnians who live in Germany discuss a wide range of topics, using both the German and the Bosnian language. Themes range from inter-ethnic marriages to generational conflicts, where it often concerns the integration in German society. However, when compared to, for example, the Serbian diaspora (which is twice the size of the Bosnian diaspora), Bosnian broadcasts and news websites are far less widespread and not as organised.

There are no existing data on exactly how many of those German-Bosnian migrant organisations are involved in some form of development contribution, nor to which degree Bosnians in Germany are individually engaged in any form of capital transfer to Bosnia. However, Dimova (informal interview, 3 March 2012) notes that during her research she found that there is a widespread network among Bosnian migrants in Germany, but that these have mainly social aims rather than philanthropic goals. Also on an individual basis, Dimova notes that there seems to be little involvement in contributing to Bosnia. However, the World Diaspora Association of BiH states on its official website that they aim to serve the interests of the diaspora as well as their home country (World Diaspora Association of BiH 2012). Moreover, they declare their dedication to the transfer of knowledge and experience in a process of cooperation, where they find the possibility (ibid.). Furthermore, the Bosnian Ministry for Human Rights and Refugees (2008) claims that there are many highly educated Bosnian migrants who do not have the time to engage in associations, but have expressed their willingness to cooperate with institutions within their respective professional field in Bosnia. To what degree such individual cooperations exist in practice can be questioned. Nikolić et al. (2010) argue that presently "the BiH highly qualified diaspora presents a largely untapped brain gain potential for the country" (p. 33).

One form of diaspora contributions that is more visible than human and social capital is the transfer of financial capital. According to a 2010 survey among 1.216 long-term

Bosnian migrants worldwide, 67,3% of Bosnian migrants in European countries indicated that they transfer money to BiH. Furthermore, the survey concluded that the overwhelming majority (81,3%) of financial remittances are sent through informal channels, since formal channels such as banks and money transfer operators (MTOs) like Western Union are considered too expensive. In line with international remittance trends, Bosnians abroad predominantly transfer money with the aim of supporting family and friends, and only a minority intends to use this money for saving, investment in a business, or to buy a house (IOM and IASCI 2010). Of all survey respondents only 6% indicated that they have invested in Bosnia, and another 6% that they kept savings in their home country (ibid.). According to Jakobsen (2011), these two sources of income are exactly what is necessary for economic growth to flourish in Bosnia now that, 17 years after the end of the war, the amount of monetary aid is decreasing. Remittances primarily fill this gap, but many question whether they have any positive effect on the Bosnian economy. Several studies note that there is some evidence that remittance flows have helped and continue to positively contribute to poverty alleviation (Jakobsen 2011). Nonetheless, the same studies also argue that remittances alone cannot bring about long-term sustainable economic development if flows of savings and foreign direct investment fail to increase (ibid.).

Taken all together, there are considerable indications that the potential and willingness for the transfer of financial, human and social capital among Bosnian migrants worldwide and in Germany is currently not put to full use. The question then arises, why is this the case and which factors are obstructing larger Bosnian migrant development contribution engagement?

The Effects of Bosnian and German Policies on Diaspora Contribution

There are a varied number of policies that affect migrant contribution either directly or in more indirect ways. In this paper, government policies and measures are chosen that form the most salient points in German Bosnian migrant contribution, according to the characteristics of the chosen case study. Consequently, this study identifies the following three fields of government policies and measures:

I.   Policies on the general development environment of the sending country;
II.   Policies and initiatives on framing a migration and development policy;
III.   Policies that directly affect the mobility of capital or people.

The chosen structure of policy division coincides up to a certain degree with Brinkerhoff's five government roles. The role of mandating loosely overlaps with policy field I, whereas facilitating is discussed in field II, and resourcing in field III. The other two government roles of partnering and endorsing are not separately discussed, but instead are part of the three policy fields mentioned above.

I. Policies on the Bosnian Economic and Political Environment

After a recovery period that started immediately after the end of the war, the political and economic institutional framework in BiH is not yet where it should be in comparison with European standards (Jakobsen 2011). Data from the World Bank

Governance Indicators show the lack of progression of institutional quality in Bosnia between 1996 and 2008. In five of six dimensions of governance that are measured, Bosnia has consistently scored lower than the world average that lies at 0. Only the indicator for "Voice & Accountability", which measures the level of human rights protection and democracy, has reached a positive score of 0,1 in 2004. As for the indicators of "Political Stability", "Rule of Law", and "Control of Corruption", scores for all three dimensions have actually worsened during the given time span (The World Bank Group 2011). There are calls that the separated political structure results in an increasing political and social polarisation of the different ethnic groups in Bosnia, which also dominates public institutions, and that this is the major reason for economic progress coming to a halt (Al Jazeera 2011).

 As a result of this lack of a mandating role, the Bosnian economy is said to fail to provide a favourable business climate, in which long-term foreign direct investment could effectively lead to economic growth. This is even further exemplified when looking at Bosnia's low scores on the 'Ease of Doing Business Index' of 2012 that is published on a yearly basis by the World Bank. Bosnia ranks number 125 of 183 countries surveyed, and on the indicator of the ease of starting a business, only 20 countries perform worse than Bosnia (World Bank 2012). Consequently, Bosnia receives low levels of trust in its political and economic environment and Bosnia holds a negative image towards potential foreign investors. For successful Bosnians abroad, sending money either to invest or to save in their home country is therefore not financially attractive, and a lack of economic power due to this restriction hinders further potential financial contributions. Another result of this weak economy is a high unemployment rate, especially among young adults. Many Bosnian migrants indicate that they would like to return if there would be worthwhile job opportunities (Al Jazeera 2011), but since their job prospects are almost nil, young migrants abroad are seriously restricted in their options to return to Bosnia. Moreover, the increased role of the informal economy causes a prevalence of corruption and organised crime (Jakobsen 2011), which further limits Bosnian migrants' access to political and economic power and hinders potential Bosnian diaspora contribution.

II. Policies and Initiatives on Framing a Coherent Migration and Development Strategy

A. Coherent Migration and Development Policy in Germany

Germany was among the countries in Europe that was relatively fast to convert migration and development debates into a political response. After having used its immigrants' development potential for the industrial development of Germany, the German government has now also recognised the development potential of its 10,8 million immigrants for their countries of origin. In January 2007, a motion was adopted by the German government that officially recognised the development potential of German immigrants, as well as the governments' potential positive role in the assistance and encouragement of realizing this potential (Deutscher Bundestag 2007).[6] In line with the stipulations that were laid down in the adopted motion, the German government has developed a migration and development strategy in which it has largely succeeded in adopting development-related migration issues into national development cooperation policy, which is known as the government approach of *co-development*. Even though program implementation is to a small degree split between the Ministry of Migration and Refugees (BAMF) and the Federal Ministry for

Economic Cooperation and Development (BMZ), one can certainly speak of German policy coherence in the migration and development field. However, according to Musekamp (2008), program implementation is still in an early stage and relatively limited in comparison to French and English co-development programs.

Aumüller (2005) notes that, in line with the European trend, early German initiatives to implement migration and development programmes were mainly directed at the use of development aid to decrease migration flows. A survey conducted in 2001 showed that repatriation support programs dominated German migration-oriented development aid policy at that time (Aumüller 2005). Nevertheless, in the past ten years German migration and development policy programs have developed and broadened their focus. The BMZ, which is the main ministry responsible in this field, has developed six focus points: to provide consultancy for governments of sending countries; to support migrant organisations in Germany; to relieve the conditions for remitting; to strengthen individual economic engagement via entrepreneurship or trade; to assist in voluntary return; and to encourage intercultural integration and engagement in migrant organisations (Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung [BMZ] 2012b). The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) is the main implementing partner and has been assigned by the BMZ to develop mechanisms and concepts to put the migration potential to use (Deutsche Gesellschaft für Internationale Zusammenarbeit [GIZ] 2012b). GIZ executes programs on four of the above six focus points, where assistance of voluntary return and intercultural integration are dealt with by BAMF. Through its cooperation with already existing programs with diaspora networks, migrants become more and more involved in the shaping and implementation of development projects, thereby putting their knowledge to use.

Even though in practice project implementation is still far from the official objectives, the adopted strategy can already cause a change in the contribution environment. First of all, Germany's positive official standing point on migration and development gives German immigrants moral power, as their abilities and potential are recognised. Furthermore, by financially supporting diaspora organisations, the German government provides active migrants with the economic power to engage in philanthropic development projects, possibly next to individual contributions. Lastly, by actively including diasporas in close cooperation with the government, the individual migrants and networks involved might be able to increase both their political and their social power, since through political engagement there is potential for their social status to increase. Hence, Brinkerhoff's enabling government role of *facilitating*, even though only applied to sending countries' governments in her model, could here be recognised as currently being developed in Germany, even though its effectiveness is yet to be proven.

It is doubtful, however, whether Germany's facilitating role is also able to provide Bosnian migrants with access to these power resources. Of all programs currently implemented under one of the six priority fields, only one project has Bosnia as its focus group. There are, in comparison, multiple programs on Serbia that focus on cooperation with the Serbian diaspora population in Germany (Deutsche Gesellschaft für Internationale Zusammenarbeit [GIZ] 2012a). The Bosnian bilateral program, in contrast, concentrates on assisting the return of experts to Bosnia. The Centrum für Internationale Migration und Entwicklung (CIM), who executes the project for GIZ (Centrum für Internationale Migration und Entwicklung [CIM] 2012), thereby mainly works together with the Bosnian Agency of Labour and Employment (A. Telalović, personal correspondence June 2012). Apart from this single bilateral program, there

are also a small number of projects run by international organisations, which all focus on the same topic of the (temporary) return of qualified nationals. Examples are the Transfer of Knowledge through the Expatriate Nationals (TOKTEN) program of the UNDP, and the Return and Temporary Return of Qualified Nationals (RQN/TRQN) and the Migration and Development in the Western Balkans (MIDWEB) projects that are run by the International Organization for Migration (IOM) (Nikolić et al. 2010). Although Bosnia supports these international projects to a certain degree, Nikolić et al. (2010) remark that, when the IOM asked the Bosnian government to take over the TOKTEN project, there was no interest from their side to do so.

The bilateral program is part of the general development cooperation strategy of the German BMZ. In this domain the BMZ runs an extensive development program in Bosnia, in which a large share of the attention goes to political and economic reconstruction. Encouraging political dialogue and institution-building are high on the list of priorities (Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung [BMZ] 2012a; Botschaft der Bundesrepublik Deutschland 2011). Hence, German general development policy is engaged in exactly those issues highlighted in policy field I as causing a disabling general development contribution environment in Bosnia.

B. Bosnian Diaspora Framework

Contrary to the current trend among many sending countries (Bakewell 2008), Bosnia does not have a separate Ministry for Diaspora, nor does it have a coherent diaspora policy framework in place. Instead, duties concerned with Bosnia's diaspora are dispersed over several ministries and agencies at the central state level (instead of at regional or local levels). According to the *Law on Ministries and Other Administrative Bodies of BiH*, which was adopted in 2003, the Ministry of Foreign Affairs has the responsibility to protect the rights and interests of Bosnian citizens, both temporary and permanent, abroad. Furthermore, it is concerned with the coordination of the work of Bosnian embassies and other consular bodies, and of the cooperation with emigrated Bosnians, either via the embassies or directly. Although the Ministry of Foreign Affairs has an overall general task of cooperation with its diaspora, the main body responsible for diaspora policy is the Ministry for Human Rights and Refugees, and in particular its Department for Diaspora (Office of the High Representative of Bosnia and Herzegovina 2003). This department is in charge of formulating a Bosnian diaspora policy, but until now they have not succeeded (R. Tihić-Kadrić, official correspondence, 7 August 2012). Lastly, the Ministry of Civil Affairs and the BiH Agency for Labour and Employment both have small responsibilities on the education of migrant children abroad and on bilateral agreements on employment (A. Telalović, personal correspondence, June 2012).

Bakewell observes a trend among sending countries of an increasing number of government programs on the support and protection of their diasporas, most notably focussing on encouraging investment and facilitating return. However, in comparison with countries such as the Philippines and Morocco (Bakewell 2008), the Bosnian government provides very little support to its diaspora abroad. Programs on government assistance during pre-departure and integration in the host country are fairly absent. More importantly, programs on maintaining diaspora links with the home country, of central concern to migrant contributions, are kept to a minimum (A. Telalović, personal correspondence, June 2012). As highlighted by Bosnia's only bilateral program with Germany, the majority of the programs and bilateral

agreements that concern the Bosnian migration population are aimed at migrant return. Furthermore, when, for instance, compared with Serbia, which has a separate ministry for Diaspora relations, Bosnia's diaspora policy is highly disintegrated.

The Bosnian diaspora themselves are highly unsatisfied with the lack of government support. A survey among highly skilled professionals living abroad shows the perception that the lack of initiative of BiH institutions and organisations causes a major blockage to the establishment of a relationship and cooperation between the diaspora and the home country. According to the same survey, "Thus far, the interest in cooperation is far greater among the actual members of expatriate scientific communities than among and within the institutions that could benefit from this cooperation" (Nikolić et al. 2010: 32). The World Diaspora Association of BiH also disapproves of the lack of government cooperation with its diaspora, since they see it as the government's responsibility to provide diaspora support. Additionally, they condemn the incoherence of current actions on diaspora issues, as they note that it "brings the whole process to slowdown and inefficiency" (World Diaspora Association of BiH2012, para 16).

Despite repeated calls for a coherent diaspora policy from the diaspora community, no such legislative framework has yet been adopted. This lack of legislative consolidation is in spite of multiple failed attempts of policy adoption and a preparatory process that started in 2008. In line with the promised accomplishments that were laid down in the IOM Framework Agreement on initiatives aimed at linking migration with the development of BiH and signed by the Bosnian Ministry for Human Rights and Refugees, the Bosnian government has assisted several research projects such as on the diaspora's financial contributions (IOM and IASCI 2010). Additionally, it has supported several regional conferences on migration and development in the last three years.[7] These preparations have led to a number of legislative drafts that until now have not been adopted. The first *Law on BiH's Cooperation with her Diaspora/Emigration* was drafted and proposed by the Ministry for Human Rights and Refugees in 2009, but was refused by the Council of Ministers of BiH two years later without an official explanation. Up until today, no order to re-draft the initial diaspora law proposal has been given by the Council of Ministers. The Ministry for Human Rights and Refugees has, however, included a number of diaspora issues, including reference to the recognition of the development potential of Bosnian emigrants, in drafts of three different national strategy proposals.[8] All three drafts are currently pending at the Council of Ministers, two of which since 2010. If they would be adopted this would finally realise diaspora policy provisions, albeit in a highly incoherent way, and would mean a first step towards official recognition of the diaspora's development potential on a state level (A. Telalović, personal correspondence, June 2012; R. Tihić-Kadrić, official correspondence, 7 August 2012).

The effect of the BiH government's lack of initiative to establish effective cooperation with its diaspora is that Bosnia is losing out on a number of nationals who are willing to contribute their human and social capital to the development of Bosnia (Nikolić et al. 2010). The lack of recognition and support hinders the diaspora's access to moral power, as they are not recognised as contributors to Bosnian socio-economic development. This in turn reduces the motivation of some migrants to transfer any form of capital, especially where it concerns philanthropic projects and not individual aims such as family support. Hence, if Bosnia wants to maintain current transfers of social capital through activities such as lobbying, advocacy, and networking between employers and colleagues in home and host country, formal recognition and administrative support is urgently needed (A. Telalović, personal

correspondence, June 2012). Regarding the transfer of knowledge, Telalović notes that "There is sufficient evidence to claim that contributions of BiH scientific diaspora would be much higher ... if there were some systemic support provided by the authorities" (ibid.). Currently, for example, the absence of adequate legislative arrangements for visiting professors and lack of efficient procedures for the recognition of foreign degrees form great obstacles to the contribution of knowledge that is available (ibid.).

Despite the absence of a coherent policy strategy on migration and development, the Bosnian ministries of Foreign Affairs and of Human Rights and Refugees have executed a small number of programs during the last few years. These activities have mainly been of an assisting role, whereby the ministries participated in programs initiated by international organisations, such as the TOKTEN and TRQN programs, and diaspora organisations like a congress on BIH diaspora scientists organised by the Bosnian scientific migrant organisation BHAAAS (Tihić-Kadrić 2011). One of the few government initiatives that is aimed at the support of diaspora networking is the annual business directory that lists information on Bosnian migrant experts and professionals (Embassy of Bosnia and Herzegovina in Ottawa 2010). This initiative is a good example of the focus of government-supported programs on highly educated migrants. Additionally, these programs are of a sporadic nature and are not part of, nor do they lead to an overarching migration and development strategy.

Considering its large diaspora population and the development potential it carries, Bosnia's passive role in its adoption of a national legal framework is remarkable. Its stance on its diaspora is very much opposite to the current trend in many less-developed sending countries that actively engage their diasporas in homeland contribution. Neither general policies on government engagement with its diaspora nor support in, or encouragement of, diaspora contributions in particular are anchored to a coherent national strategy.

III. Policies that Directly Affect the Mobility of Capital or People

A. German Immigration and Refugee Policies

Whereas the progressive German migration and development policy effectively supports some German diaspora communities in their home country engagement, immigration policies at the same time have a counteractive effect. For example, permanent residents without the German nationality will lose their residence status if they stay outside of Germany for more than six consecutive months (Musekamp 2008). This seriously limits the mobility of migrants to pay longer visits to family and friends, thereby potentially loosening ties with their homeland, and the possibility to transfer social and human capital. Bosnians who want to get around this rule through adopting German nationality are obliged to renounce their Bosnian citizenship, as Germany principally does not allow for dual nationality. It does have a few exemptions to this rule, but this mainly applies to immigrants of Turkish background (Ministry for Human Rights and Refugees 2008; Auswärtiges Amt 2006). Upon the signing of the Dayton Peace Agreement, Bosnia adopted a law that allows for dual citizenship, but only with those countries with whom a bilateral agreement is signed. Such arrangements are most notably in place with Serbia and Croatia, to which two of the ethnic groups in Bosnia are related, but no such agreement exists between Bosnia and Germany (Štiks 2011). Nikolić et al. (2010) argue that "If the legislation isn't

modified, the country runs the risk of losing a significant number of its citizens living abroad, and with them its human capital" (pp. 26-27).

Policies that facilitate circular migration[9] could provide a solution to this contribution obstacle. However, to date, German immigration policy does not have any provisions in place that facilitate or promote circular migration patterns. According to a research by Schneider and Parusel (2010), European approaches to circular migration generally seem to be mainly driven by labour market interests and appear to aim for meeting the short-term and sector-specific labour demands. The German focus on programs for temporary workers and highly skilled professionals underline this trend. A clear example comes from a program that was launched in 2000 by former Chancellor Schröder, which aimed to recruit 20,000 highly skilled workers in the software industry. They were, however, not allowed to bring their families. It was only after intervention from human rights groups and experts that they changed this policy so that the immigrant workers could bring their families and settle (Hollifield 2007).

An important factor that shapes the contribution environment is the characteristic of the immigrant population, and specifically the reason for migration. Since approximately half of all Bosnians in Germany were forced migrants that fled from war, German refugee policy at that time shaped their possibilities in Germany to a high degree. At the same time Germany took in the largest number of Bosnian refugees, it also had the harshest return policy. Immediately after the Dayton Agreement was signed, German authorities signed an agreement with Bosnia on the return of refugees and pressured refugees to repatriate. Approximately 300,000 Bosnians left Germany to return to Bosnia or to resettle in third countries after 1995. Apart from a focus on return, German refugee policies limited refugee options during their time of stay. Instead of an official refugee status, most refugees, depending on the province, received temporary protection status, called *Duldung* ('tolerated'), which required an unconditional departure from Germany upon the end of the war. After 1995, under *duldung* status, refugees could stay for six months at most and were expected to leave or apply for a renewal of their residence permit at the end of each given period. Some refugees had their permits repeatedly extended up to ten years and were then refused permanent residence and had to leave the country. People with demonstrable traumas had the chance to be awarded a permanent residence permit, but the criteria to receive this were very strict (Valenta and Ramet 2011).

Since German refugee policy was, to a certain degree, dealt with at the regional level, it depended on the province or sometimes on the city as to whether refugees with *duldung* status were allowed to work or receive education (S. Pfohman, personal communication, 19 March 2012). However, in the majority of cities, Bosnian refugees were refused these rights (Valenta and Ramet 2011). Consequently, refugees were highly dependent on the German state for their survival and were unable to set up an independent life in Germany. Dimova (2006) argues that because of their uncertain legal status, Bosnian migrants were hindered in integrating into their new communities, expecting to be deported or imprisoned at any moment. Additionally, the same author argues that restrictionist German refugee policies, in particular those resulting in on-going uncertainty about legal status, have led to additional traumas of Bosnian refugees (Dimova 2006). Therefore, many experts perceive Germany as the country with the harshest conditions that Bosnian refugees experienced (Valenta and Ramet 2011). As a result, Bosnian refugees were struggling to survive and often did not have any money left to send home. Pfohman (personal communication, 19 March 2012) notes that some refugees were even dependent on money sent by families and

friends from Bosnia. For those who received permanent residence status, there were often problems in finding a job due to traumas and troubles in acquiring language skills, which was especially the case for the elderly. Consequently, many Bosnians simply did not, and still do not, have the economic power to (financially) contribute to Bosnia (S. Pfohman, personal communication, 19 March 2012; R. Dimova, informal interview, 3 March 2012).

B. Bosnian and German Policies to Facilitate and Encourage Financial Contributions

Germany's focus point concerning migrant remittances lies on shifting remittances from informal to formal transfer channels (Botschaft der Bundesrepublik Deutschland 2011). The positive development effect that formal remittances have, as a result of this formalisation policy, on Bosnia's unstable economic infrastructure is, however, doubtful (de Haas 2006). At the same time, Germany is involved in assisting the reform of the Bosnian banking sector, although this runs via its regular development cooperation program (Botschaft der Bundesrepublik Deutschland 2011). In the long run, this will probably contribute more to an enabling remittance environment in Bosnia than its current remittance formalisation policy. On the side of the sending country, Bosnia has no program in place that aims to provide financial incentives for migrants to engage in financial contribution to Bosnia, and not even a strategy on remittance capture (A. Telalović, personal correspondence, June 2012). This absence of remittance services from the Bosnian government fits with the picture of a lack of resourcing role on the Bosnian side. With the absence of a facilitating and encouraging force from the Bosnian government, and keeping in mind the unfavourable business environment causing low trust in the Bosnian banking sector, the Bosnian diaspora in Germany is unlikely to increase its investment in its home country. Due to the low trust in the banking sector and a lack of government support, Bosnian migrants in Germany cannot use their money optimally through efficiently sending, investing, or saving in Bosnia.

Explaining Policy Choices in Bosnia and Germany

By researching the policy measures in three main policy fields, it has become apparent that both in Bosnia and in Germany many policy obstructions exist, notwithstanding the high diaspora potential. Consequently, the question arises as to why, despite Bosnian *and* German recognition of the development contribution potential of Bosnians in Germany, Bosnia has not adopted a diaspora policy and why Germany has obstructive immigration and refugee policies in place.

 On the side of the Bosnian government, the main impediment to an enabling diaspora contribution environment seems to be the absence of an official diaspora strategy. Without a government that is actively engaged in establishing a connection with its diaspora, the home country is unable to facilitate an enabling contribution environment. For Bosnia, a lack of state interest to provide support for Bosnian citizens living abroad appears to be widely prevalent. What is more, even for members of the Bosnian diaspora who express an interest in contributing to the development of Bosnia without asking for financial remuneration, little interest is shown by the Bosnian government. This is very much in contrast with the current trend of major emigrant countries who increasingly regard their diasporas as so-called 'agents for development' and establish diaspora programs accordingly.

As Brinkerhoff (2012) has explained, for a sending government to take any action towards diaspora engagement, it first has to recognise its positive contribution value. For Bosnia it is rather unclear if the government has recognised its diaspora as such, since several congresses held on the topic and supported by the Ministry for Human Rights and Refugees make notion of diaspora recognition, but effective actions are missing. What is clear, however, is that up until now no official statement on diaspora recognition has been adopted in a policy motion, as happened in Germany in 2007. According to Telalović (personal correspondence, June 2012), simply no consensus exists on the reasoning that "diaspora contributions are useful, needed and that they should receive recognition and systemic support from all administrative levels in BiH". The reason for this absence of general recognition is, according to the assistant minister of the Department for Diaspora of the Ministry for Human Rights and Refugees, a lack of awareness of diaspora opportunities amongst decision makers in Bosnia and international organisations (Tihić-Kadrić 2011).

One important factor that could provide for an explanation of Bosnia's deviating diaspora stance is its recent history of civil war. Carling (2008) argues that, whereas diaspora contribution related issues are the same in a variety of migration settings, the context of forced migration can considerably influence the scope for policy intervention. In the case of Bosnia, its war history can be seen to have shaped policy intervention in a number of ways. First of all, immediate concerns such as economic and institutional reconstruction took up most government attention and are still on-going. Pressing domestic issues such as the repatriation of refugees and internally displaced persons received policy priority, because of which little space was left for significant initiatives towards Bosnian citizens living abroad (Nikolić et al. 2010).

Whether it is due to the war or because of other issues, another reason for Bosnia's absent diaspora policy may be the government's lacking ability to take action. Apart from Brinkerhoff's caveat on the prerequisite of diaspora recognition, her caveat on governments not always being the most enabling power is also applicable to the case of Bosnia. According to a number of scholars, it is due to the inability of the Diaspora Department that no diaspora strategy has been adopted until now. The department is said to have very low capacity, a limited scope of work, and insufficient funding (N. Oruč, personal communication, 4 June 2012; Tihić-Kadrić 2011). Furthermore, the lack of data on Bosnian citizens abroad and the inability of the Diaspora Department to access such information structurally is also put forward as an obstacle to the establishment of a diaspora policy (Nikolić et al. 2010).

Although a lack of ability provides for a practical explanation, it cannot explain the fact that a proposed law on diaspora policy, which the Diaspora Department has been able to draft, has been refused by the Council of Ministers. Here, Brinkerhoff's caveat on government diaspora actions being dependent on how the government views its diaspora can provide for clarification. The Bosnian researcher Telalović (personal correspondence, June 2012) argues that, rather than viewing the Bosnian diaspora as a Bosnian community living abroad, they instead see the different ethnic Bosnian groups as being primarily linked to their ethnic roots. Hence, by many politicians in the BiH Parliament, Bosnian Serbs living abroad are considered Serbian diaspora, which is also fully supported by the authorities in Serbia. Likewise, Bosnian Croats are viewed, and treated by current Croat diaspora strategy, as Croat diaspora, and Bosniaks are seen as Bosnia*k* instead of Bosnia*n* diaspora. This political stance is not fully adopted by the entire Bosnian diaspora, as worldwide various Bosnian diaspora organisations exist that are ethnically mixed and foremost consider themselves Bosnians (A. Telalović, personal correspondence, June 2012). This suggests that, in

fact, the Bosnian government has *not* recognised its diaspora fully, and do not consider them as being linked to Bosnia in the first place.

In addition, the notion that sending governments may view diaspora engagement as a threat is also pertinent to the case of Bosnia. The core of the reason for a diaspora perception of threat lies in the ethnic division of Bosnia's political structure. Because of this delicate political structure in the division of power, any involvement of the diaspora forms a threat to the political equilibrium. Even migrant contributions that support economic development might increase the influence of the diaspora or some ethnic groups within it, and could affect the fragile ethnic balance of power (N. Oruč, personal communication, 4 June 2012). Furthermore, some politicians fear that any systemic government support to the Bosnian diaspora might lead to a large-scale return of emigrants, which would alter the ethnic composition and could shift the balance of power (A. Telalović, personal correspondence, June 2012). All together, it can be argued that whereas many sending countries facilitate the political engagement of their diasporas (Bakewell 2012), Bosnia's delicate political environment does not provide the possibility for its diaspora to wield any political power.

In addition to explanations at the national level, further explanations can also be found in connection with international actors. The theory of Delgado Wise and Márquez Covarrubias on the northern dominance in setting migration and development regulation can be applied to the role the EU plays with regard to Bosnia. At present, Bosnia has started the EU accession process, and in this regard is expected to fulfil a list of EU accession requirements. Not only does this cause a dependent position towards the EU and EU member countries, it also influences Bosnian policy priorities. Following the dominant northern approach in migration and development, which pursues the western need for workers and at the same time the protection of national sovereignty, the migration agenda of the EU is primarily determined by its security and economic interests and therefore mainly focuses on selective immigration and asylum (Castles and Delgado Wise 2008). As a result, according to Telalović (personal correspondence, June 2012), the migration and development pillar of the EU Global Approach to Migration and Mobility is "just an empty phrase". Consequently, the issue of emigration is ignored in the EU accession process, and linking migrants' resources with development is not on the list of EU accession criteria (A. Telalović, personal correspondence, June 2012; Tihić-Kadrić 2011). With its limited capacity then, the Bosnian government's attention goes primarily to those points that the EU requires them to achieve. Since diaspora engagement is not on the list of accession requirements, the government does not feel obliged to include it in their policy priorities. According to Telalović (personal correspondence, June 2012), if the EU were to include the issue of diaspora on the accession agenda, it would be likely that Bosnian local authorities would be more proactive. Moreover, for those who ignore the diaspora issue out of their own political interests, the absence of the issue on the EU list of accession priorities forms a good excuse to ignore the topic, claiming it is not relevant to Bosnia and no consensus within the Bosnian government is required (ibid.).

Another form of international dominance lies in the bilateral relation between Germany and Bosnia, in which Germany can decide the regulation of immigration and also, previously, refugee policies. The German government has consistently put the focus on return in both cases. The focus of German refugee policy was in line with the trend among northern host countries to view repatriation as the most preferred durable solution to refugee problems and can be explained as a component of general political restrictionism (Eastmond 2006). Where it concerns current migration and

development programs, the focus of Germany in many projects also lies on return. An example forms the only bilateral migration and development program between Bosnia and Germany which concentrates on the transfer of social and human capital through return.

  This can be partly explained by Germany's perception of return as a once-and-for-all event (ibid.) and circular migration either as final return or temporary stay, instead of as a permanent stay with the freedom of mobility. More importantly, Germany's call for circular migration shows more their interest in repatriation and prevention of uncontrolled and irregular immigration (Musekamp 2008). This is in line with Musekamp's (2008) argumentation that national aims such as the control and restriction of immigration often takes first priority. However, Germany still receives immigrants and even has programs in place to attract high-skilled workers. This apparent contradiction can be explained by Hollifield's liberal paradox. On the one hand, Germany pursues a policy of political restrictionism so as to warrant security and defend national sovereignty. At the same time, a need for labourers pushes for a policy of economic openness. This may explain why Germany has its main focus in migration on temporary workers and professionals. The previous example of a program introduced by former Chancellor Schröder, on the recruitment of 20,000 highly skilled workers, exemplifies Germany's liberal paradox of economic openness and political closure that is prevalent in its immigration *and* migration and development policies. However, for the number of Bosnian immigrants that entered Germany as refugees, it should be noted that they were initially subject to German refugee policy. Hence, their initial entry and treatment cannot be explained by the focus on specific labour policy that forms one side of the liberal paradox, them only being subject to this policy after they received permanent residence status. German refugee policy should therefore, even though it bears a similar restrictive character, be distinguished from the protective immigration policy that forms the second side of the explanation of the liberal paradox.

Conclusion: Politics as Obstacle to Diasporas' Development Contribution Potential

This study examined the ways in which Bosnian and German government policies affect diaspora contribution potential to the development of Bosnia and asked why contribution obstructing policies are in place as well as why constructive contribution supporting policies are lacking. Due to the very high percentage of Bosnians that live outside Bosnia (38.9%) and the considerable number that live in Germany, the German Bosnian diaspora has a large potential to serve as 'agents for development'. There are, however, a number of policies from the side of the sending country as well as the receiving country that negatively affect the contribution environment and hence hinder effective Bosnian development contribution. This paper has argued that the Bosnian contribution potential could be more fulfilled if constructive policy support from both German and Bosnian governments would be in place.

  For Bosnia, the absence of an official diaspora policy is mainly the result of political unwillingness and inability to form a consensus, whereas Germany's focus on temporary and high-skilled immigration are brought about by a northern trend of a policy of economic openness on the one hand and political restrictionism on the other. By researching the reasons behind why policies are in place despite their obstructive effects to diaspora contributions, this case study suggests that, both in Bosnia and in

Germany, national and international politics are the main obstructing factors to an enabling contribution environment.

  Where it concerns the political implementation of this paper's conclusions, in order to create the adequate systemic support that is currently lacking from the side of the Bosnian government, an official consensus must be reached that recognises the value of its diaspora and the government's responsibility to facilitate diaspora contribution. According to Telalović (personal correspondence, June 2012), one of the few methods by which this could be reached would be through public campaigns that would raise wider awareness among the Bosnian population, the academic sector, NGOs, governments at all levels and international development agencies. Nevertheless, looking at the northern dominance in migration and development and Bosnian subordination to institutions such as the EU, the responsibility for taking actions that change migrant potential into contribution should not only be recognised at the national, but also at the international level.

Notes

1. Hereafter referred to as 'Bosnia' or 'BiH'.
2. Following Brinkerhoff's model, Uphoff's originally sixth power resource of physical power is excluded here.
3. This amount only includes registered transfers via banking systems. According to the World Network of Bosnian Diaspora, the actual amount, which also includes informal transfers, lies approximately three times higher (Oruč 2011).
4. For example, every other Sunday a life broadcast for diaspora from the Balkan region can be followed via the internet at http://www.rdl.de/stream.htm. Moreover, a whole range of Bosnian radio channels can be accessed online at http://de.delicast.com/radio/Bosnien-Herz.
5. An example is http://www2.dw-world.de/bosnian.
6. It concerns the motion *Diaspora – Potenziale von Migrantinnen und Migranten für die Entwicklung der Herkunftsländer nutzen* (Deutscher Bundestag 2007).
7. Some examples of these conferences are the *TAIEX Multi-country Workshop: Linking Migration and Development of the Western Balkans Countries*, *MobilizeDiaspora4SD: Mobilization of Intellectual and Financial Resources from Diaspora for Knowledge Based Sustainable Development in SEE*, and *Emigration Issues in the Western Balkans - joint approach to linking migration and development of the countries of origin*, which all took place in 2011.
8. These being the *BiH Strategy of Development, the BiH Strategy of Social Inclusion, and the BiH Strategy of Migration and Asylum* (R. Tihić-Kadrić, official correspondence, 7 August 2012).
9. The definition of circular migration that is used in this paper comes from the IOM and is as follows: "a continuing, long-term, and fluid movement of people between countries, including both temporary and more permanent movements" (Newland and Agunias 2007: 3).

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The Reproduction of Neoliberalism and the Global Capitalist Crisis[*]

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ABSTRACT. The paper attempts to contribute to a critical reading of contemporary global political economy. It provides an analysis through an empirical exposition of the latent and manifest ways neoliberalism is being reproduced institutionally and relationally despite and because of the ongoing global capitalist crisis. To this end, three interrelated themes are highlighted here: first, the constitutive role and functional character of crises in the evolution of capitalism and the reproduction of its current neoliberal configuration; second, the continuity of long-held ideas of groups ranging from multilateral organizations to global justice movements – hence, the absence of relatively new perspectives – as evident in their respective policy prescriptions and crisis responses that effectively perpetuate the hegemony of neoliberal capitalism; and third, the emergence of the political-economic regime of authoritarian liberalism in East and Southeast Asia as a perceptible consequence of the intensifying crisis.

The world capitalist system is under the conglomeration of interdependent and interrelated crises. It has become palpably evident that the recent catastrophe is a culmination of the cumulative effects of the simultaneous crises in finance, production, food, environment, energy, and governance that have been plaguing the world in the nearly four decades of neoliberalism. While crisis moments in capitalism have been viewed traditionally and conventionally as a conjunctural phase, rather than a fundamental structural contradiction, today actors from various ideological positions perceive the situation as an opportune moment to advance their respective interests.

Crisis connotes 'the turning point of a disease when an important change takes place, indicating either recovery or death' (definition from: *Oxford American Dictionaries*). As to whether the multiple crises would lead to recovery or death to the hegemonic neoliberal system is a question to be determined by the dynamics of the 'double movement' or the unfolding struggle between those who have vested interests in maintaining the status quo and the forces for change.

The aim of this paper is to contribute to a critical reading of contemporary global political economy by highlighting the reproduction of the institutions, policies, and relations associated with neoliberalism within the dynamics of the global capitalist crisis. The focus is on three interrelated themes. The first part situates the global crisis against the background of the relationship between crises and neoliberalism. It

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examines the constitutive role of crises in the evolution of neoliberalism and argues that crises have been functional to capitalist reproduction. The second part provides an overview of the most important responses to the crisis from International Financial Institutions (IFIs) to regional organizations to states to civil society. This section puts forward the thesis that the global crisis has not ushered in new perspectives, either from pro- or anti-neoliberal forces, but it provided an opportunity to re-articulate their *respective* immemorial analyses and programs. And finally, a reflection is given on the implications of the global crisis for the emergent authoritarian liberalism in East and Southeast Asia. Drawing lessons from the 1997 Asia crisis and 9/11 terror attacks and analyzing the current political-economic project of the Association of Southeast Asian Nations (ASEAN), it is observable that the region is accelerating towards a strengthening of 'authoritarian liberalism' (i.e., a social regime embedding a neoliberal market economy in an authoritarian political framework) despite and because of the global crisis.

The Constitutive Role and Functional Character of Crises

Crises have played a constitutive role in the history of capitalist development. As the development paradigm that replaced the postwar 'national developmentalism' phase in the beginning of the 1980s, neoliberalism has also survived by capitalism's cycle of crises and booms (see Kindleberger and Laffargue 1982; Kindleberger and Aliber 2005; Krugman 2000). Neoliberalism understood here refers to that specific configuration of capitalism (economic liberalism plus new institutional forms), that specific ideology (market fundamentalism), that specific phase of capitalist development with the ascendancy of financial over productive capital (post-Fordism), those specific sets of 10 economic reform policies enshrined in the structural adjustment programs (SAPs or the Washington Consensus), the specific class relation (real subsumption of labor to capital), and the specific process of capital accumulation (using money to make more money). Neoliberalism basically constitutes the fundamental exploitative social-productive relations in capitalism and perceived as a renewed articulation of 'economic liberalism' at this latest phase of capitalist development.

  The relationship between crises and neoliberalism can be said to be either dysfunctional or functional, or both. Every time neoliberalism comes into crisis, its critics, mostly coming from the Left, get excited about its imminent collapse and the dawning of an alternative system. They view crises as having a dysfunctional effect to the system. However, the almost 40 year history of neoliberalism suggests that crises have been more functional, rather than dysfunctional, to its perpetuation in terms of capitalist social relations, market-led development strategies, and neoliberal state restructuring. The constitutive role of crises in the life cycle of neoliberalism refers to the fact that it: [a] was born out of the crises of the 1970s; [b] has evolved through a series of crises over the last 40 years; and [c] dying of the multiple crises culminating in the present global crisis.

Born out of the crises of the 1970s
Monocausal explanations about the emergence of neoliberalism fail to capture the complex processes involved. Like neoclassical economics, they are also unable to provide sufficient explanatory value about the dynamism of actors at play and the origin and evolution of this phase of capitalism. Essentially, neoliberal globalization was a product of the complex interaction of forces, events, and phenomena and their

mutually reinforcing tendencies that became more conspicuous during the crisis of the mid-1970s.

The 1973 recession was punctuated by stagflation that first hit the developed capitalist economies and thereafter the developing countries. The OPEC oil crisis coinciding with the US defeat in the Vietnam War and the collapse of the Bretton Woods system shook the world. This led to a situation where the dollar became delinked from the gold standard. The internationalization of financial markets set in as a result of the gradual widespread abandonment of foreign exchange controls. Third World countries resorted to massive foreign bank borrowings, were subjected to IMF and World Bank conditionalities, and were thus required to cut state expenditure, devalue their currencies, and remove barriers to the free movement of capital. They also had to abandon their aspirations to be active catching-up economies in a supposedly new international economic order as they had to shift from import-substitution to export promotion development strategies. The alternative and challenge posed by command economies led by the Soviet Union proved to be empty as they too faced growing stagnation. Global production was restructured towards post-Fordism and the number of multinational corporations grew. International finance capital gained an important role and threatened to supplant the importance of productive capital. 'Sound' macroeconomic policies through privatization, deregulation, and liberalization became the norm that resulted in, among others, the weakening of trade unions, the cutting of state budgets for social welfare and other entitlements, and the destruction of the developing countries' manufacturing and agricultural bases. Information and communications technology, which grew out of the military industrial complex, was induced into the private sector in 1971 with the introduction of Intel's microchip. It was advancing and became the new 'techno-economic paradigm' shaping production patterns, financial investments, as well as social relations.

The events leading to the 1973 recession and its aftermath fast-tracked the institutionalization of neoliberalism and the revival of the ideological hegemony of neoclassical economics (see Toye 1987). The neoliberal era as a particular phase in the historical development of global capitalism marked the return to liberalism with new configurations attuned to the circumstances of capital's interests of the time. Due to the combined and uneven process of capitalist development, the world crisis of the 1970s and its resultant impact on the emergence of neoliberalism have had shaped to a large extent the political, economic, and cultural relations at the level of states. They have taken varying forms and effects from state to state within the spatio-temporal landscape of neoliberalism.

Evolving through crises: from crisis to crisis in the last 40 years
According to some estimates, there have been over 100 financial crises in the world in the last 40 years (NBER 2008, as cited in Isidore 2008; see also Giovanoli 2000). Yet, notwithstanding these statistics, it is palpably evident that the majority of the peoples and societies in the world have long been in crisis. Crises have been inherent from the very birth of neoliberalism to a series of transformations it has undertaken over the decades.

The global political economy of development since the 1960s could generally be characterized into three successive political-economic phases: national developmentalism from the postwar to the 1970s; the Washington Consensus from the 1980s to the mid-1990s; and the post-Washington Consensus from the mid-1990s to present. Each of these phases with concomitant development models came into

serious restrategizing to cope with the major crises that confronted their legitimacy and very existence. Every crisis impels and compels the capitalist mode of production to innovate and to transform itself to secure its hegemony either through 'creative destruction' or instituting new political layers and interventions.

The national developmentalism phase of capitalist development or the so-called 'Golden Age' took the forms of Fordist régime of accumulation in the US and Western Europe, 'populist' import-substituting development in Latin America, and developmental states in East and Southeast Asia. By the early 1970s, the more than a decade 'stability' that the Golden Age brought to the capitalist world came to a severe jolt and the mass production – mass consumption techno-economic paradigm in the industrialized economies had been structurally exhausted (Jessop and Sum 2005; Perez 2002). As stagflation reached unbearable heights by the mid-1970s, national developmentalism's Keynesian approach of active state role in economic development through demand-side, fluctuations-mitigating monetary policies failed to realize the target of full employment and price stability and, more importantly, to sustain the harmony between productivity and real wage. The crises of the mid-1970s thus gave way to transform capitalism into a new development paradigm referred to as global neoliberalism while at the same time allowing Listian state-led approaches in East and Southeast Asia as frontline states to communism.

Neoliberalism has been often divided into two distinct yet successive phases: the Washington Consensus (the first generation neoliberal reforms) and the post-Washington Consensus (the second generation reforms). The difference between the two phases cannot be simply reduced into a hollow state-versus-market debate. Neoliberalism, just as capitalism has always been, is a political project—that is, it requires active state intervention (Polanyi 1944; Bugra and Agartan 2007). For instance, the dismantling of the welfare state could not have taken place without the weakening of labor through policies carried out by the state. By merely taking the transformation of capitalism at face value, it misses the historical reality that active state interventions to make markets work have been present from the very beginning of capitalist development. The difference between the two development paradigms lies not in form, but in the substantial agenda on goals and strategies. The Washington Consensus aimed to realize an open global market economy through SAPs and sound macroeconomic policies of privatization, deregulation, liberalization, and financial reforms. The post-Washington Consensus, on the other hand, is a comprehensive project towards the realization of 'universal convergence on competitiveness' through deep institutional and behavioral reforms and policies on labor market flexibility, human capital, and social capital (Cammack 2009a).

Aside from its dismal performance not only in the developed industrial countries of the North but especially in poor countries of Latin America, Africa, and Asia, marked by declining growth rates, rising unemployment and the informalization of labor, and race-to-the-bottom wage policies and labor standards (Weeks 2001; Harvey 2005), the Washington Consensus got into a major ideological crisis (see Fine 2001; Fine and Van Waeyenberge 2005). In particular, its market fundamentalism ideology came to blows with Keynesian economists like Joseph Stiglitz. By the late 1980s, the ten neoliberal policy reforms were introduced, namely: fiscal discipline, reordering of public expenditure priorities, tax reform, liberalization of interest rates, competitive exchange rate, trade liberalization, inward FDI liberalization, privatization, deregulation, and protection of property rights. But it only took a few years later for these reforms to be ideologically challenged, if not dismantled, with the Stiglitz-led and Japanese-financed policy report on the *East Asian Miracle*, which provided

empirical evidence of eight high performing Asian economies (Hong Kong, Indonesia, Japan, Malaysia, the Republic of Korea, Singapore, Taiwan, and Thailand) showing their respective successes between 1965 and 1990 in realizing high growth and human development through limited state intervention (World Bank 1993).

Stiglitz advocated the post-Washington Consensus project during his stint as senior vice president for development economics and chief economist of the World Bank from 1997 to 2000. With the aim of employing more policy instruments and broadening development goals, which is unlike the rather narrow macroeconomic policies and goals of the Washington Consensus, the post-Washington Consensus has promoted the use of 'social variables' to make 'markets work better' (Stiglitz 1998). Both in policy and discourse, 'social capital' has been peddled as the 'missing link in development'. The use of social capital as a policy and ideological tool allows IFIs to enlarge the circuit of capital, incorporating social variables that are traditionally left out in mainstream economics such as states, institutions, policy coordination, civil society, workers, culture, community, and family (Fine 2001; Cammack 2003). It likewise provided the Bank the framework to promote an agenda for sustainable development, egalitarian development, and democratic development. However, this begs the question: More policy instruments and broader development goals *for whom*? The answer is straightforward: as the 2002 *World Development Report* title goes 'institutions *for* markets'.

Multiple Crises: RIP Neoliberalism (1980s-2008)

As the post-Washington Consensus promotes more policy instruments and broader development goals, the current global crisis has revealed more crises and broader poverty curse. The world has been in crisis for longer than anyone would care to remember. It is currently under a multiplicity of crises, among others, in: finance, food price (the Great Hunger of 2008), overaccumulation, overproduction, over- and/or under-consumption, climate change, ecological degradation, political legitimacy, global governance, oil and energy, and water. The recent global crisis is nothing but a culmination of the neoliberal bust, of the multifarious structural crises in the past now simultaneously wreaking havoc to economies, societies, families, and human life itself.

The demise of the Soviet Union indirectly favored the spread of neoliberalism to the extent that the 'socialist' alternative was removed from the equation of state-society relation. It ought to be recalled that regardless of what may have been said about state-socialism, it is a fact that the Keynesian macro-economic model and the social-democratic project of the Welfare State were meant to counter the influence of socialism in the advanced capitalist nations of Western Europe and North America. The existence and presence on the world scene of the USSR as well as China also contributed to the decolonization process in the former colonial empires and the emergence of the bourgeois-nationalist regimes. The question today is whether the crisis of hegemony in the world system as epitomized by the relative decline of the United States and the rise of the emerging countries like China, India and Brazil opens a new phase in the history of capitalism as it is transforming the international division of labor and increasing potential resource-conflicts (Klare 2002). In this connection it is important to realize the shift from geo-economics to geo-politics in command, or their contemporary enmeshment, and understand the significance of war in the history of capitalism and especially of militarism in this stage of history (Klein 2008) and particularly ask whether this spells the end of the present unstable epoch of capitalism. This also raises the question as to whether neoliberalism has died; and the

answer to this depends on what one means by it. As has been defined above, it is only the neoliberal ideological form of market fundamentalism that has died but not the substance of capitalism as a *process* of capital accumulation and *relations* in which labor is subordinated to capital.

The proponents of neoliberalism representing the dominance of private capital are aware of the crisis-prone and conflict-ridden nature of the capitalist system. In the words of the former Chief Economist of the World Bank, Michael Bruno (1996: 4): 'There is a growing consensus about the idea that a large enough crisis may shock otherwise reluctant policymakers into instituting productivity-enhancing reforms is by no means new' (see also Klein 2008). In pursuit of capital accumulation and new profits they always look at crisis moments as perfect moments to further entrench, and never retreat from, neoliberal institutions and practices. Hence, neoliberalism has always been promoted as a strategy for continued market-led development and at the same time a blueprint for crisis management.

The upbeat attitude of the apologists for further neoliberalization does not necessarily come from 'faith' in the invisible hand or in the supposed harmony-creating mechanisms of the market but rather to promote the interests and power of private capital over labor. The seeming complacency may have come from the historical fact that recessions are always temporary and do not result in a collapse of the system. A recent study showed that incidents of recessions in post-World War II, from 1948 to 2001, lasted only from six to 18 months (NBER 2008, as cited in Isidore 2008). A UN (2009) report also observes that the short and easy recovery from previous recessions—i.e., short and easy enough as to take the needed reforms to be enforced—might be a crucial reason for understanding the recurrence of crises.

Take, for example, the neoliberal responses to successive crises since the 1980s. During the 1982 debt crisis in Latin America, the IMF imposed stabilization programs for rolling over debts. The consequence was massive deindustrialization and rise in unemployment, poverty and uneven development all over the region. In addition, the responses to several financial crises in the last 20 years—namely, Scandinavia (early 1990s), Mexico (1994), East and Southeast Asia (1997), Russia (1998), Argentina (2001), Turkey (2001-2002), US subprime mortgage (2007), the Great Recession (2008)—have had as their overarching theme an open 'international financial architecture' through regulatory institutions that guarantee the domestic and global rights of private capital. Despite acknowledgement of the usefulness of some capital controls (like in the cases of Chile and Malaysia), the IMF further promoted policies toward effective neoliberal regulation to smoothen adjustment to the supposed openness of the international financial system (e.g., IMF's surveillance mechanism) (Duménil and Lévy 2001; Soederberg 2002).

Further, the 2007 US subprime crisis was met by government bailouts and stimulus packages. David Harvey (2005) sees post-WWII neoliberalism as an attempt at consolidating and restoring capitalist class power. The Reagan-Thatcher configuration of capitalism promoted a new phase of ideological assault on the working class. The Bush-Paulson-Bernanke-Obama bailouts program, for instance, is therefore reminiscent of the birth of neoliberalism. It is an attempt to consolidate and restore the power of corporations, assure the ascendancy of finance capital, and hence save capitalism from its own destruction. As Robert Wade and Frank Veneroso (1998) put it, citing the Asia crisis as a case in point, but still very apt today: 'Financial crises have always caused transfers of ownership and power to those who keep their own assets intact and who are in a position to create credit'. They went on to recall the memorable lines attributed to Andrew Mellon, an American banker and former

Secretary of Treasury during the Great Depression: 'In a depression assets return to their rightful owners'.

New Crisis, Old Perspectives

Given the cataclysmic effect and extensive scope of the global crisis, does it signal a retreat from neoliberalism? Have there been significant changes in perspectives about capitalist development?

The various responses to the global crisis from individuals, states, and international institutions could be broadly categorized into four schools of thought: neoclassical, Schumpeterian, Keynesian, and Marxist. The neoclassical advice is to 'correct market failures' through correcting fiscal and monetary policies (Bresser-Pereira 2010). The Schumpeterian responses are proposals coming from evolutionary economists who, together with neoclassical market fundamentalists, argue to 'let the system burn out alone' because the logic of creative destruction and innovation in the business cycle suggests that during recessions 'much dead wood disappears' (cf. Schumpeter 1939). The Keynesian responses, which have paradoxically received support even among 'free market' ideologues, come from international organizations and individual governments trying to 'repair the system' through policy coordination and institutional reforms (cf. Keynes 1933 [1972]). And the Marxist responses are from progressive intellectuals, civil society, and global justice movements—who have long been criticizing the current mode of production linked with the destruction of the environment—pushing to 'replace the system' (cf. Marx 1848, 1858).

A survey of the responses to the crisis coming from global governance institutions (the World Bank, IMF and the G-20), regional organizations (Asian Development Bank [ADB] and the ASEAN), and states (in East and Southeast Asia) manifests the unapologetic project for the perpetuation of neoliberal globalization. But while the multilateral and regional institutions have shown consistency in the preservation of the neoliberal regime, the Keynesian-inspired, Stiglitz-led UN Commission of Experts and the progressive global justice movements have reasserted their respective analyses about the capitalist system's susceptibility to recurrent crises and their respective calls for reforms and alternatives. In effect, despite its global magnitude and its differential impacts across sectors, the current crisis has not ushered in substantially new political-economic perspectives. They have simply factored in the exigencies of the global crisis as the context in their respective analyses, strategies, and visions within similar frameworks of their respective ideologies.

The World Bank, IMF, and their G-20 Allies

Over the last decade, the IFIs—the World Bank, the IMF, and the WTO—have been facing severe crisis of legitimacy and credibility. The disillusionment with these institutions come from the series of social crises they themselves have inflicted on countries that they were supposed to manage, restructure, and develop. In addition to the not so well-publicized budgetary crisis, failed projects and prescriptions of the World Bank (Woods 2006; Bello 2006), the dramas and revelations during the successive resignations of Joseph Stiglitz and Ravi Kanbur in the early 2000s demonstrated the Bank's strong neoclassical and neoliberal stance. The IMF received crushing blows from heavily indebted countries in Latin America, Africa, and Asia promising to never again be subjected to structural adjustment packages and conditionalities. The WTO has been struggling for survival as the almost five-year long Doha Development Trade Round collapsed in mid-2006. But with the current

global crisis, predictions about the IFIs' imminent demise appear premature, if not unfounded. In a concerted effort, they have risen up to the challenge of the crisis, not to admit and rectify errors in the past, but to reassert their presumed legitimacy and *raison d'être*.

Writing in July 2007, which is barely a month before the US subprime mortgage crisis became apparent, in commemoration of the 10th anniversary of the 1997 Asia crisis, the scholar-activist Walden Bello (2007) remarked about the 'demise of the IMF'. He argues that IMF has actually been a victim of the 1997 Asia crisis as Southeast Asia vowed 'never again' to IMF subjections. In addition, the IMF has suffered from severe and deepened crisis of legitimacy and credibility following 'the bankruptcy of its star pupil Argentina in 2002'. This also resulted in a serious budget crisis for the IMF since its big Latin American borrower states of Brazil, Argentina, and Venezuela boycotted it (Bello 2007).

But in less than two years, the 2008 global crisis has turned the tide towards the revival of the IMF. Dominique Strauss-Kahn, Managing Director of the IMF, triumphantly expressed during the G-20 Press Conference on 2 April 2009 that the: 'IMF is back. Today you get the proof when you read the communiqué, each paragraph, or almost each paragraph—let's say the important ones—are in one way or another related to IMF work' (IMF 2009b).

Ironically, the very same countries that suffered from decades of IMF conditionalities—specifically, Argentina, Brazil, and Indonesia which are now part of the G-20 following the G-7's expansion in 1999 to include emerging economies— were the ones who breathed new life to the Fund and thereby affirmed its legitimacy and relevance. The G-20 Summits in London (April 2009) and Pittsburgh (September 2009) have affirmed IFIs' 'important role in supporting (G-20's) work to secure sustainable growth, stability, job creation, development and poverty reduction. It is therefore critical that (they) continue to increase their relevance, responsiveness, effectiveness and legitimacy' (G-20 2009d: para 5). Furthermore, the new project for economic cooperation enshrined in the *G20 Framework for Strong, Sustainable and Balanced Growth* will be assisted and 'supported by IMF and World Bank analyses' (G-20 2009d: para 3; see also G-20 2009a, 2009b, 2009c). This in effect makes the G-20 another strategic institution, notwithstanding what they proclaim as an 'informal forum', through which the World Bank and IMF agenda are expressed and, more importantly, legitimized. However, despite the G-20's claim that they enjoy legitimacy, credibility, and economic weight, the hundreds of vulnerable and marginalized poor countries outside the Group are not represented and hence neglected. The crisis that could have killed the IMF and World Bank is also the one that has resurrected it. And the countries that were supposed to disdain them were also the ones who retain them.

While the world awaited the G-20 Summit in London in April 2009 and some hoped for a possibility of change in the global economic architecture, one could easily predict the crisis responses of the G-20 member countries, especially those of the IFIs. A close reading of the policy prescriptions of the World Bank and IMF re the global crisis documented prior to the G-20 London Summit could already give the idea of their agenda for the Summit: that is, the crisis offers an opportunity not to retreat from the global neoliberal project but to further advance a truly open international financial architecture and competitive markets that are coordinated, regulated, and enforced by them at the global scale.

The World Bank's *Global Monitoring Report 2009: A Development Emergency* echoes exactly the same neoliberal program and project that it has been pursuing from

the early 1990s to present (see Cammack 2003, 2009a, 2009b). In particular, the Bank's six priority areas are: [1] fiscal response to ensure macroeconomic stability; [2] prominent role of the private sector in investment, enterprises, finance, trade, and business to improve stability of the financial system; [3] 'leveraging the private sector's role in the financing and delivery of services'; [4] prescribing national governments to 'hold firm against rising protectionist pressures and maintain an open international trade and finance system'; [5] expediting the completion of the Doha negotiations; and [6] assertion of the 'key role' of the World Bank and the IMF 'in bridging the large financing gap for developing countries resulting from the slump in private capital flows, including using their leverage ability to help revive private flows' and thereby calling for the necessity for them to 'have the mandate, resources, and instruments to support an effective global response to the global crisis' (World Bank 2009: xii). A couple of days before the G-20 London Summit, World Bank President Robert Zoellick (2009) proposed to revitalize the multilaterals, namely: 'a WTO monitoring system' to complete the Doha negotiations; a monitoring role for the IMF to assess stimulus packages; and 'an overhaul of the financial regulatory and supervisory system' in which authority over regulation rests on national governments under an expanded Financial Stability Forum, which works 'with the IMF and the World Bank group on implementation'.

IMF's *Initial Lessons of the Crisis for the Global Architecture and the IMF* (2009) sees the crisis as 'a unique opportunity … to make progress on seemingly intractable issues'. Here the IMF has resolved not to miss the moment. While the IMF acknowledges that '(t)he crisis has revealed flaws in key dimensions of the current global architecture', the bottom line is that they uphold long held principles and propose to impose same policies again and again such as: [1] surveillance mechanisms that were first articulated after the 1997 Asia crisis and the dot-com bust in 2001 to allow them to detect vulnerabilities and risks at an early stage for their timely intervention; [2] that they be strengthened and mandated 'to take leadership in responding to systemic concerns about the international economy'; [3] rules governing cross-border finance; and [4] that they be given 'readily available resources' 'for liquidity support and easing external adjustment' (IMF 2009a: 13).

ADB and ASEAN

The ADB proactively responded to the fiscal needs of its developing member countries affected by the global crisis through 'lending assistance' amounting to USD 32 billion for the period 2009-2010 (ADB 2009). As expected, it is banking-as-usual—these are 'loans' extended to needy Asian countries to be paid from five to 15 years whose interest rates are determined by the London Interbank Offered Rate (LIBOR) either on a floating-rate or fixed-rate basis (ADB 2008). Typical of ADB's agenda and priorities *for* the private sector, 44% of the loan are for programs to stimulate growth and restore private sector confidence; 35% for countercyclical support facility (a new short-term loan extended to middle-income member countries) for structural reforms toward an attractive investment climate; 12% for trade facilitation to support private sector development; but only 6% for infrastructure and a measly 3% for social protection (ADB 2009). Of course, the debtor governments (read: the people and the taxpayers) guarantee these loans, absorb all the risks, and are accountable even when the private sector fails and is responsible for the crisis.

A month prior to the G-20 London Summit, the ASEAN Heads of States/Governments had its 14th Summit in Cha-am Hua Hin, Thailand and had a caucus on 1 March 2009 to discuss the global economic and financial crisis and come

up with their agenda which Indonesia, the only ASEAN member country of the G-20, is ought to convey to the G-20 leaders. What the caucus' final statement declares are exactly of the same theme—even using the same words—that the World Bank, IMF, and ADB spelt out in their respective responses to the global crisis. The ASEAN leaders: [a] concurred 'to restore market confidence and ensure continued financial stability'; [b] 'welcomed expansionary macroeconomic policies, including fiscal stimulus' and 'measures to support private sector, particularly SMEs'; [c] 'stressed the importance of coordinating policies'; [d] 'reaffirmed their determination to ensure the free flow of goods, services and investment, and facilitate movement of business persons, professionals, talents and labor, and freer flow of capital'; [d] 'agreed to stand firm against protectionism and to refrain from introducing and raising new barriers'; [e] 'agreed to intensify efforts to ensure a strong Doha Development Agenda outcome'; [f] 'develop a more robust and effective surveillance mechanism'; [g] 'welcomed the new Asian Bond Markets Initiative Roadmap'; [h] called for 'more coordinated action by both developed and developing countries … to restore financial stability and ensure the continued functioning of financial markets to provide support to growth'; and [i] 'called for a bold and urgent reform of the international financial system' (ASEAN 2009c). This declaration is coherent with ASEAN's commitment towards the ideals of free trade, competitiveness, and an open market economy being institutionalized over the last decade and will be pursued in the years to come. With the adoption of the ASEAN Charter at the end of 2008, ASEAN member countries have expressed their commitment to deepen Asian integration, patterned after the rules-based EU, towards the creation of a single market and productive space by 2015 (see ASEAN 2009a, 2009b). Rather than being cautious of the promises of free market under conditions of the current crisis, ASEAN has had sealed investment and trade agreements with countries in the Asia Pacific (Australia and New Zealand), East Asia (South Korea and China), and South Asia (India) almost every month from February to August 2009.

UN Commission of Experts
On November 2008, the President of the UN General Assembly convened a Commission of Experts to study the global crisis and propose reforms on the international monetary and financial systems. The experts include a school of heterodox economists and activists. The final report can be read as a summary of the essentials of the Commission members' lifelong experiences and writings as policy-makers, scholars, and activists. They articulated in the deliberations and put in the final report their long held heterodox economic ideas (Keynesian and post-Keynesian) and critique against neoliberal globalization formulated in words that meet the circumstances of the current global crisis.

   The Commission of Experts started their conclusion with a remark that 'the crisis is man-made: it was the result of mistakes by the private sector and misguided and failed policies of the public' (UN 2009: 132). Eight common themes have been laid out in the analysis: [1] growing inequalities in most countries in the world; [2] the global scope of the crisis that requires responses from a global perspective; [3] existence of large global asymmetries, specifically asymmetric responses between the developed and developing countries that perpetuates the unjust transfer of funds from the poor to the rich countries that have caused the conflagration in the first place; [4] inadequate financial regulation; [5] the mismatch between the pace of economic globalization and the development of political institutions both at the national and international levels; [6] the pervasiveness of externalities, an instance of market failure that renders

the 'efficient market hypothesis' meaningless—this in turn calls for coordination of global financial regulation and the availability of resources especially for the developing economies to conduct countercyclical fiscal policies; [7] financial 'innovations' that failed to manage risks and enhanced problems of information asymmetries, and the problems of too-big-to-fail, too-big-to-be-resolved banks as results of inadequate competition laws and enforcement deficiency; and [8] crisis as both opportunity (to engage in reforms) and danger (power structures reinforcing inequalities and inequities).

   The Commission then went on to propose a large number of recommendations taking their heterodox economics perspective as point of departure including: [a] creation of institutions to coordinate global economic policy such as Global Economic Coordination Council and International Panel of Experts; [b] the need for a New Credit Facility with governance structure responsive to the needs of both lenders and borrowers; [c] reform in the systems of risk management, including the sharing and transferring of risks from those less able to bear them to those more able to do; and [d] addressing the problem of insufficient aggregate demand even after the crisis which makes it imperative for fundamental reforms such as a new global reserve system and for a careful 'exit strategy' from existing stimulus policies.

Global Justice Movements

'We told you so' has become a prominent slogan of the critics of neoliberal globalization as the multiple crises exploded and shook the world. The analysis of the global civil society expressed in various people's forums and channels since the 1990s have been vindicated by the global crisis. They are therefore proposing alternative futures that they have long been articulating, hoping that the global crisis would usher in a much more caring and just world. For instance, the World Social Forum (WSF) and the Asia-Europe People's Forum (AEPF), which are broad networks of civil society and social movements across the globe, have looked at the global crisis as 'an opportunity for another world' and 'an historic opportunity for transformation', respectively. The WSF is said to have been 'revitalized by the global crisis' as renewed interests in their call for 'Another World Is Possible' arise (Osava 2008). The AEPF likewise continues to critique neoliberal globalization and reiterates the policy reforms and programs in the areas of politics, economics, and culture constantly formulated in their biennial Forums since 1996 in accordance with their founding principles for a people-centered peaceful, developed, and democratic world (see AEPF 2009).

   Yet, the global justice movements are confronted with a paradox at this moment of crisis when they are simultaneously weakened and activated. While these movements have been vindicated, at least in their analysis and call for change, the pro-neoliberal forces have been in concert in recovering the system and the maintenance of the status quo (Bienefeld 2007; Schmidt 2009). If there is an increasing need for change to the crisis-prone global capitalist system, the forces of alternative futures are faced with a Gramscian and a Marxist realpolitik which render them incapable to eliminate the recurrent social and economic disasters endemic to the capitalist system.

   Antonio Gramsci and Karl Marx still provide a classic reading of the besetting problems of social change and the great challenges to progressive forces. Gramsci's (1971) famous line applies today: 'The crisis consists precisely in the fact that *the old is dying and the new cannot be born*; in this interregnum a great variety of morbid symptoms appear'. Marx also spoke of an all-time contradiction in the struggle for social change that people make their own history but under conditions of imposed

structural limitations and historical fetters. Giving a timely analysis of today's struggle, Marx (1852) aptly observes that:

> The tradition of all dead generations weighs like a nightmare on the brains of the living. And just as (the people) seem to be occupied with revolutionizing themselves and things, creating something that did not exist before, precisely in such epochs of revolutionary crisis they anxiously conjure up the spirits of the past to their service, borrowing from them names, battle slogans, and costumes in order to present this new scene in world history in time-honored disguise and borrowed language.

In a word, while the global crisis reveals the weak link in neoliberalism, the forces of change continue to be weaker. The old capitalist structure confronted with new problems has not evoked new perspectives. In this situation in which the configuration of political-economic power remains to the overwhelming advantage of the hegemonic structure and agents, the 'spatio-temporal fix' of contemporary global capitalist crisis becomes conducive to neoliberal reproduction.

Authoritarian Liberalism in Asia

The reaffirmation of neoliberalism despite its own crisis by international institutions, regional organizations, and states is well received in the Asian region. Contrary to the popular characterization of 'developmental states' in East and Southeast Asia, a distinctive state form has long been in the process of being institutionalized ever since the region got locked-in the circuit of neoliberal globalization. This distinctive state form is referred to as 'authoritarian liberalism', where a liberal market economy is embedded in an authoritarian polity. It is within this framework that these parts of Asia are responding and progressing during the global crisis. Drawing on experiences in the 1997 Asia crisis and the 9/11 terror attacks and on the ASEAN 2015 project, the case of authoritarian liberalism in the region provides important lessons toward understanding the eventual and most probable outcome of the present crisis.

There are two mainstream theses that cannot explain contemporary political economy of East and Southeast Asia: first is 'modernization theory' of the hyperglobalist that says that globalization necessarily creates a world of liberal democracies; and second is the 'democratic peace' that claims that democracies do not go to wars against each other. The restructuring of states in the region towards authoritarian liberalism—i.e., liberal economies in the framework of authoritarian polities—offers a much more appropriate reading than that of the mainstream. A look at two major crises that struck capitalism in Asia, namely the 1997 crisis and the 9/11 terror attacks, suggests how crises have become functional to the institutionalization of authoritarian liberalism.

The toppling of two military regimes—Ferdinand Marcos' in the Philippines in 1986 and Suharto's in Indonesia in 1998—were regarded as 'democratic moments', signaling the process of democratization in the broader region. This comes at a time when the dominant discourse from mainstream scholars and policy-makers prophesies that economic liberalization encourages the development of liberal and democratic modes of governance. The mainstream assumes that the liberation of a self-reliant and progressive middle class from authoritarian rule was a functional requirement of well-managed markets. Today, such a claim appears hollow. Theoretically, the model of liberal democracy generally proposed in the transitions literature was always thin. It

alienated the idea of democracy from its social connotation as popular power in favor of 'formal' and procedural criteria, symbolized above all by the holding of regular multi-party elections and the 'effectiveness' of political institutions. The principles and associated practices of people's sovereignty, including the accountability and responsiveness of governments, and political expression and participation by voters and citizens, are hardly featured at all. Empirically, East and Southeast Asia appear to demonstrate a quite different prospectus from this dominant discourse—characterized by limited accountable government, relatively unfree and unfair competitive elections, partially curtailed substantial civil and political rights, and compromised associational autonomy. In fact, neoliberal globalization and its crisis prone economics may mean the end of liberal democracy rather than its triumphant ascendancy. Historically, if there is any cogent lesson that the past two decades have shown about the relationship between democracy and political-economic regime, it is that a market economy can thrive and survive even without democracy. Asian elites do not necessarily become forces for political liberalism and democracy; they can be downright illiberal and anti-democratic so long as it serves their vested interests (Rodan, Hewison, and Robison 2006).

1997 Asia Crisis and 9/11 Terror Attacks

The 1997 Asia crisis accelerated the reorganization of state authority and regulatory frameworks that were already in train long before the crisis in East and Southeast Asia. Central to these political-economic forms is 'the emergence of the new regulatory state, which is directed towards the production of economic and social order within a globalized economy' (Jayasuriya 2005; see also Jayasuriya 2000, 2001). The rationale behind this attempted transformation of political authority is clear. Through the provision of new regulatory frameworks, the state seeks to insulate a range of key economic institutions from the influence of democratic politics and thereby safeguard the market order. The outcome is an explicit linkage between authoritarian politics and a rules-based mode of governance in a range of economic policy areas.

  Looking back on the 1997 Asia crisis experience, the political strategies and social policies carried out in response to it had been detrimental to democratization, human rights, and the poor. Firstly, the crisis provided the political, economic, and intellectual justification for authoritarian rule—couched in the language of 'Asian values'—especially among Asian elites (notably in Malaysia, Singapore, China, and Thailand). These elites also came out to explicitly preach the inappropriateness of North and West European welfare state system. Secondly, the crisis had sidelined human rights obligations on civil and political rights in the name of surveillance and internal security (such as in Malaysia and Singapore) and on social and economic rights in the name of belt-tightening measures (resulting in the reduction of social spending in many countries like Indonesia, the Philippines, and Thailand). And thirdly, the policy responses to the crisis from governments and international institutions were designed to save and protect the market, businesses, and corporations. For instance, the Second Asia-Europe Meeting (ASEM-2) held in London in 1998 created the 'ASEM Trust Fund' which eventually proved to be lacking in political will and institutional mechanisms to ensure that the fund targets the poor and the workers who were the most vulnerable and adversely affected groups during the crisis. In short, in times of crisis democratization may be stalled, human rights compromised, and the poor severely neglected.

  Even the 9/11 terror attack has not jolted Asia out of the institutionalization of

authoritarian liberalism. In fact, the US-led war on terror has provided 'exceptional' powers to Asian governments through the expansion of their discretionary powers of detention and surveillance. Asian (semi-)authoritarian regimes have become strategic sites of opposing terrorism. The human rights situation in the region after the events of 9/11 has been alarmingly dismal, hitting the headlines which range from numerous cases of outright killing of human rights defenders and journalists in the Philippines to the killing and harassment of monks and their sympathizers in Burma.

Post-9/11 Asia is by far a region of authoritarianisms—a security complex of authoritarianisms. Regional stability appears to come from a 'peaceful coexistence among authoritarianisms', rather than among democracies, following the policy of non-interference which every government in the region normatively proclaims. The region is progressing towards the resurgence or deepening of variations of authoritarianisms: semi-authoritarian regimes in Malaysia and Singapore; the military government in Myanmar; the influence and prominent role of the military and monarchy in Thailand; one-party rule in China, Laos, Cambodia, and Vietnam; culture of impunity and continued militarization in Aceh and Papua in Indonesia; and an administration predisposed to authoritarianism in the Philippines. Time and again, numerous researches conclude that it is under conditions of authoritarianism, alongside war and poverty, in which governments and people are most likely to commit large scale murder, torture, and arbitrary imprisonment.

The ASEAN 2015 Project Towards a Single Market
The current responses of East and Southeast Asian states to the global crisis are bold and explicit that there is no backtracking on authoritarian liberalism. The multi-billion dollar economic stimulus packages carried out by these countries as well as the multi-million loans they have received from the ADB are all directed and oriented towards economic growth recovery, private sector assistance, and an open market economy, and less on social protection for the poor (see ASEAN Affairs 2008; ADB 2009). Still, in a highly volatile political-economic situation there are risks that these billions of dollars can generate sharper budget deficits and even lead to another debt crisis. In fact, it is in the context of the three successive major economic crises in the last decade—the 1997 Asia crisis, the 2001 dot-com bubble collapse, and the 2008 Great Recession—that a daring project for a rules-based ASEAN single market by 2015 has been launched following the ratification of the ASEAN Charter on December 2008. Add to this, as already mentioned above, is a series of trade and investment agreements in the region that have been signed and adopted in the first half of 2009, namely: ASEAN free trade agreements with Australia and New Zealand, investment and trade in goods and services within ASEAN itself, ASEAN investment agreements with South Korea and China, and ASEAN trade in goods agreement with India.

With the adoption of the ASEAN Charter and thereby the ASEAN Economic Community Blueprint, the 10 member countries have categorically committed themselves to the furtherance of free trade, competitiveness, and an open market economy; thus the perpetuation of a neoliberal order. All these commitments are expressed only on paper. The realpolitik is at the national level of individual member countries. The feasibility of this vision comes into conflict with the realpolitik of the nature of Asian elites—that is, it is their respective interests, not ideology, that matter at all times. Asian elites can be profoundly anti-market and counter-competitive so long as it serves their interests.

Concluding Remarks

This paper has addressed three interrelated themes with the hope of contributing to a critical understanding of the dynamics in contemporary political economy in which the project of neoliberal reproduction persists in the context of the global capitalist crisis: [a] the constitutive role of crises in the evolution of neoliberalism; [b] the unchanging perspectives in the respective responses of pro- and anti-neoliberal forces that in effect preserves the policy and discursive hegemony of neoliberalism; and [c] the probable strengthening and even acceleration of emergent authoritarian liberalism in East and Southeast Asia despite and because of the global crisis. The discussion also points to three conclusions.

First, crises play a constitutive role in the evolution of neoliberalism. That is to say, neoliberalism was born out of the crises of the mid-1970s, has evolved through a series of crises over the last 40 years, and is dying of, yet struggling to survive, the multiple crises culminating in the current global crisis. As indicated, neoliberalism as an ideological form of market fundamentalism has died, but not the substance of capitalism as a specific capital-labor relation and a process of capital accumulation. Crises have so far been functional, rather than dysfunctional, to neoliberalism in the following senses: (1) Crises reshape class and social relations but in ways that perpetuate the hegemony of capital over labor and the preservation of elite rule. (2) Crises restrategize development plans of institutions from international organizations to states to further advance, not retreat from, market-led development. (3) Crises restructure states and societies in which social institutions are oriented towards the logic, requirements, and imperatives of capitalism.

Second, the global capitalist crisis has not ushered in new perspectives in terms of analyses, strategies, and visions. Both proponents and critics of neoliberal globalization have simply rearticulated the fundamentals of their *respective* time-honoured political-economic ideologies. The pro-neoliberal forces are not retreating from unfettered market-led development, but are rather advancing their venerable pro-market projects and programs with stronger and better institutions. And the anti-neoliberal forces continue to critique attempts to recover neoliberalism and reassert their call for alternative futures. Meanwhile, there are differential catastrophic impacts across social classes, especially among the poor, marginalized, and vulnerable sectors. People and groups from all ideological positions look at the global crisis as both danger and opportunity. They particularly look at the crisis as an opportunity to advance their respective causes and interests. The danger is however manifest: the hegemonic neoliberal agents and structures are seizing hold of this moment of crisis, using it to their advantage, and hence reinforcing neoliberalism and its effects of deepening and widening miseries.

And finally, there is a movement towards the institutionalization of authoritarian liberalism in East and Southeast Asia. It is within this emergent political-economic regime (market economies in a framework of authoritarian polities) that countries in the region are responding to the crisis. The signs drawn from the 1997 Asia crisis and 9/11 experiences are clear and the ASEAN 2015 project towards a rules-based single market is telling about the further entrenchment of authoritarian liberalism as a state form in the process of neoliberal reproduction in the spaces of global capitalism at this time of multiple crises.

Note

* This paper is derived from a section drafted for the author's doctoral dissertation to be submitted later on to Aalborg University, Denmark. Initial ideas here were presented and discussed in the conferences in London (*Historical Materialism Conference 2009*) and Manila (*Fourth APISA Congress*). The author is grateful for the feedback received for the development of the paper and for the comments from the *IJIS* reviewers. The usual disclaimer applies.

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State Control Policies and the Path Towards Ethnic Cleansing: The Case of the Palestinian Arab Bedouin in Israel

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ABSTRACT. The notion of nation is quite recent. It is intertwined with that of equal citizenship and nationality, the aim of the state is to uniform those who are going to become its citizens, under a homogenous state design. But it is this process of state uniformity that is flawed: state's mechanisms of categorization result from a process of inclusion and exclusion—majority and minority—that cannot help but create marginalization. For this reason, gypsies, vagrants, nomads and pastoralists (Berbers and Bedouins) become national minorities to be controlled under the majoritarian power of the state. Because "all majoritarianisms have in them the seeds of genocide" (Appadurai 2006: 57), states tend to pursue a policy of ethnic cleansing in order to eliminate the dirty spots from their national purity. On the basis of this consideration, the case of the Palestinian Arab Bedouin is an example of how the state can control, suffocate and cleanse its own national minorities and ethnic groups.

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> *Our land abandoned us, we did not abandon her.*
> *We'll pasture our livestock, and follow it.*
> — Bedouin proverb

Introduction

The Bedouin are part of the national imaginary in Jordan and play a significant part in surrounding states such as Syria, Saudi Arabia and Egypt. The Palestinian Arab Bedouin are part of the infamous history of indigenous tribes fallen under the exploitative invasion of new settlers who, in order to establish their home, have expropriated those of the older inhabitants. In the course of this paper, Palestinian Arab Bedouin and Bedouins will be used interchangeably as synonyms.

There are many different groups of Bedouin in the Negev region of southern Israel where their presence goes back 7,000 years, some are still nomadic and they derive their livelihood from grazing and herding (Finkelstein and Perevolotsky 1990: 67-69). Prior to the birth of the State of Israel in 1948, many Bedouin in the region abandoned their nomadic way of life, becoming largely sedentary by establishing themselves in villages and developing a system of land ownership based on individual and communal rights (Human Rights Watch [HRW] 2008: 1). The 1948 War caused the expulsion of Bedouin in certain cases, and flight for others to the surrounding areas of the West Bank (Jordan), Gaza and Egypt. As a result, only 19 tribes remained in the Negev, which have since grown to 170,000 inhabitants (HRW 2008: 16). Due to discriminatory policies implemented by the Israeli government, the Bedouin have endured decades of segregation, faced forcible removal into restricted areas, experienced home demolitions, and ongoing internal displacement. Victims of what resemble a process of ethnic cleansing, the survival of the Palestinian Arab Bedouin is seriously hampered by a state whose "members are persecuted for who they are, not what they have done" (Fein 2007: 132).

The case of the Palestinian Arab Bedouin has been the point of departure for a reflection on the effects of a society whom the state wants to regulate. Given that the notion of nation is quite recent, societies that states want to govern are usually older and have developed over a considerable period amount of time. As such, they generally have a series of traditions, customs and relationships that are difficult to operate within a state system which imposes its ascendance from above. The idea of nation is intertwined with that of "equal citizenship" (Scott 1998: 32) and nationality where the aim of the state is to create unity among those who are going to become its citizens. But it is this process of state uniformity that is flawed: a nation's mechanisms of categorization result from a process of inclusion and exclusion, majority and minority, that cannot help but create marginalization. For this reason, gypsies, vagrants, nomads and pastoralists (Berbers and Bedouins) become national minorities to be controlled under the majoritarian power of the state. Because, "all majoritarianisms have in them the seeds of genocide" (Appadurai 2006: 57), states tend to pursue a policy of ethnic cleansing in order to eliminate the dirty spots from their national purity. Majoritarianism, as argued by Michael Mann, refers to majoritarian democracy frameworks that in extreme cases legitimize genocide and ethnic cleansing (Mann 2005). On the basis of this consideration, the case of the Palestinian

Arab Bedouin is an example of how the state can control, suffocate, and cleanse its own minorities.

Legibility and Manipulation: A State Policy of (Under)Development

Legibility and manipulation are the binomial and often the basis for the construction of the modern-state. In his eye-opening work, *Seeing like a State*, James C. Scott (1998: 2) defines legibility as the need of a state to schematize its units in order to render them visible, or from Scott's point of view, legible and thus easily manipulable. Land, people and languages are some of the units chosen by the state to impose its variety of centralizing mechanisms. The modern-state asks to see and to be seen in order to fulfil its basic purposes of "taxation, conscription and prevention of rebellion" (Scott 1998: 2). Due to the rationalizing effort enforced from above, a state does not take into consideration a range of invisible factors that are impossible to codify but that are still part of the society it wants to rule. A cadastral map focuses on the demarcation of its borders and not on what the borders contain, leaving out the knowledge of the locals whose presence is prior to that of the state. The authoritarian implementation of a legible uniformity usually denies diversity (Scott 1998: 18), which can lead to marginalization of certain minorities and threatens the well-being of others.

The Inequalities of 'an equal citizenship'

This bias, that some have rightly defined as ethnocentric (Preston 1996: 174), has universally exported Western "distinctions between those who belong and those who do not" (Weiner 1993: 1737), which are embedded in the nature itself of the modern nation-state (Appadurai 2006: 49-50). The motivation of the state to classify and homogenize its populace is contemporary to industrialization and "disembedding mechanisms" (Giddens 1991: 53) of a production line. Similarly, the idea of an "equal citizenship" (Scott 1998: 32) may generate legible citizens but fails to generate equal ones since a state's mechanisms of categorization result from a process of inclusion and exclusion – majority and minority – that cannot help but create marginalization. As pointed out by Arjun Appadurai (2006: 49), minorities and majorities are "recent historical inventions, essentially tied up with ideas about nations, populations, representation, and enumeration which are no more than a few centuries old". States are usually younger than the societies they want to govern (Scott 1998: 183) which have grown regardless of the state's administrative design. It is not surprising that the bulk of history, customs, and relations within certain societies are perceived as uncivilized elements that must be torn down by the centralizing force of the state. The Bedouin do not fit Western norms and are generally unmanageable, making control over them severe or not feasible at all. It goes without saying why the state, whose prerogative is immobility, has always tried to domesticate the gypsies, vagrants, nomads and pastoralists (Berbers and Bedouins) with sedentarization plans in order to make them legible and manipulable (Scott 1998: 184).

The Fear of Minorities

As we have seen so far, marginalization is often the consequence of the state's efforts to produce a homogenous national majority (Scott 1998: 76).

   When a state imposes itself on an existing society, it proves the basis for Ole Waever's theory of securitization. To distinguish Waever's theory from a simple theory of politicization, any security threat directed at state sovereignty or society is taken as the principle that empowers the state to use exceptional means of authority to protect national security. This extraordinary measure would not be used solely for political interest, through security justifications, as more socially acceptable, stretched by the state's scope of activities. Although society and state are generally two sides of the same coin, Waever (1995: 13) hypothesizes their difference, so that state security is what protects a state against a threat to its sovereignty, while societal security is what protects a community against a threat to its identity. Waever argues that the fear of nation-states being challenged by transnational actors in the global era involves fear of the society's identity, including from migration (Castles and Miller 2009: 30-31). It is not a coincidence that the migrants of Waever's analysis and the nomadic groups discussed in the previous section, who both share the condition of being "uprooted" (Mallki 1992: 25), have been securitized by the state as a threat. Despite their "small numbers" (Appadurai 2006: 49), the image of a minority that is a threat to the majority is part of the modern political discourse and derives from the elemental 'we vs. they' sociological theory which stigmatizes the they in order "to set the boundaries … of the we" (Appadurai 2006: 50).

The Dark Side of Democracy: Ethnocracy

Ethnocracy is a form of ruling where one ethnic group holds a privileged position over the rest (Yiftachel 2006: 9). A state that develops a policy focused on nationalist and racial identities and implements a campaign that stirs fear among the majority of the minority group, could turn into a genocidal ethnocratic regime and pursue a plan of ethnic cleansing (Appadurai 2006: 59). An ethnocratic regime is often found on a geopolitical map but it is seldom studied. The main objective of such a regime is to maximize ethnic control over contested territory and expand its authority apparatus.

   A developed control system is typical for ethnocracies and is used to maintain a dominant position of one ethnic group and is regarded as necessary to exercise control of the legal, institutional, and power instruments (Yiftachel 2006: 11). A dominant, charter ethnoclass may take possession of the state apparatus and it becomes the authority in the process of decision making for most public policies. Ethnocratic regimes may emerge in a variety of forms, including cases of ethnic dictatorships which often implement strategies of ethnic cleansing on indigenous persons.

Ethnos and *Thanatos*: What Lies Behind Ethnic Cleansing

As national uniformity has become the basis for the modern nation-state, the recurrence of ethnic cleansing has doubled so much that UN Special Rapporteurs, A.S. Al-Khasawneh and R. Hatano, in their 1993 Report, *The Human Rights Dimensions of Population Transfer*, has defined the 20th century "as the century of the displaced".[1]

The removal of "an 'undesirable' population from a given territory due to religious or ethnic discrimination, political, strategic or ideological considerations, or a combination of these" (Bell-Fialkoff 2004: 110) is a characteristic of modernity and of a "politicized" nationalism (Mann 2005: 3). Appadurai describes this as "the anxiety of incompleteness" as a result of the majority becoming predatory towards the small numbers (Appadurai 2006: 8). Institutions such as "citizenship, democracy, and welfare" (Mann 2005: 3) are in fact based on national and ethnic principles, frequently justified by a "rhetoric of state security" (Mulaj 2007: 336). As pointed out by Mann (2005: 3), ethnic cleansing is the dark side of democracy, since in our times the original meaning of the word democracy (rule by the people) has ended up to combine, or confuse, *demos* (masses, people) with *ethnos* (ethnic group). As a result, Mann (2005: 18) argues that the majority of contemporary states—today "70 % of the population consider itself to be of one ethnicity"—are "mono-ethnic" and thus stem from a process of ethnic cleansing.

States are able to pursue a literal elimination of national minorities "rendering an area ethnically homogenous" (Cohen 1999 cited in Fein 2007: 152). The method of ethnic cleansing becomes a tool which is utilized to achieve "nation-state creation" (Preece 1998: 818) as "genocide, after all, is an exercise in community-building" (Gourevich 1999 cited in Appadurai 2006: 7). The notion of ethnic cleansing is often confused with that of genocide, or "1) alternative to genocide, 2) a step toward genocide, 3) the means of genocide" (Fein 2007: 152), but there is not any link between the use of these two words and the enormity of a massacre (Blum, Stanton, Sagi, and Richter 2007: 206). Ethnic cleansing on a wider scale includes cultural suppression, tactics of control, such as detaining persons for movement, employment restrictions and limited access to education, housing, medicine and food to list a few. The attention dedicated to the use of the word 'ethnic cleansing' is not simply a linguistic exercise, but originates from an awareness that the reason ethnic cleansing has not been recognized and prevented over time comes from the failure of labelling it (Fein 2007: 154).

Since the use of the expression has become popular amongst journalist, politicians, NGOs and UN bodies, it has shed new light on the phenomenon of forcible removal that occurred prior to modern times and that only now can be framed as ethnic cleansing. From this historical perspective it appears that ethnic cleansing dates far back in time and has "only intensified in the late nineteenth and twentieth centuries" (Bell-Fialkoff 2004: 110).

The expulsion of Jews from central Europe in the Middle Ages was a cleansing that targeted religious minorities. The first cleansing based on ethnic justifications was executed by England in the 1650s with the expulsion of the Irish Catholic population from Ulster (Bell-Fialkoff 2004: 112). The 18th century was witness to the gradual expulsion of the native American population by the white settlers while the 19th century saw the elimination of the Armenian minorities by Turkey which was presented for the first time as the final stage of a state policy of ethnic discrimination (Bell-Fialkoff 2004: 113). In the 20th century, the vicious plan of the Nazi policy of ethnic purity aimed at annihilating the Jews (*Junderein*): first in Germany, then emptying some of the European territories (see the case of Poland) to create *Lebensraum* for the German settlers, and finally to render the whole of Europe (and even the whole world) *Junderein* by submitting the ethnic Germans from Eastern Europe to Hitler's occupation (Mulaj 2007: 342). After the World War II, the Potsdam Protocol of 1945 authorized the Allies to

remove an estimated 14 million Germans from Eastern Europe to what is considered "the largest and most sweeping ethnic cleansing in history" (Bell-Fialkoff 2004: 115), whereas the cleansing based on economic class characterized Stalinist Russia and Maoist China.

This history of cleansing paved the way to what occurred in Bosnia and Croatia in the early 1990s, where the term ethnic cleansing has its roots. It comes in fact from Croato-Serbian *etnicko ciscenje* and it was used for the first time by the Yugoslav National Army (JNA) to refer to the ethnic violence of the Kosovars towards the Serbs (Preece 1998: 820). The atrocious warfare operations were undertaken by JNA with support of Croatia's Serb nationalist party, to ethnically cleanse Krajina, a part of Croatia declared to be Serbian (Gagnon 2004: 4). This violent campaign aimed at the removal of non-Serbs did not end once all non-Serbs were expelled. The bloodshed at this time was directed at moderate Serbs in the region of Krajina who condemned the Belgrade-allied Krajina leadership. Most of the people in opposition to the leadership were prosecuted, oppressed, or sometimes killed (Gagnon 2004: 5). This reminiscence of fratricidal slaughter (and other events from the Balkan wars) is often omitted and divergent in scholarships on ethnic-based conflicts in the Balkan region. As Philip Gagnon claims, explaining the violence of the 1990s Yugoslav wars is a puzzle in a number of ways, not limited to the ethnically-based elucidation of violence (Gagnon 2004: 6).

It appears that ethnic cleansing has come into shape and has accompanied the modernization and democratization of the world, given that "its past lay mainly among Europeans, who invented the democratic nation-state.… Now the epicentre of ethnic cleansing has moved into the South of the world" (Mann 2005: 5).

"Discrimination and prejudice" (Bell-Fialkoff 2004: 120) have remained the triggering forces, while "sanitation and disease" (Blum et al. 2007: 205) are still the leitmotif that drive a "predatory identity" (Appadurai 2006: 51) to cleanse a minoritarian one. As Mann states, "Ethnicity is not objective" (Mann 2005: 10), every group can claim to have common culture and ancestors—i.e., the two premises an ethnic group usually relies on. Yet, at the same time every group can arbitrarily claim to be mandated to purify itself by destroying another, and in the case of ethnic cleansing, "the enemy to be annihilated is the whole people" (Mann 2005: 3).

Historical Background

The name Bedouin is derived from the Arabic term *badawi*, which translates to "a nomadic inhabitant of the desert who depends for his livelihood on herds of camel and sheep" (Marx 1967: 3). The Bedouin historically would move between the Negev desert, the Sinai Peninsula in Egypt, and southern Jordan for grazing land and to pursue a nomadic way of life. The Bedouin are an indigenous group recognized for their ancestral ties to the land in the Negev region by rootedness that pre-dates the settlement of most of the population living there today. In 1900, the Ottoman government established the largest city, Beer Sheva, as the administrative centre in the Negev, which is often referred to as the capital city of the region. The collapse of the Ottoman Empire, in the beginning of the twentieth century, made way for the British authorities to maintain law and order in the region; however, the British intervened minimally in Bedouin affairs (Marx 1967: 11).

The Bedouin's situation was the result of the Zionist[2] ambition to create a homeland for the Jewish populace on the Palestinian Mandate territory. This movement led to the establishment of Israel in 1948, when British Mandate was withdrawn. Control over the territory was achieved through occupation of the Palestinian cities and villages by Jewish troops and expulsion of the indigenous population, this severely affected the Bedouin's culture and coexistence (Piotrowski 1983: 95). In 1948, before the outbreak of the war, the Bedouin-Arab population ranged between 60,000 and 90,000 people. At the end of the war, most of the tribes were expelled to Jordan (West Bank), the Gaza Strip and the Sinai (Egypt), and only about 11,000 Arab Bedouin remained within the new Israeli state boundaries (Noach 2009: 2). In 1951, military rule was imposed on the remaining nineteen Negev Bedouin tribes and concentrated in a closed area of about 1,000 square kilometres in the northern Negev region. The Bedouin remained under military rule until its withdrawal in 1966 (Abu-Rabia 2002: 203); thus, the Israeli government decided to sedenterize and urbanize the Bedouin in seven planned townships (Noach 2009: 3).

Dispossession of the Bedouin's land was based on the *Land Acquisition Law* of 1953, which gave the state the right to acquire land that had not been registered in The Land Registry Office up until April 1952 (Abu-Ras 2006: 3). Under the 1965 *Planning and Building Law* almost all of the land was categorized as agricultural, making the villages unrecognized and all the buildings were labeled 'illegal' (Noach 2009: 4). In the aftermath of the Six-Days War in 1967,[3] Israel had extended expropriation of land from the Bedouin not only within its state, but also in the Occupied Territory.

The Expropriation of Bedouin's Land

The highly centralized system of ownership and control of the land by the Israeli government is basically responsible for every activity that covers allocating, planning and developing the 93 per cent of the land under its possession (HRW 2008: 27). While some parts of land are directly owned by the state, others are owned by governmental agencies such as the Development Authority (DA) and the Jewish National Fund (JNF). The former (DA), founded in 1952, administers the lands of Palestinian refugees in order to make them available for the development of new settlements. On the other hand, the JNF was founded in 1901 and is in charge of obtaining land for Jewish settlers. A third governmental body, the Israel Land Administration (ILA) administers all of the land. Land is state-property; it cannot be sold but leased to individuals or institutions for 49 or 98 years through ILA (HRW 2008: 27). Although the sale of state land is prohibited by law, the law itself permits the state to transfer its own land to the JNF. If we consider that with the 1950 *Absentee's Property Law*, the JNF sequestered 78 per cent of the land of the Palestinian refugees who fled the 1948 war, and if we consider that 10 out of 22 members that compose the ILA's governing council represent the JNF (the other 11 are represented by government ministries), it is evident that the JNF owns the majority of land and exercise a certain influence on Israeli's policy of land access and allocation. As a consequence, and in reality, Palestinian Arab citizens who are legally entitled to lease land owned by the state and not transferred to the JNF encounter a lot of difficulties accessing the land since they are closed off from leasing 80 per cent of state owned land.[4] The obstructionist policy suffered by the Bedouin in terms of land expropriation, including the relocation of people and displacement, is part of a broader picture that

involves the Palestinian Arab community in general. Besides the *Absentee's Property Law*, the Israeli government has carried out several laws that have impounded the land traditionally owned by the Palestinian and the Arab Bedouin population (HRW 2008: 29).

The Displacement of the Bedouin

A state has numerous responsibilities and duties to fulfill for its citizens – foremost of which is to offer security and protection. Displacement may occur in times of urgency when a state needs to secure and protect its citizens from war, violence and natural disaster, yet the populace should be able to return once the emergency ceases to exist. The Palestinian Arab Bedouin have a lengthy history of mobility, which is not connected to these instances of non-voluntary movement but due to their tribal traditions and nomadic pastoralist lifestyle. Individuals who are forcibly displaced from their residence may become a recognized vulnerable person under the definition of a refugee or an internally displaced person.

For centuries, the Bedouin in the Negev were freely able to live their nomadic lifestyle and endured a 'world without time' under the Ottoman Empire and the British Mandate (Goering 1979: 3).[5] The creation of international borders and the restriction on individual's movement by the modern state did alter the Bedouin's nomadic patterns of migration from moving villages and land seasonally to settling for longer periods within different regions until the land was no longer fertile. "Although under the Ottoman Empire and British Mandate some of the Bedouin could be classified as having reached a semi-nomadic stage, this process of sedentarization was forcefully accelerated to a considerable degree after the founding of the State of Israel" (Goering 1979: 3). The 1948 *al-Nakba*[6] catastrophe for the Palestinians marks the beginning of the internal displacement and movement to the eastern Negev. The state's control of the Bedouin from 1948 to 1967, was enforced by the Israeli military laws and rule which only applied to the Arab population and confined them to remain in the *Siyag* areas, restricting their access to citizenship and public services (Koeller 2006: 38). Movement of Bedouin under military rule was further restricted by military permits which were the only way to allow them to leave or enter the towns and villages.

> In order to acquire Israeli citizenship, each Bedouin had to affiliate with a recognised tribe regardless of their original genealogy. They have subsequently been forced to sedentarise and relocate to seven officially-sanctioned state-planned townships. The Bedouin are offered subsidised plots of land, access to water, electricity, roads, medical facilities and schools – under the condition that they agree to locate to the approved townships and abandon claims to land elsewhere in the Negev. (Koeller 2006: 38)

For the Bedouin to settle into the state-planned townships would directly result in ethnic-cleansing that would ultimately alter their traditional culture as semi-nomadic and eliminate the possibility to ever regain their unique pastoralist livelihoods. As a result, the Bedouin that did not voluntarily move to the planned townships, instead they remained in illegal settlements which were not recognized by the Israeli government -

even if they existed prior to 1948. This violates their rights and access to land under international law and according to human rights standards (Koeller 2006: 38).

The Structural and Cultural Discrimination Toward the Bedouin

The Israeli state is arguably a state that does not uphold the values of a modern liberal state in the sense that it adversely affects ethnically-distinctive minority groups, it is characteristic of overrepresentation of the Jewish population, and it has an unequal democracy system for all state functions (Smooha 1995, as cited in Yonah, Abu-Saad, and Kaplan 2004: 392). Yiftachal (2006: 38) does not define the Israeli regime as a democracy but describes its political system as an ethnocracy, in which the adherence to certain ethno-group shapes the distribution of rights, wealth, power and resources.

The Jewish desire to have their own state for one ethno-cultural group has driven prejudice toward others, who are subsequently excluded by ethno-nationalist logic. In contrast to democratic regimes, Israel exercises land policy that secures control over all territories and provides special economic benefits only to charter group members, which does not protect the collective rights of minorities.

The control and oppression of Bedouin on occupied Palestinian territory has become feasible by development of tools/means designated to exercise an efficient domination. Central to the achievement of solid control over minority groups is a system of "segmentation, dependence, co-option" and denial of rights, which are designed to fully subordinate them to the state authority (Yonah et al. 2004: 392).

The urbanization plan of the Negev, which was conducted by Israel through the 1965 *Planning and Building Law*, planned to sedenterize Palestinian Arab Bedouin into seven towns and remove the rest from the Negev desert for Jewish settlements (HRW 2008: 14). Such a state policy embraces isolation and segregation between the Bedouin and Israeli Jewish citizens on a cultural, political and administrative level. The semi-nomadic Bedouin tribe's culture, identity and traditions were seriously jeopardized. It should also be mentioned that no agreements were initiated for the displacement of the population, including no provisions for basic education and economic organization. The act to deprive one group of their ancestral land and providing the same land for a privileged ethnic group is only one of the many signs of a discriminatory policy toward the Bedouin.

Given that the Palestinian Bedouin lost both the opportunity to graze their herds and live off the soil, they fell into a severe livelihood quandary. This led them to become the most impecunious and most disadvantaged ethnic group in Israel, where 66 per cent of Bedouin live below the poverty line and up to 80 per cent reside in unrecognized villages (Radwan 2011). This situation is the result of various economic, legal and political factors.

The Beer Sheva region is inhabited by 608,800 people, including 188,900 Arab nationals (170,000 are identified as Bedouin) according to Central Bureau of Statistics information published in 2010.[7] Equal representation of the Bedouin population within the Negev government offices is not only a democratic obligation, but also a significant means to enable economic development. The Israeli state is obliged to reach 10 per cent employment of minorities in state offices by the end of 2012.[8] The principle of adequate representation was introduced to secure the participation of minorities and avoid structural discrimination in public administration (Yonah et al. 2004: 382). The Arab

population is under-represented in the Israeli civil service in general, and the Bedouin in the Beer Sheva region are the most underrepresented group (Rotem and Noach 2011: 5).

The Negev Coexistence Forum for Civil Equality prepared a report on Structural and Cultural Discrimination Against Arab Bedouin in the Negev with a focus on the number of Arab Bedouin employed in government offices and the accessibility to governmental services.[9] Their findings are alarming in the sense of ethnic inequality. It appears that only 197 Arab Bedouin are employed in government offices and agencies out of 5,217 overall employees. They account for 3.7 per cent of employees in the Negev region, as shown by data as of 17 March 2011 (Rotem and Noach 2011: 9-10). Lastly, the employment rate of Arab Bedouin in the ministerial offices is slightly higher with a 6.4 percent Arab Bedouin representation, but still far from a desired level (Rotem and Noach 2011: 9). The Bedouin compose around 31 per cent of the whole Negev population, whereas such a representation is not even close to an equal employment rate.[10]

The Ethnic-Cleansing of the Bedouin

What was analyzed in the preceding sections is perfectly summed up by Michael Mann's recognition of three distinct phases in the process of ethnic cleansing: economic discrimination, geographical segregation, and cultural suppression.

Mann (2005: 14) distinguishes an initial policy of discrimination, often economic and material, that constrains the rights of what he calls the 'out-group'. In this case, the 'out-group' is the Bedouin who are continuously discriminated against in terms of land ownership by the Israeli government (the so-called 'in-group'). The latter is also responsible of what Mann defines as geographical segregation, or in our term, displacement. This is shown first by 'ghettoization' where the Bedouin are put into the *Siyag* and next, by way of settling or being forced into the government planned townships. In his analysis of ethnic cleansing, Mann differentiates between policies of total cleansing and partial cleansing. Discrimination and segregation can be considered partial; whereas "'cultural suppression' involves total cleansing" – which is demonstrated by the institutional suffocation of the cultural identity of the Bedouin "whose identity is thus forcibly assimilated into the dominant group" (Mann 2005: 14).

All these together, with a policy of economic development designed to be implemented in areas inhabited by indigenous tribes, are "warning signs" of an ethnic cleansing in progress (Fein 2007: 154).

Land and Ethnic Cleansing

According to Mann, land is not "the main cause of ethnic cleansing…. Yet this is not true where markets are limited by outright monopolies, either in highly statist economies or in exclusionary land ownership" (Mann 2005: 31). The centralized system of ownership and control of the land which characterizes the Israeli government is typical of an ethnocratic regime that wants to dominate on a given territory in order to increase its economic growth at the expense of a minority. "Land ownership is also inherently monopolistic. Unlike capital or labour, land is finite" (Mann 2005: 31). The reason for this is the exclusionary policy of Israel that is based on ethnic category which automatically excludes the Bedouin from owning their land. If we consider that herding, grazing and

small agrarian activities of other kinds are the basis of the Bedouin economy, we can easily imagine how this could seriously hamper their lives. Therefore, the cleansing of an ethnic minority is the goal of an ethnocracy whose aim is to establish its mono-ethnic territory. The removal of the ethnic minority is thus the most effective way to achieve this, as demonstrated by what is occurring in the lands of the Negev (Preece 1998: 821).

Displacement and Ethnic Cleansing

Internal displacement is recognized globally as a violation of human rights, yet it continues to occur to the most vulnerable and weakest groups whom are ethnic minorities and indigenous populations. In fact, this is legitimate when examining the Palestinian Arab Bedouin. The Israeli state must adhere to international law by conducting the movement of persons non-violently, without causing trauma to the displaced, and only in extraordinary emergency circumstances. The geographical segregation described by Mann (2005: 14) as "the out-group is ghettoized in apartheid or enslaved conditions" offers reasons to believe that the state's removal of the inhabitants from the unrecognized villages is indirectly linked to ethnic-cleansing of the Bedouin.

The Palestinian Arab Bedouin have been recognized as having ancestral ties to the land that the government is evicting them from.[11] Instead of offering the Bedouin land settlement agreements, the state provides them with homes in planned villages which undermines their nomadic way of living. "These towns symbolize ... neglect in which the Arab residents of the Negev have lived from the moment they relinquished their land. Yet while they remain on the land, the state invests considerable resources in transferring them elsewhere, rather than addressing their problems and realizing their rights in their places of residence" (Almi 2005: 1). The remedies provided by the 'in-group' are consciously perpetuating the alteration and destruction of a minority within its territories by encouraging the segregation and marginalization of the Bedouin. The decision by the state to undermine durable solutions causes an irreversible effect on the youth who cannot predict if they will have a future ahead of them as Bedouin. Since the home demolition orders are carried out spontaneously once they are issued, the Bedouin never know if their home will be there when they return, thus creating a state of uncertainty and constant fear, especially amongst the new generation (Almi 2005: 3).

Consequently, the young Bedouin live with the effects of displacement by way of changing their traditions and livelihoods, which ultimately impacts human development. Furthermore, Article 27(3) of the *Convention on the Rights of the Child* provides the right for all children at the national level to have access to the same social programmes and assistance, and in particular, to nutrition, clothing, and housing (*Convention on the Rights of the Child* 1989). The Israeli government has focused on controlling the Bedouin rather than working to resolve land disputes for the sake of the children, or abiding by the said Convention. It goes without saying that the Israeli policy puts the future of the Bedouin at stake.

Structural and Cultural Discrimination and Ethnic Cleansing

As indicated, the tragic condition of Bedouin unity, culture maintenance, and the preservation of traditions have been seriously jeopardized by the ethnic policies of the

Israeli government. "Cultural apartheid and liquidation of the most rudimentary attributes of human rights" toward the Bedouin minority has led to the absolute dominance of one ethnic group and has seriously endangered these pastoral tribes (Clarimont 1996: 2592). Ethnic cleansing is often symbolized by involuntary population transfer determined by "ethnicity [race, language, religion, culture, etc.]" to seize control over a certain area; "thereby cleansing that territory of a particular group has been an instrument of nation-state creation" (Preece 1998: 818). In the case of the Bedouin, not only have they been displaced as an unwanted ethnic group, they have also been perceived as a security threat to cultural and ethnic unity. The Israeli policy exhibits ethnic cleansing and shows how the creation of one ethno-state is accomplished, regardless of the repercussion on the indigenous population. "Cultural suppression" is one of the ethnic cleansing tools which involves forcible assimilation of identity and the abandonment of language and religion (Mann 2005: 14). All of these practices appear in the policy directed at the Bedouin; they are effectively denied the right to practice their religion and to attend the mosque (NCFCE 2006: 15).

  Arabic is one of the official languages in Israel; however, there are hardly any signs in Arabic seen in government offices within the Beer Sheva region, which is populated by a significant number of Bedouin (NCFCE 2006: 15). The state policy aims at impairing the identity and weakening Bedouin ties with the Palestinian population (Yonah et al. 2004: 393). Ethnic cleansing employs tactics to control minorities who "may simply be rounded up, detained, and deported; or their movement may be the result of other, more indirect measures" (Preece 1998: 822). Given that these tactics have been implemented upon the Bedouin, their traditional lifestyle has been utterly threatened. In addition, cultural ethnic cleansing can be composed of "work restrictions; restricted access to education, housing, medicine, food, or humanitarian aid, forced labor, confiscation of property" (Preece 1998: 822). According to a Human Rights Watch (2001) report, education measures including the enrolment level in secondary school, the number of graduates, and dropout rates of the Bedouin in the Negev are far worse in comparison with the Jewish population, but also with Palestinian Arab students. Furthermore, merely 6.4 per cent of Bedouin students qualified for university admission, whereas more than 40 per cent of the Jewish students were able to commence university education (HRW 2001: 23). Not only are educational possibilities constrained, but so is access to medical care facilities and the chance to enter the labour market. Apart from cultural and structural discrimination, the lack of economic opportunities and shortage of essential social services severely breach Palestinian Bedouin rights and lead to definitive ethnic cleansing.

ANALYSIS

At this point, we address the question: How are state policies of control used as a tool of ethnic cleansing of certain minority groups? Here the discussion shows how expropriation, displacement, structural, and cultural discrimination lead to the ethnic cleansing of certain minorities, particularly the Bedouin of the Negev.

Land: Expropriated and Re-shaped

One of the consequences of modernization has been generally referred to as commodification, which is (basically) a process that transforms every aspect of our daily life into goods. For the Bedouin, who directly take their livelihoods from the land and consider it their source of survival, the identification with the land becomes inseparable. The expropriation of land becomes life threatening, and therefore an efficient tool of ethnic cleansing. As long as land can be commodified, it can also be re-sized, which is the case in the Palestinian territories that risk being 're-customized' as well as having irreversible effects. The ancestral ties claimed by the Palestinian Bedouin are not enough to stop the persistence of Israel to have full control over the land, even though this could lead to the annihilation of the Bedouin minority population in general.

Since the term "natural environment" has been replaced by the term "natural resources", nature has started to be perceived as a useful tool for human exploitation: the natural "habitat" has disappeared, superseded by "economic resources to be managed efficiently and profitably" (Harrison 1993: 121). The commodification process has affected the uniqueness of the Bedouin tribes: given their pastoralist way of living, the Bedouin identify themselves with the land which is their source of livelihood (Harvey 2005: 165). As a result, the Bedouin are perceived as ineffectual and disadvantageous to development and their land is considered a product that can be easily expropriated. The Israeli government "relegated Palestinians to a separate (and backward) corner of the state" (Blecher 2005: 732) – this was generally directed towards Palestinians and specifically to the Bedouin. The same high-modern state ideology has regarded the pastoral Bedouin as "rural" and "underdeveloped", a burden for the "industrial" and "modern" utilitarian state (Preston 1996: 172).

By the same token, the Israeli government policy of commodification of land and discrimination against the Bedouin people has gradually and dramatically changed the size of their territories and re-shaped their boundaries. Ethnic cleansing is not always a massive expulsion that occurs in times of war, but often a progressive process that aims at the "revision of boundaries" for political reasons in times of non-war (Preece 1998: 822). In light of this consideration, it could be argued that the method used by the Israel government of managing and controlling the Bedouin is an attempt at changing the size of the Bedouin ancestral land which fits in a broader plan of irrevocably limiting the Palestinian territories.

As passionately expressed by the first foreign minister of Palestine, Nabil Shaath, during his trip to Copenhagen:

> Israel should stop building his settlements in West Bank, they can build them in Israel. Land is vanishing under our feet piece by piece. If Israel wants to pursue its negotiations, this should stop. The settlements are changing the demographic scheme of Palestine, so when negotiations will finally take place, the borders will have a different shape. That's probably why Netanyahu keeps saying that borders cannot be as those in 1967.[12]

The persistence and desire of the Israeli state to have full control over the land has been clearly demonstrated via land legislation and private property rights. The Bedouin are at a disadvantage under Israeli property laws due to the simple fact that they do not hold a

land title or registration in the Negev or other surrounding areas. It must be understood that ever since Israel became a state in 1948, there has been a large Bedouin population living on the land whose presence dates back to 7,000 years. Thus, the protection of land for indigenous populations must be taken into account. In many settler countries like Canada and Australia, aboriginal peoples inhabited the land before the existence of the state.

Uniforming Ethnicity

From living freely in the Negev region to becoming segregated under the state's crushing force, the Palestinian Arab Bedouin minority have suffered from a policy of segregation. This process of differentiation from the majority is based on ethnic ties since the Israeli nation-state has defined itself as a uniform mono-ethnicity. In practice, this has been translated into home demolitions and resettlement plans that do not take into consideration the Bedouin's lifestyle and not even their existence. In fact, the Bedouin have had their survival further hampered by development projects that have excluded them from participation or involvement.

Israeli officials have pursued a continuous policy of segregation by concentrating the Bedouin in a restricted geographical area. As for the Palestinians, the term "transfer", which is also applied to the Bedouin, has been "revived, transformed, extended, mainstreamed" and commonly used as a euphemism for ethnic cleansing with the direct intention to obscure its true meaning (Blecher 2005: 728).

The marginalization that a nation seeks to eliminate is paradoxically produced by the state itself since its policies of control often include exclusion. It could be argued then that the transformation of the Bedouin into a minority is the result of the notion of nation-state which seeks homogeneity and suffocates diversity. Since the nation-state is based on uniform ethnicity, the ethnic cleansing becomes the means to shape a unitary nation-state. From this perspective, the case of the Bedouin is illustrative: the creation of the state of Israel has made them into a minority although their presence in the Negev is prior to 1948. Furthermore, this gradual ethnic cleansing, reached through policies of dispossession and discrimination, is the consequence of the Israeli mono-ethnic design that is characterized by its reluctance to create a one-state solution which includes Palestinians and Israelis.[13]

It appears that the Bedouin are a classic case of 'they vs. we' which emphasizes the opposition of the majority to the minority in a given state (Appadurai 2006: 50). It is also a form of validation where a positive process of linking, and a negative process of differentiating can be seen from the home demolition orders of unrecognized Bedouin villages and structures issued by the Israeli state (Hansen 2006: 17). The Israeli government has not adequately addressed the issue of land ownership, instead it has worked against the Bedouin with resettlement solutions (state planned townships) that are not appropriate for pastoral groups. The negative process of differentiating is pointed out in an interview with an Israeli lobbyist for the Bedouin in the United States.[14] The lobbyist pointed out that as an Israeli citizen, she would never come home and find her house demolished like the Bedouin discover on a daily basis. Thus, returning to the negative process of differentiating, the Bedouins are visibly discriminated against within the laws on home demolition.

At the same time, as pointed out by Helen Fein (2007: 155), "isolation of indigenous people" and "economic development in indigenous areas" are considered as warning signs of ethnic cleansing. The isolation of the Bedouin in the *Siyag* first and in the government townships later, rendered the control of the Bedouin by the Israeli officials much easier and at the same time facilitated the construction of mega-projects surrounding the Bedouin settlements, as well as the implementation of Negev Plan 2015. However, it could be argued that a segregation of such entity has created the perfect condition for causing sickness of the Bedouin living there as shown in the increase of death deceases of cancer caused by the poisoned emissions of the toxic sites – thus, an ostensive example of how state policy of control can lead to ethnic cleansing.

Prejudice: A Distorted Image

The Israeli ideology has contributed to create an image of the Bedouin that does not correspond to reality. The Bedouin culture is not only seen as backward but also the Bedouin themselves are depicted as criminals that require the Israelis to be aware of. This biased perception has undermined the survival of the Bedouin who are not welcome in their own land. As a consequence, even the demographic upswing of the Bedouin population has been perceived as a problem that has to be controlled and suffocated at birth.

Prejudice toward the Palestinian Arab Bedouin and the Palestinian population in general is also reflected by the official education language, public rhetoric and political terminology. Chief Rabin from the city of Safad urged for the removal of all Palestinians, defining them as "resident aliens" (Blecher 2005: 733). In 2002, two years after the spring of the Second Intifada,[15] campaigns against Palestinians spread around the country: almost all walls, fences and signs were covered with posters declaring that "Transfer = Security and Peace", which called for the expulsion of that group perceived as a danger to state sovereignty and stability (Blecher 2005: 743). Adverse portrayals of Palestinians can also be found in school books that depict them with prejudice and describe them "as vile and deviant and criminal, people who don't pay taxes, people who live off the state, people who don't want to develop", as described by Peled-Elhanan, a professor of language at the Hebrew University of Jerusalem (Sherwood 2011). As a consequence, the perception of Palestinian Bedouin as similar to the Palestinian population is biased and rests on the profound belief that national security, stability and development is to be achieved via expulsion and ethnic cleansing of "undesirable minorities" (Mulaj 2007: 336).

The Bedouin are undesired and, as a result, so are their offspring. Thus, the demographic increase of the Bedouin is considered as a "population problem", in which the Palestinians are included in general, and this has always been a concern for Israel (Pappe 2006: 250). The growth rate of the Palestinians has been stable and has recently increased, causing concern of an imbalance or a "demographic danger" for the Israeli authorities (Pappe 2006: 249). Given that the same is occurring among the Bedouin, the absence of medical care and health infrastructure and the resultant high rate of infant mortality could be easily seen as an intended instrument to keep the growth rate down. The control of the state becomes, in this case, a demographic control whose final solution is a definitive ethnic cleansing of the undesired ethnic minority.

Conclusion

The privilege acquired by one ethno-group at the expense of a minority is the case of the Palestinian Arab Bedouin of the Negev. This demonstrates that the instrument of ethnic cleansing, disguised under the shape of state policies of control, could be murderous. The state, which is usually the guarantor of protection, may instead be the bearer of gradual oppression that can lead to the total elimination of the minority group.

We have examined various aspects of the Israeli policy of control towards the Negev Bedouin. From land regime to racist discourse, the land and culture of the Bedouin has been constantly targeted by the Israeli government under the pretext of development. This led us to the conclusion that expropriation, displacement, and structural and cultural discrimination are the steps that are slowly cleansing the Palestinian Arab Bedouin.

Without a doubt the Bedouin fell victim to the legal and political system. The Israeli state is ill-disposed toward the Bedouin and renders them as second-class citizens through systematic oppression. It is crucial to understand that the Bedouin can never be indemnified for their losses unless they are granted equality under citizenship.

The Bedouin's future does not seem to be bright. Despite their resistance, they are in fact slowly succumbing to the superiority of the Israeli state that is not only destroying their homes, but also their existence.

We believe that raising awareness about the tragic Bedouin situation could trigger the international community to put pressure on Israel and act on behalf of the Bedouin who should be the beneficiaries of international protection. This could pave the way to end the ethnic cleansing of the Bedouin.

Notes

1. "The Realization of Economic, Social and Cultural Rights: The Human Rights Dimensions of Population Transfer, Including the Implantation of Settlers," U.N. ESCOR, Sub-Committee on Prevention of Discrimination and Protection of Minorities, 45th Sess., Provisional Agenda Item 8, at 85, U.N. Doc. E/CN.4/Sub.2/1993/17 (1993).
2. The prime mover of Zionism was Theodor Herzl who, in 1897, conducted the First Zionism Congress which resulted in the establishment of the Zionism Organization. Their ideology is based on the Bible's promise that 'Holy Land' is predestined to Jewish people. The Zionism Organization in 1908 in Jafa set up *Eretz Yisrael Office,* which facilitated Jewish immigration and land purchases in Mandatory Palestine (Laqueur 2003: 15).
3. The Six-Day War took place in 1967, when Israeli Forces began aggression on neighbouring countries Egypt, Jordan, and Syria. The war finished after six days of fighting during 5-10 June 1967, with military success by Israeli forces. The ceasefire was signed a day after. In the aftermath, Israel began military occupation of The Gaza Strip, The Sinai Peninsula, The West Bank and the Golan Heights (Bukowska 1978: 433).
4. Source - http://www.adalah.org/eng/intl06/un-i6-jnf.pdf, retrieved on 3 December 2011.
5. The Ottoman Empire was a multinational empire which was then sustained by Islam until 1923 and ruled over Palestine up until 1918. The British Mandate is a document passed by the League of Nations which granted Britain power over Palestine in 1923 (Krämer 2008).
6. *Al-Nakba* is translated into Arabic as disaster or catastrophe. The 1948 *al-Nakba* occurred when approximately 711,000 - 725,000 Palestinian Arabs left, fled, or were expelled from their homes during the 1948 Arab-Israeli War (McDowall and Palley 1987).
7. Retrieved from the Central Bureau of Statistics, at http://www.cbs.gov.il/shnaton61/st02_10x.pdf.

8. Resolution No. 2759 was passed on 11 November 2007; it obliged the Israeli government to have "Adequate representation of the Arab, Druze and Circassian population in government services" (Rotem and Noach 2011: 4).
9. The information was obtained under the Freedom of Data law in the Civil Service Commission. The Commission provided data as to the number of Arabs employed in the southern district as well as the total number of employees distributed by Ministry and Civil Service rank and role.
10. Retrieved from the Central Bureau of Statistics, at http://www.cbs.gov.il/shnaton61/st02_10x.pdf.
11. Protection is granted under the *United Nations Declaration on the Rights of Indigenous Persons*, particularly in Article 10 where the Bedouin are recognized by the United Nations Permanent Forum on Indigenous Issues.
12. Extract of the conference "Palestine: the search for a state" held at the Danish Institute for International Studies (DIIS) in Copenhagen on 24 November 2011.
13. As stated by Nabil Shaath during the aforementioned conference, the one-state solution in Israel and West Bank is one of the suggested attempts, ideally the best, to resolve the Israeli Palestinian conflict.
14. Source - http://www.wbez.org/episode-segments/2011-10-26/israel-plans-displace-30000-bedouin-israeli-citizens-93501, retrieved on 6 November 2011.
15. Palestinian grassroots resistant movement from 2000 to 2005 against Israeli policy of occupation and discrimination.

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Aid Effectiveness in the Democratic Republic of Congo: A Case Study Investigating the Factors Influencing Ineffective Aid

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ABSTRACT. This article examines aid effectiveness in the Democratic Republic of Congo (DRC). It first discusses how to best measure aid effectiveness. Then, it investigates several contributing factors to the DRC's current developmental predicaments. To accomplish these, the concepts of Paul Collier's traps, Erik Reinert's development theory, and the indicators of the Paris Declaration on Aid Effectiveness are utilised as explanatory tools. These variables are combined to seek a holistic approach in investigating the reasons behind the lack of aid effectiveness. A history of conflict is explored and constructs a setting for the DRC's precarious reality and it is argued that the DRC's sustained, long-term conflict is one of the main reasons for aid ineffectiveness. Furthermore, the state of industry and the idea of welfare colonialism as detrimental to aid effectiveness in the context of the DRC are explored. Additionally, an investigation of the implementation of the Paris Declaration on Aid Effectiveness and the actions of donor countries is provided. This leads to a critique of the practical implementation of aid in the DRC. The conclusion argues for an overall lack of aid effectiveness which has been aggravated by long-term conflict, poor governance, lack of industry, and a dysfunctional Paris Declaration.

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Introduction

Foreign aid, the way it is distributed and its impact on development is a highly disputed matter today. The fundamental dispute is whether foreign aid as an instrument to increase development and reduce poverty is effective (Shleifer 2009). Simultaneously, there has been discussion on how to best measure the impact and effectiveness of aid in the developing world.

The Democratic Republic of Congo (DRC), despite receiving quite a substantial amount of aid and possessing enormous reserves of natural resources, remains one of the poorest countries in the world in terms of per capita income. Moreover, the DRC continues to plummet toward the bottom of the Failed State Index (FSI). From 2010 to 2011, the DRC dropped from 5th to 4th place on the FSI. By 2012, the DRC is sitting in 2nd place, surpassed only by Somalia (Sheldon 2012; World Bank 2011a). Therefore, the topic of aid effectiveness against the backdrop of the DRC makes for an interesting case study.

Traditionally, aid effectiveness has been measured by economic output indicators, such as GDP and GNP. However, from the 1970s there has been an increasing critique of using only economic growth indicators as criteria for successful development (Thomas 2008). This criticism led to new development indicators being created, such as the Human Development Index (HDI). The HDI measures development on the basis of life expectancy, adult literacy and average local purchase power (Thomas 2008).

In 2001, per capita GDP of the DRC was less than 100 USD, which was far below the African average per capita GDP at that time (African Development Bank and the OECD 2008). The figures for the period 2000-2009 show that the annual average growth of DRC's real GDP was 5.2% (World Bank 2011a). Although this is remarkable progress and sign of recovery of the Congolese economy, the DRC still lags far behind an average African economy. In 2007, African GDP per capita was slightly above 800 USD in 2007 and the Central Africa GDP per capita was above 300 USD in 2007. The figures for DRC for the same year show just around 100 USD (African Development Bank and the OECD 2008).

An overall increase in the amount of aid given to the DRC is evident. The level of aid was relatively stable from 1960 until the beginning of the 1990s when it fell from 1.4 billion USD in 1990 to 0.4 billion USD in 1992. One of the reasons for the fall in the level of aid in the beginning of the 1990s was most likely because of the end of the Cold War. In the period from 1992 to 2002, the amount of aid was stable around 0.2-0.4 billion USD, after which the number increases to just over 7 billion USD in 2003. The heavy increase in aid in 2002-2003 was due to the agreement between the World Bank, the IMF and President Joseph Kabila to withdraw foreign military and to make economic improvements via reforms (Reliefweb 2002). In 2004, it decreases to 2.4 billion USD and is relatively stable until 2009 except for a decrease in 2007 to 1.4 billion USD.

During the period from 1980, the GDP per capita, PPP, has fallen from 779 to 298 USD. In the years from 1980 and during the years of the cold war the GDP per capita were relatively high. The largest decrease took place in the years after the cold war ended in 1989-2000 with a decrease from 700 to 260 USD. The reason for this heavy decrease was due to Mobutu's efforts to finance Zaire after having spent all of the aid that was available. This made him turn into printing more money, which led to a heavy increase in inflation that made the local currency lose its value. This caused a fall in GDP of more than 50% in the four-year period 1991-1995 (Wedeman 1997).

After 2000, there is a smaller increase in GDP per capita to a level around 300 USD. It is important to emphasise that GDP, and therefore also GDP per capita, is influenced by the commodity prices that are often very volatile. This is especially important in a country such as the DRC, which has a large degree of commodity production, since changes in commodity prices can have a substantial impact on GDP.

The other relevant variable to compare with the level of aid is HDI. The HDI for the DRC falls well below the average for the World, low human development and Sub-Saharan Africa. For the period 1980-1990 there was a minor increase in HDI from 0.282 to 0.289. After the end of the cold war HDI decreases to its lowest level of 0.224 by the year 2000. HDI increased to 0.277 in 2009 (UNDP 2011).

The DRC – A Synonym for Conflict

The current situation in the DRC, and the apparent lack of any significant development, can be analysed and sought to be understood by a wide variety of different approaches. However, one analytical approach that seems to have a particularly high degree of explanatory force in a situational analysis of the DRC is Paul Collier's (2008) theoretical concept of states that fall behind developmentally due to being caught in a number of different traps. One of these traps is conflict.

The history of the area that constitutes the DRC is almost synonymous with conflict and brutality. From the colonisation by the Belgian court in the late 19th century over the post-independence violence, to the wars that followed the Cold War and the Rwandan genocide, there is a continuous line of the utilisation of violence as a legitimate tool to gain economic and political power in the country (Dunn 2003). Precisely the low-intensity and lengthy nature of the on-going conflict in the DRC is key to understanding the detrimental effect it has had on the development of the country. The German scholar Herfried Münkler (2007) has argued that conflicts like that of the Congolese represents a "new" form of war, or at least a different one than the typical western perception of the "old" classical, interstate war. In this new form of war, the belligerent parties do not seek to gain a decisive victory, either because they are unable to, or have an economic interest in keeping the conflict going (Münkler 2007). This is particularly relevant in the DRC, as the conflicts that have plagued the DRC during the last 15 years have been primarily that of a relatively low degree of intensity.

When viewing the current nature of conflicts in the DRC, the current situations in the eastern DRC have a direct linkage to the second Congolese war which, despite the 2002 peace agreement, to some extent is still on-going. The first and second Congolese wars were triggered primarily by events that occurred some 15-30 years back in history, events that did not take place in the DRC or Zaire. These events being:

- Uganda's problems with rebel groups dating back to the mid-1980s, particularly the LRA (Atkinson 2009);
- the Rwandan Genocide in 1994, where a large number of the Hutu perpetrators fled to the DRC (International Crisis Group 2010); and
- the Angolan civil war, in which Mobutu provided supplies for the UNITA rebel militia, and later Angolan security concerns due to UNITA aiding the anti-Kabila forces (Dunn 2003).

However, these events would probably not have had such severe consequences had the different regimes in Kinshasa been able to control their borders and, in the cases of the UNITA and the Hutu militias, not providing supplies and encouragement for them (Dunn 2003). Personal ambitions of certain non-Congolese African leaders, particularly Museveni in Uganda, Kagame in Rwanda and Dos Santos in Angola, are also relevant to understand the context of the events. Particularly, Museveni and Kagame are interesting, as the developed countries – i.e., the donors of foreign aid – often saw them as a new breed of African leaders, partly because of their adherence to the economic reform policy formulated in the late 1980s. This meant that, despite the direct interventions into the internal affairs of a sovereign state and the plunder of the natural resources in the eastern DRC, Museveni and Kagame were still perceived in the West as being shining examples of a new African leadership (International Crisis Group 2000).

The DRC is caught in the conflict trap. After almost 15 years of continuous conflict in large parts of the country, the DRC has now moved into what Münkler defines as the long state-internal war. These types of conflicts usually occur in areas that find themselves on the peripheral spheres of the global economy and where the state bureaucracy is weak and fragmented (Münkler 2007). This description is very fitting of the current situation, especially in the two eastern Kivu provinces, where only the United Nations Organisation Stabilisation Mission represent some form of well-functioning official body. The Congolese army still is highly undisciplined and occasionally turns to terrorizing the very people they are supposed to protect (United Nations 2011).

The opportunity of the DRC to escape the conflict trap is, in Collier's opinion, not something that surfaces every other day, as he states that:

> A country such as the Democratic Republic of Congo will need around half a century of peace at its present rate of growth simply to get back to the income level in 1960. Its chances of getting fifty years of continuous years of peace with its low income, slow growth, dependence upon primary commodities, and history of conflict are, unfortunately, not high. This country is likely to be stuck in a conflict trap no matter how many times it rebrands itself unless we do something about it. (Collier 2008: 34)

While the developed countries during the last 20 years have deployed thousands upon thousands of soldiers to places such as Haiti, Bosnia, Kosovo, and East Timor with clear mandates to create peace, the DRC has been largely ignored by the West (United Nations 2011; NATO 2011a, 2011b). Only once has a coherent Western force been deployed to the DRC, in 2003, when a small French-led EU force with a limited mandate stopped tribal violence in and around Bunia, the capital of the eastern Ituri province. However, Operation Artemis, as it was called, proved to be a one-off, as the majority of the military components in the two UN missions (MONUC and MONUSCO) so far have been from developing nations (MONUC 2010).

Though the international community has acted, it is minimal compared to other international interventions during the last 20 years. The UN missions in the DRC are comparatively small interventions compared to, for instance, Kosovo. The number of peacekeepers in the DRC has never surpassed 25,000 (United Nations 2011), while KFOR initial strength was 50,000, despite covering an area and population only a fraction of that of the DRC (Britannica Online 2011). This double standard in the willingness to enforce peace and deploy peacekeeping missions was something the belligerents in the Congolese wars were all too aware of (International Crisis Group 2000).

One must also look at the other traps to understand why the conflict trap has been able to retain its grasp on the country. The natural resource trap, as originally understood by Collier, is not that relevant when understanding the current situation in the DRC. The reason for this is because the government, through the last many years, has not been in control of large parts of the country, and therefore has not had the opportunity to contract "Dutch disease" or spend erratically. However, the natural resources of the DRC have been the key factor in financing the on-going conflict, where it is evident that all of the warring countries and groups had large economic interests in the country (International Crisis Group 2000). Along with financing the war, the natural resources also became, to a large degree, the cause of conflict. The financing of the conflict in the DRC was, and is probably still, to a large extent, being carried out with what Münkler (2007) defines as an open war economy. This means that the financing of military operations is no longer being coordinated through a formal bureaucratic structure, but by the operational, on location, military leader. As a consequence, the political control over warfare is lost, as the armed groups and units, which constitute a military, become a profit seeking organisation rather than a politically controlled organisation.

Welfare Colonialism in the Context of the DRC

Erik Reinert's (2006) theory of development, particularly his critique on the current approach to foreign aid and fighting poverty in developing countries, is useful in analysing the historically impoverished economic situation in the DRC. A key argument of Reinert is that an industrialisation process is needed in order for the country to progress in development. The DRC is stuck in a vicious cycle of economic underdevelopment, which applies to countries that rely on raw material production that is in itself a particular economic activity with diminishing returns effect to the economy and the larger social progress. This production system, whose comparative advantage is based on labour-intensive activities, is defined by low wages, low demand and low investment. It is a self-reinforcing, as well as self-defeating, mode of production in which the comparative advantage of specialising in economic activities subjected to diminishing returns results in wage decline, even while productivity increases and prices decrease (Reinert 2006). As such, the DRC's current production mode of primarily raw materials makes it specialise in being poor and makes it difficult for aid to work effectively because the DRC is trapped in this vicious cycle of poverty and underdevelopment.

In order to develop economically, the DRC is in need of a change in the mode of production from mainly producing and exporting raw materials into producing and exporting manufactured goods characterised by increasing returns. If the DRC could manage to make this change it would mean that it could produce products with higher value added and through that reach the so-called *virtuous* circle of economic development. This system of a highly diversified economy is defined by higher wages, higher demand, higher investment and ultimately a high capital-labour ratio (Reinert 2006).

If aid is spent in order to help the DRC establish industries it could escape the vicious cycle and instead enter the virtuous circle, which will lead to positive effects in its economy and overall development. The only exception is if the export prices are lowered at the same rate as productivity increases and this results in no real increase in wages, leading the country back into underdevelopment and back to the vicious

cycle of poverty. Therefore, it is important to use aid not only in order to establish an industry in the DRC, but to also institutionally provide for price stability in the domestic economy as well as of export goods for the international market.

Exports in the DRC consist predominantly of diamonds, gold, copper, cobalt, wood products, crude oil and coffee; while typical imports are mainly foodstuffs, mining and other machinery, transport equipment and fuels (Central Intelligence Agency 2011). When looking at the DRC's GDP by sector, the manufacturing sector is marginal, creating respectively 1.7% of GDP in 2008 and 1.5% in 2009 (World Bank 2010a). With these figures, it can be seen that the DRC hardly exports any industrial products (Central Intelligence Agency 2011).

A recent report from the World Bank (World Databank n.d.) shows that the value that has been added to the industry during the whole period from 1969 to 2009 has been very volatile, ranging from -30% to 32% in annual growth. This in itself is a problem since it leaves a large extent of instability in the industrial sector. The average growth in the industrial sector during the period is only 0.48%.

Meanwhile, there has been a noticeable rise in mining exports from 28% in 2000 to 78% of the total value of exports in 2008, being the largest export good in the DRC (WHO 2011). The developed countries have implemented structural adjustment programmes to the underdeveloped countries which, according to Reinert, have resulted in a deindustrialisation and falling wages within the underdeveloped countries. According to Reinert's theory, this means that aid will not be effective in the DRC since it has not escaped the vicious cycle.

This leads up to Reinert's (2006) critique of the Millennium Development Goals (MDGs) and palliative economics: that aid is being advanced and distributed the wrong way. Reinert argues that the MDGs are important developmental goals but the strategies to realise these goals essentially contribute to the ineffectiveness of aid because they only target the symptoms, rather than the causes, of poverty.

Nearly 40% of aid in 2009 goes to food, nearly 20% to water and sanitation, nearly 8% to coordination and support services, about 4% to health, about 3% to respectively protection/human rights/rule of law and agriculture while about 25% was used in other sectors. This shows that none of the aid is directly aimed at building an industrial manufacturing base for the socio-economy. This also supports Reinert's argument that aid is often being used for symptom relief, rather than the donors dealing with causes and investing the money from aid in industries that can make the economy sustainable (Reinert 2006).

As another form of palliative foreign aid, Reinert (2006) mentions debt cancellation, which again addresses the symptoms. Recently, Norway and the World Bank cancelled the DRC's debt (Ministry of Foreign Affairs of Norway 2011). The total foreign debt of DRC is over 12 billion USD, many of the loans were taken during the Mobutu's presidency in 1970s and 1980s (Jubilee Debt Campaign 2010).

Nonetheless, the director of the Jubilee Debt Campaign, Nick Dearden, seems to be rather pessimistic about the whole concept of DRC's debt cancellation, as he argued in a Campaign press release during 2010:

> The experience of DRC also goes to show that debt relief schemes are still operating in the interests of the 'creditors'. DRC has spent years shelling out tens of millions of dollars in debt 'repayments' while also implementing economic conditions, which make its economy more attractive and 'safe' for foreign investors. This is not most people's idea of 'debt cancellation'. (Jubilee Debt Campaign 2010)

When Reinert talks about welfare colonialism he means the practice of the developed countries when providing palliative aid in order to maintain the recipient's

dependence on the donor country. This panders to the donor's own political and economic interests. It is remarkable that Belgium was the biggest export partner of the DRC in 2006 (where almost 30% of export of the DRC was dispatched to Belgium) and the second largest import partner. In 2008, Belgium was the third largest humanitarian aid donor just after the United States and the United Kingdom (The Global Village Encyclopedia 2011; Global Humanitarian Assistance 2011). As noted in the 2009 United Nations' report on conflict minerals in DRC, there are 23 companies coming from Belgium out of a total number 85 companies. No other state has as many companies as Belgium involved in conflict minerals in the DRC. Besides Belgium, the Republic of South Africa has the second largest number of companies involved in conflict minerals. Of the 12 companies, eleven are from the United Kingdom and nine are from the United States (Conflict Minerals 2009). Therefore, it might not surprise that the UK, the US, and Belgium are among the top aid donors. This manifests that Reinert's point on welfare colonialism has merits.

Measuring Aid Effectiveness in the DRC

The Paris Declaration on Aid Effectiveness (OECD 2005) can be used to measure the effectiveness of aid in a particular receiving country. It was drafted by the OECD in 2005 as a means of better analysing and monitoring aid effectiveness. It was also created in an effort to foster more aid effectiveness in hopes of increasing development growth. It contains 12 Indicators of effectiveness which represent commitments by both donor countries and recipient countries. It also establishes target goals for the year 2010 in respect to each individual Indicator. These 12 Indicators fall within five different main categories: Ownership, Alignment, Harmonization, Managing for Results, and Mutual Accountability. The Paris Declaration is suitable for use in this analysis because it is the main measure of aid effectiveness in the field; 137 countries committed to its guidelines and goals, including the DRC. It provides target numbers to measure whether aid is effective. It is also monitored on a regular basis, which provides the opportunity to analyse aid effectiveness over time. As of 2008, there was no major leading international actor amongst an array of 40 different participating development partners in the DRC (OMP/IDL 2008). The results in Figure 1 are a representation of the appraisal completed by the OECD in 2010 on the results seen in the DRC (OECD 2010b). They serve as an effective tool for evaluating the DRC in terms of aid effectiveness. The letter grades are to be interpreted with A being the highest and D being the lowest score.
  Ownership is defined as a partner country's effective utilization of leadership and authority in communicating, establishing and managing policies, strategies and methods concerning development. It refers to Indicator 1: partners have operational development strategies (OECD 2007). The DRC has failed in adhering to its pledge of improved Ownership and having operational development strategies. While the goal was to achieve a grade of A or B, the DRC has maintained its grade of D since 2005. Ownership involves responsible government, which makes development goals a priority. According to the Accra Agenda for Action, Ownership should include all levels of government, including opposing parties, military and local police figures. Ownership should also be cultivated in civil society, and should include the media and social actors (OECD 2011). In the DRC, the lack of Ownership has an implicit relationship with poor governance. The actions of development partners also have an

extraordinary effect on the ability of the DRC to display Ownership and bring the very concept into question.

Figure 1
Aid Effectiveness Indicators in the DRC: References, Results and Goals

Indicators	2005	2007	2010 Result	2010 Goal
1. Partners have operational development strategies	D	D	D	B or A
2a. Public financial management systems are reliable	2.5	2.5	2.5	3
2b. Public procurement systems are reliable	no data	no data	no data	no goal
3. Aid is aligned with national priorities	81%	58%	53%	90%
4. Building national capacity by coordination	11%	38%	34%	50%
5a.Utilization of national public financial management systems	13%	0%	13%	no goal
5b. Utilization of national procurement systems	31%	1%	9%	no goal
6. Avoid parallel implementation structures	34	146	78	11
7. Aid is predictable	83%	20%	59%	91%
8. Aid is untied	92%	90%	93%	over 92%
9. Use of common procedures or arrangements	54%	21%	37%	66%
10a. Joint field missions	38%	21%	22%	40%
10b. Joint analyses	35%	23%	36%	66%
11. Results-oriented frameworks	D	D	C	B or A
12. Mutual Accountability	No	No	No	Yes

Kabila's 'Cinq Chantiers de la République' outlines the five main objectives of reform that the Congolese government has expressed commitment to: infrastructure, housing, job creation, water and electricity, and health and education (Kindornay et al. 2009). While this is a start at displaying Ownership, there is little data to be found in terms of implementation, short-term goals, long-term goals and results. In 2006, the DRC released a Poverty Reduction and Growth Strategy Paper (PRGSP) with extensive input from the international community. It outlined policies to stimulate growth and poverty reduction as well as financial support details. However, though goals were laid out, the DRC itself was critical towards its own ability to achieve them. In the first review of the PRGSP in 2010, the DRC describes its situation as "extremely challenging" and that even reaching the Millennium Development Goals by 2015 will be "extraordinarily difficult, if not to say impossible" (IMF 2007, 2010). The Ownership reflected in the production of this strategy paper is questionable. As mentioned, the international community had a high degree of involvement in the synthesis of the PRGSP and the DRC government's contribution to the policy is not known. Low capacities were further stretched by the November 2011 election, and therefore government involvement in the PRGSP is estimated to be minimal. NGOs carried out most of the work for the paper (OMP/IDL 2008). There are similar problems of Ownership in other official development papers. The OECD drafted the Country Assistance Framework (CAF) to discover countrywide goals and establish a framework for achieving them. As part of the process, 35,000 Congolese citizens were interviewed. These people ranged from civilians to public workers (OECD n.d.). This was meant to enhance Ownership at civil, public and private levels. However, the national authorities were not consulted in relation to the CAF and therefore have had little to say no in the recommendations and procedures of the report (OMP/IDL 2008). The Governance Contract of the DRC outlines key reforms that need to take place on all levels of government. It includes issues such as decentralization and transparency and important economic sectors, including the mining sector (World Bank 2011b). However, the DRC neither drafted nor reviewed this document. All the preparatory, drafting and review work were completed by external agents, donors and

development partners. This document was then presented to the candidates of the concurrent election for information (OMP/IDL 2008).

The DRC cannot display Ownership of its developmental policies and goals when its officials are not a part of creating them in the first place. True Ownership cannot exist on the part of the DRC until it creates its own goals. It is to be expected that the DRC cannot display Ownership if it is the OECD that has created them in the first place.

Alignment is defined in terms of how the actions of donor countries must reinforce, utilize and enhance the developmental infrastructure of the recipient country (OECD 2007). It refers to Indicators 4 through 8. Only one goal was reached in terms of Alignment: that is, Indicator 8 (untying aid) where 93% of aid that the DRC received in 2010 was untied. The goal was to exceed the 2005 figure of 92%. Nevertheless, it is worth noting that in 2007 the amount of untied aid dropped to 90%, indicating that untied aid statistics fluctuate. There was no improvement in the ratings of public financial management systems. There was no available data on the status of national procurement systems. This reflects on the low capacity of the government to systematically collect and record data. When data is not available, this creates a critical problem in terms of creating and evaluating development goals.

With regard to Indicator 3 (aligning aid with national priorities), performance is declining significantly over time. In 2005, which was the same year the Paris Declaration was drafted, 81% of aid was aligned with national priorities. By 2007, that percentage had decreased to 58%. At the time of evaluation in 2010, there was a further decrease to 53%. The target was to align 90% of aid with national priorities. This failure can be explained by the actions of the development partners. When development goals and strategies are created, the DRC authorities have not been sufficiently included in the process. The Governance Contract can again be used to illustrate this. When the document was presented to the DRC, it was in the midst of an election. There was political instability and fluidity, enhanced by the fact that it was the first ever election in the DRC. This means that the chance for government involvement in the drafting of the Contract was minimal (OMP/IDL 2008). However, major players on the international field refer to the Governance Contract as the DRC's own, implying that the goals were conceived by the DRC itself (The World Bank 2011; The EEAS 2011). Similarly, when the CAF was created, the officials of the DRC were not engaged due to perceived conflict of interests created by the election at the time (OMP/IDL 2008). The consequence of this lack of communication and consultation is that when development partners in the DRC try to align themselves with national priorities they will undoubtedly fail. The mainstream documents which outline the DRC's development goals (the PRSP, CAF and Governance Contract) are in fact not the development goals of the DRC itself, but goals which have been created by other external partners. Therefore, as long as development goals are controlled solely by donors, aid will never be sufficiently aligned with national priorities.

Indicator 4 (building national capacities through coordination) has also declined since 2007. While there was a substantial increase from 11% in 2005 to 38% in 2007, the final figure was 34% in 2010. This is still a significant distance from the target of 50%. While donor countries have committed to building capacities in the DRC, there are examples of interactions with the DRC, which directly conflict with this. In 2008, China signed on to provide 9 billion USD of aid to the DRC. This was to go towards new roads, railways, health centres and universities. However, all the preparation and work was carried out by companies based in China (Whewell 2008). This outsourcing of infrastructure development means that the DRC will not develop any capacity from

this operation nor will they have the ability to maintain or expand the results. While China is a part of the Paris Declaration, its development projects in the DRC do not foster capacity.

There was no goal for Indicator 5, utilizing national financial and procurement systems. The lack of any target makes Indicator 5 difficult to assess in terms of effectiveness. However, the measures of 2010 have either remained the same or decreased since 2005. It can then be asserted that there has been no progress on this front. Development partners are hesitant to offer direct support through the national budget due to its weaknesses (OMP/IDL 2008). It can be argued that this creates a circular problem in that the financial management systems are weak because they are not utilized but they are not utilized because they are weak. To achieve positive results on Indicator 5 this cycle must be broken.

There are more than double the amounts of parallel structures in place since 2005. At the detriment of the DRC, donor countries have actively abstained from utilizing national systems and have implemented parallel structures. This stems from lack of confidence in the DRC systems and concerns of corruption within it (OECD 2010b). The result is multiple dual processes, which in turn further erode the capacity of the DRC. Once again, a circular problem arises.

Aid predictability is also unstable according to 2010 results. In 2005, aid predictability was measured at 83%. This fell to just 20% in 2007 but rose sharply again in 2010 to 59%. This still misses the 2010 target of 91%. Donor countries are quick to use low aid effectiveness and recipient country situations as an excuse for low predictability. However, a significant portion of unpredictable aid is due to other reasons which have not been sufficiently researched (Celasun and Walliser 2007). When aid is not predictable it directly impacts the ability of the DRC to create a proper and dependable budget. As a consequence of this, all areas of development suffer and citizens lose faith in the government.

Harmonisation is defined through the actions of donor countries. Transparency, effectivity and in sync coordination should all be important themes of donor countries actions. It refers to Indicators 9 (use of common procedures) and 10 (joint work) (OECD 2007). Performance in Harmonisation has declined significantly over the last five years, with exception to Indicator 10b (joint analyses), which has seen a minimal increase. The use of common procedures and arrangements has declined from 54% in 2005 to 37% in 2010, missing the goal of 66% by close to half. Joint field missions have also declined from 38% in 2005 to 22% in 2010. Joint analyses have risen from 35% in 2005 to 36% in 2005, nevertheless leaving a large gap to the 2010 target of 66%. Due to the fragile nature of the DRC and the risks that are associated with engaging with such nations, a strong divide of opinion on how to best act is present between development partners. This is aggravated by the presence of a great number of different actors (OMP/IDL 2008). The commitment to Harmonisation outlined that donor countries would work together to make sure their projects were supportive of one another and that there was minimal crossover. In reality, donors still persist in implementing their own programs without consulting current programs already in place by others. From the data provided in Figure 1, we can assume that this is occurring on an even larger scale than when the Paris Declaration was put into action. These multiple and fragmented programs put a detrimental weight on the already crippled capacity of the DRC government (OECD 2010b).

During the 2006 election, there were political harmonisation attempts made by external actors that had a negative impact on the DRC's Ownership. They were criticized for overstepping their boundaries by interfering too much in the election

process (OMP/IDL 2008). In addition, the development documents surveyed earlier, which supposedly act as tools through which donors can harmonise themselves, contribute to the lack of Ownership displayed by the DRC. Harmonisation efforts are also hampered by China, as it increasingly becomes a major development partner to the DRC. It has not been included in the discourse about the CAF, which is the foremost strategy for development in the DRC (OMP/IDL 2008). As such, harmonization efforts will only reach as far as those who follow their commitments as outlined in the Paris Declaration.

Managing for Results is defined as targeting crucial aspects of development aims and using results of analytics and diagnostics to foster better strategic planning and implementation and refers to Indicator 11 (OECD 2007). Results-oriented frameworks have improved to a grade of C in 2010 from a grade of D in 2005. However, the target for Indicator 11 was a grade of B-A. On the Managing for Development Results (MfDR) scale, which is produced by the OECD directly for the purpose of monitoring the Paris Declaration, the DRC achieved an average score of 1.5 out of a possible 4. The DRC is categorized as being in an exploratory stage of its management of results. This means that programs and initiatives are being tried out for the first time without much commonality or coherence (Managing for Development Results 2011). DRC possesses only the very basics of a monitoring system (OECD 2006). This has a fundamental impact on the DRC's ability to effectively use aid. If results and data from implemented programs are incomplete, unavailable or incorrect, the chances for aid to become more effective in the DRC are limited. Figure 1 shows the DRC has a rating of 1.7 out of 4 on its statistics. This means that statistical analysis and collection is still in the basic stages of development. Accurate and informative national data is essential if the DRC is to manage for results. Donors are meant to utilize national data analysis systems. However, since the DRC is lacking consistent and orderly data collection, donors must use their own methods for collecting data. This in itself hinders the DRC's ability to develop such methods, as donors do not foster their basic attempts at Managing for Results (OECD 2011). This also has negative consequences for the Mutual Accountability.

Mutual Accountability, which refers to Indicator 12, is defined as the commitment that both donor countries and partner countries have between themselves to be liable and responsible for their development goals (OECD 2007). There was no Mutual Accountability present in 2005. Though the goal for 2010 was to have systems in place for bilateral monitoring processes, none has been created and Mutual Accountability remains non-existent (OECD 2006). The fact that donors and the DRC do not and cannot monitor one another is a reflection of the failure of the previous Indicators. The failure of these Indicators can be argued to obstruct any sort of reciprocal monitoring from taking place. If the DRC has no Ownership of its development goals, whether the DRC can be held accountable for these goals is questionable at best. Whether the DRC should be expected to monitor the donor countries is also arguable. With such fundamentally limited capacities, the DRC cannot afford to oversee the actions of donor countries, which should themselves be adhering to their commitments. In relation to this, the overall failure of Alignment and Harmonisation on the part of donor countries gives a poor outlook on their own accountability.

Development partners in the DRC are often reluctant to set up scientific analysis methods, coherent assessment frameworks and supervision frameworks to ensure the applicability of the analytical tools of conflict consistent with the distinctive circumstances in terms of politics, economy, and health, among others, in the DRC

(Patrick and Brown 2007). Consequently, the inaccurate or incomprehensive analytical findings will mislead the subsequent aid policy-making processes and the objectives of the aid projects launched and implemented in the DRC. Furthermore, a certain number of primary issues in the DRC most needing external assistance will be neglected or even aggravated, resulting in the escalating tension and turmoil in the DRC (OMP/IDL 2008).

In addition to the unconscious negative effect imposed on the DRC by development partners, what is worse is that some detriments have been pressed on the country for their respective self-interested purposes. The illegal extraction of natural resource by many foreign enterprises based in the DRC is an appropriate example. In the mining sector, for example, many international stakeholders have violated the global conduct codes to different extent because developed countries, along with some local stakeholders, are eager to share a portion of the natural resources in the country, thus leading to a vicious rivalry on the global scale over those mineral resources. Such an international contention has inevitably led to the escalating instability in the already conflict-affected country and impacts on the results of development partners' efforts (Shah 2010).

Conclusion

To be able to assess the effectiveness of aid in the DRC, it is important to take the political and historical context into account. In the case of the DRC, this is particularly essential because it is in a rather dismal condition due to almost two decades of continued internal conflict. This has trapped the DRC in continued violence and conflict. The DRC possesses neighbours that have not only been unproductive in terms of economic development but have also created internal instability. There have been almost five decades of endemic corruption, which has resulted in the collapse of the formal economy, as well as reduced the state bodies to an evil in the eyes of many Congolese citizens. Finally, but not the least, the DRC has abundances of natural resources that did not manage to develop the Congolese economy. Instead, these resources came to serve first Mobutu's kleptomaniac regime, then as a way of financing the continued warfare for the external and internal players of the Congolese Wars, indeed making the DRC a victim of its own resources. The DRC today stands in a very fragile situation, as there are still major security concerns in the eastern provinces. The DRC still suffers from all-encompassing corruption, while the natural riches of the DRC have, to a large extent, been used to fund the violence.

The overall conclusion is that the aid being distributed to the DRC is predominantly ineffective. This is in part due to the fact that it often leads to welfare colonialism and thereby makes the DRC dependent of aid instead of being able to establish a sustainable economic system. For instance, the main part of the aid that has been distributed to the DRC within recent years has been used to buy food supplies instead of investing in establishing an industry to change the mode of production to achieve increasing, instead of diminishing, returns. Therefore, aid programmes like the MDGs are a part of the explanation for the ineffectiveness since it is aimed at addressing the symptoms of the problem rather than the causes.

Moreover, another contributing factor to the ineffectiveness is that none of the Paris Declaration's indicator goals (except for one) have been reached in 2010. Several indicators have declined since 2005, when the Paris Declaration was created. Thus,

the ineffectiveness has increased within the last six years. Perhaps the most fundamental problem is the base assumption of the Paris Declaration itself. The Paris Declaration assumes a certain level of capacity and legitimacy to the DRC that, in reality, does not exist. The pillars of the Paris Declaration are constructed upon the primary and most important cornerstone of Ownership. Since the DRC has shown no Ownership and is, under the present circumstances, unable to do so, the practical application of the remaining pillars is warped. Because of this, the relevance of utilizing the Paris Declaration in the DRC is questionable at best.

The donor countries that signed on to the Paris Declaration do not live up to their commitments and continually refuse to do so. There is a fundamental issue with the fact that the countries, which have prepared the Paris Declaration do not abide by their own rules. The OECD must also display Ownership with its own strategies. The analysis of Alignment and Harmonisation demonstrate that they do not. This causes aid to benefit ineffective endeavours and therefore harms the DRC by fuelling corruption and criminal extraction of mineral resources. This happens due to the fact that the donor countries fail to consider the needs and context of the DRC.

It has been shown that aid effectiveness in the DRC is a multifaceted and complex issue. While there is no one explanation for the failure of aid, the above issues intertwine to create an overall ineffectiveness. The persistent corruption and conflict begs the question of whether the modern conceptualization of aid can ever be expected to pull the DRC out of poverty. Even if it could, the current utilization methods in practice today leave much to be desired. Through analysing the situational, institutional, economic and political aspects of aid effectiveness, a more thorough and complete picture has been provided and can be utilized in further investigations of aid effectiveness in the DRC.

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The Clean Development Mechanism and Its Failure in Delivering Sustainable Development

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ABSTRACT. The main purpose of this paper is to critically analyse and assess the functions of the Clean Development Mechanism (CDM) in the context of the expressed expected outcomes versus actual outcomes. The CDM as a market mechanism is argued to function to perfection, but seems to fail in terms of delivering the expected development benefits. This paper attempts to delineate why the CDM undermines its sustainable development component of its dual objective and, to some extent, why it was too optimistic to assume in the first place that the CDM per se would deliver sustainable development. This is primarily done through an empirical framework by explaining the functions of the CDM, how it is structured, and illustrating the criticism of the CDM with some theoretical considerations deployed. Ultimately, the paper argues that there is a serious built-in flaw with the CDM, which at present is not addressed.

Introduction

The CDM is one of the three flexibility mechanisms[1] established under the Kyoto Protocol in 1997 in which projects under the CDM label enable countries committed to the protocol to earn saleable certified emission reduction credits (CER) (Kyoto Protocol: Article 12). The credits are generated from activities, which boost the environment's capacity to absorb carbon, and through investment in sustainable development projects that reduce emissions in a developing country itself or by a developed country active in a developing country. These credits can be traded, sold or used by industrialised countries to meet their targets under the Kyoto Protocol (UNFCCC 2011). Any CDM project or activity must be regarded as achieving sustainable development in developing countries, as well as reducing greenhouse gas emission by the CDM Executive Board[2] and the host country in which the CDM project is located in order to achieve the ultimate objective of the Kyoto Protocol itself (Kyoto Protocol: Article 12).

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However, the CDM's abilities to successfully fulfil its dual objective has been questioned many times since its implementation, especially by a number of international radical environmental and development organisations, and larger internationally acknowledged organisations that have, either directly or indirectly, accused or criticised the CDM for contributing to the inequalities in the South (Blok 2010: 18-22). The criticism of the CDM incorporates a wider ethical skepticism ranging from how the CERs are traded against each other, i.e., the luxury emissions of the West versus the survival emissions of the South, to the fear of so-called low-hanging fruits[3] dominating the carbon-market, resulting in a new carbon colonialism (Blok 2010: 18-22). This brings forward a number of interesting questions related to the structure of the CDM, the political, institutional and ideological landscape surrounding the CDM and the expectations of the CDM.

This paper takes as its point of departure the criticism of the CDM. The hypothesis laid forward here is founded on the argument that the CDM suffers from an embedded structural flaw which can be seen in the unbalance between what the CDM was expected to deliver and how the tool to deliver these expected benefits was ultimately structured. More simply, this paper argues that the CDM fails in delivering sustainable development because it was structured as a market mechanism, and a successful one at that, of which the role is to guarantee low-cost solutions and not sustainable development.

This paper attempts to prove this hypothesis valid by analysing the structure of the CDM, its functions, and why it was structured as a market mechanism with a dual objective. In doing so, this paper questions if it is possible to fuse conventional and non-conventional thinking on development, and whether the institutional framework for the CDM can guarantee win-win benefits on behalf of all states involved. It questions whether it was somehow utopian to assume that the pitfalls of the modernisation paradigm and the capitalist system will be diminished or even abolished just by rhetorically altering the expected outcome – here referring specifically to the expected development side benefits. It questions to what extent the CDM represents an actual paradigm shift in the perceptions of how to achieve sustainable development, or whether the CDM essentially is some cosmetic alteration in order to maintain business as usual.

For the purpose of understanding the issues related to the CDM's functionality, a reflection on the conceptualisations of the terms development and sustainable development is included as discursive background knowledge to be used in later discussion and analysis. This section is followed by a deeper reflection and analysis of the CDM's structure and functionality. The analysis can roughly be divided into two main sections: the first revolves around the CDM's favouritism of certain areas and certain project types; and the second focuses primarily on political and discursive aspects related to the CDM. The paper concludes with a brief summary and reflection of key issues.

Development Versus Sustainable Development: Where Does the CDM Fit?

Development theory has, since its critique of the feudal society in the 18th century,[4] come to encompass and represent many different ideas and perspectives ranging from the invisible hand of Adam Smith, to the notion of development without growth in terms of redistribution. Each theory reflects the contexts out of which they arose and

the 'political positions of their proponents, the places where they developed, their philosophical perspective, and whether they are predominantly economic, sociological, anthropological, historical, geographic, and so on' (Peet and Hartwick 2009: 21; Larrain 1989: 1).

Though each theory of development is characterised by its own specific characteristics and addresses specific contexts over time, many agree that development theories do share similar ideas and assumptions, and can therefore be roughly divided into two opposing groups: conventional theories of development and non-conventional theories of development (Peet and Hartwick 2009: 21). There are those who implicitly identify development with economic growth (Sachs 2010: x) and essentially accept the existing capitalist system as the best system for society because it is natural, inevitable, and to some extent unchangeable. The accumulation of wealth, even if it is only by a few, is seen as 'spurring the entrepreneurship and innovation they see motivating the development effort' (Peet and Hartwick 2009: 21). From this perspective, inequality becomes the inevitable price of progress and poverty the unfortunate, but eventually rectifiable, consequence of growth (Peet and Hartwick 2009: 21). On the other side, there are those who identify development with more rights and resources for the poor and powerless (Sachs 2010: x). These non-conventionals or critics see the existing capitalist system as "fundamentally flawed, 'ethically challenged', morally wrong, and dangerous to people and the planet" (Peet and Hartwick 2009: 141). What these theories seem to have in common is an emphasis on "well-conceived development rather than more growth" and some even speculate that global development may be achieved without growth by redistributing production, income and consumption from places in surplus to those who have too little (Peet and Hartwick 2009: 141).

The term development—what it means and how to achieve it—has also become a much contested issue. The concept of development has been accused of being a tool of marginalisation and disempowerment (Beer and Swanepoel 2001: xv) to being defined as 'making a better life for everyone' and 'changing the world for the better' (Peet and Hartwick 2009: 1-2). Some argue that development in the latter perspective becomes a powerful emotive tool because it appeals to the best in people and it becomes optimistic and something to strive for (Peet and Hartwick 2009: 1). Others believe development to be a concept of "monumental emptiness, carrying a vaguely positive connotation", which has been used to disguise a *Westernisation of the World* (Sachs 2010: vii; Mehmet 1999: 1). According to Wolfgang Sachs, the core of the problem is to be found in the semantic confusion brought about by the concept of development: "after all, development can mean just about anything" (Sachs 2010: x).

Development's offspring is sustainable development, which seems to suffer from the same fate. Environmental and ecological issues began to influence ways of thinking in relation to development during the 1970s. Until then, modernisation theories had managed to maintain their foothold as the most predominant discourse on development, and had focussed attention on strategies that promoted more growth. As Sachs stated, "it is the legacy of the twentieth century that the desires of nations for a better tomorrow are predominantly directed towards development-as-growth" (Sachs 2010: x). The publication of *The Limits to Growth* in 1972, however, raised questions about the assumption that growth could continue indefinitely and explored various global concerns which could lead the world to a crisis of catastrophic proportion (De Beer and Swanepoel 2001: 50). Such questioning eventually called for the international society to address environmental and ecological issues in relation to development. The Brundtland Report from 1987 popularised the notion and concept

of sustainable development on the political agenda (Kolhus et al. 2001: 9), and underlined that environmental issues and development were closely interconnected (De Beer and Swanepoel 2001: 50; Greene 2006: 457).[5]

However, it also became a representation of what has been referred to as "a major rescue operation for the development idea" in which the main priority was to figure out how to "protect nature while keeping on competing and growing economically" (Sachs 1999: xi). This "implicit agenda of many efforts to reconceptualise development" (Sachs 1999: xi) was only scrutinised by those who essentially saw growth as the problem and not the solution to development issues (Sachs 1999: xi).

Since the publication of the Brundtland Report, nations, governments and various corporations have made an effort in promoting sustainable operations, whilst the international community through the United Nations and non-governmental organisations are engaging in activities and projects designed to make sure development activities are sustainable (Campbell and Mollica 2009: xvii). But similar to the term development, sustainable development has come to encompass very broad and diverse applications to such an extent that it "has allowed many social actors to adopt a cosmetic approach to development projects that does not assure substantial changes in their treatment of environmental problems" (Trzyna 1995: 72; Sachs 2010: x). As a result, the term has suffered from a great deal of criticism over the past couple of decades, ranging from accusations of being "radically incomplete" – as it has no specific content and puts no limits on what sorts of things can be regarded as sustainable or for how long – to being a "vague and almost meaningless idea" (Campbell and Mollica 2009: xv).

The ambiguity associated with concepts such as development and sustainable development is only further complicated by the existence of different values and perspectives on what is *better* for society and its people – an innate ambiguity that has clear implications for how any operations labelled sustainable are evaluated and assessed. This naturally also applies to any assessment of the CDM's functionality.[6]

When superficially glancing at the CDM, it seems very obvious that the CDM is rooted in modernisation theory and the assumption that free market forces can generate development in terms of economic growth. However, the CDM's objective of addressing climate change and promoting sustainable development is, from the outset, far from the conventional ideas of promoting or reinforcing "the hegemony of the economic worldview" (Sachs 2010: x), which is interesting because it seems to indicate a contradiction between rhetoric and actual intentions. It is interesting because one cannot help but wonder if the CDM in fact was meant as an economic development tool, emphasising conventional Western values of economic growth, and that the concept of sustainable development was only added because contemporary discourse on development would never allow the notion of sustainability being left out of the equation. In other words, because the term sustainable development has come to mean just about everything, it has now become acceptable in contemporary discourse on development that economic growth is sustainable development.

The CDM, Its Structure, and Why This Structure Was Chosen

At the time of the launching of the CDM, the international society had long witnessed a conflict between the North's focus on climate change as a global environmental problem and the South's focus on climate change as a development problem (Olsen 2005: 3). The negotiations under the United Nations Framework Convention on

Climate Change (UNFCCC) were indeed characterised by a North-South dichotomy in which the South had a *development first* agenda, which means that facing the challenge of meeting basic development needs are prioritised (Winkler et al. 2002: 61), and the North had a *climate first* priority, rooted in the characterisation of climate change as a development problem in the South, but an environmental problem in the North (Wright 2007: 42). Reaching consensus was further complicated by the historically contingent greenhouse gas (GHG) emission and related development gap between the North and the South. The less developed South wanted the industrialised North to take prime responsibility for the global climate change and address development issues in the South before committing to GHG reduction. Climate change, it was argued, "had been caused mainly by the developed countries who had the corresponding responsibility to solve it within their own territories. If measures were needed in poorer countries the wealthier countries could pay for these too" (UNFCCC 2004: 13). The divergent views on how to structure the CDM and for what primary goal, ultimately resulted in the US rejecting the Kyoto Protocol and would have jeopardised the endeavour all together had it not been for the transformative EU (Grubb 2002: 139-141; De La Torre 2006: 6). Perhaps, this also explains the high expectations surrounding the Kyoto Protocol and, in extension, the CDM and why it has been hailed as being "a masterpiece of compromise" (Wilkins 2002: 1).

The dual objective of the CDM and the architecture of the processes of approval can, in fairness, be regarded as a compromise between the industrialised North and the developing South, but also as an attempt to create a balance in the prioritisations of these different levels of interests.[7] By incorporating priorities of the North and the South, the UNFCCC, the Kyoto Protocol, and ultimately the CDM, become an institutional framework in which all parties are engaged because they have assessed such to be beneficial for all – the institution as well as the nation states. The cost-benefit notion from neorealism (Keohane 1984: 73) is a good illustration for the considerations expressed during the negotiations and how the agreements ultimately panned out as the acknowledgement of the developing countries' domestic issues became an important factor in establishing the CDM. The developing countries agreed to the CDM only as long as the primary goal of the mechanism was that of achieving sustainable development (Figueres 2006: 3). The institutional setting of the CDM and the interactions within it indeed illustrates that concerns related to national sovereignty, national self-determination, and national issues of providing for one's own citizens are many times prioritised over international cooperation, unless the benefits outweigh any losses.[8] This is to some extent underlined by the fact that host countries of CDM projects are responsible for determining and assessing what sustainable development constitutes based on their individual needs, as this illustrates that domestic concerns and potential loss of national sovereignty were very important and influential factors in the establishment of the CDM, despite the assumed functions of the institution.[9]

The establishment of the CDM brought with it high expectations. The perceived outcomes the CDM was able to produce are founded on a number of underlying assumptions on how to address international issues such as climate change and development. It has been argued that the CDM implicitly perpetuates a "long-standing agenda of capitalist modernity for the global South" and that it to some extent revives the "developmental ethos of the recent past," despite current trends away from grand, macro theories of development (Wright 2007: 23). As mentioned, the CDM is in many ways influenced by modernisation theory and neoclassical thinking on development when considering its structure as a market mechanism, the expectations

that market forces will generate development, and that developing countries want to develop. The North-South dichotomy seems to illustrate a scenario in which the North is the primary source for transferring knowledge and the tools for change, whilst the South is the target for change and development (Wright 2007: 23) – a scenario which also underlines the assumption that development is a shared objective by the North and South alike, and presupposes that the less developed countries want to catch up with the West. It is argued that modernisation theories also include the basic premise that "competitive behaviour and technological improvements coordinated through free markets lead to economic growth and, eventually, material benefits for everyone" (Wright 2007: 24) and looking at the CDM from a comparative angle illustrates that the CDM promotes similar approach to development, as it is assumed that the CDM market will generate economic benefits and ultimately generate development in the receiving host countries.[10]

Taking the Kyoto Protocol—the overall framework for the CDM—into consideration and its "common but differentiated responsibilities" objective (The Kyoto Protocol: Article 10), one could argue that the CDM, in order to satisfy all needs of the parties involved, and secure the cooperation between these parties – and to some extent secure the institutional framework itself – has attempted to fuse conventional and non-conventional thinking in relation to development. It is conventional because it is a market mechanism expected to generate an economic flow and development side benefits for everyone, and because it is established within a Western institution. It is non-conventional because it recognises that development is multidimensional and that, to some extent, the North and the South have different responsibilities in relation to climate change, i.e., that the North should take responsibility for the underdevelopment of the South.

However, as the CDM has been highly criticised for not providing sustainable development, one could question this attempt to fuse two divergent perspectives on development. Perhaps what we are witnessing is an example of Sachs' suspicion "that the Western development model is fundamentally at odds with both the quest for justice among the world's people and the aspiration to reconcile humanity and nature" that ecology and social fairness are "incompatible with the worldwide rule of economism" (Sachs 1999: x).

Why the CDM is Failing in Delivering Sustainable Development

Since the establishment of CDM, the international society has witnessed the growth of not only the carbon market in general, but the CDM market in particular and CDM projects rise all over the South. The number of CDM projects has risen from 100 CDM projects moving through the formal process of approval in May 2005 (Cosbey et al. 2005) to a total of 4,753 CDM projects approved as of October 2012 (CDM 2012). One could argue this illustrates just how rapidly the CDM carbon market has developed.

However, the CDM encompasses a number of weaknesses in terms of ethical and political dilemmas and problems visualised by the dysfunctionality of the CDM, the discourse on the CDM, and the political deliberation on the CDM. The potential seen in the CDM and what it can deliver ultimately depends on how the entities involved chooses to interact and to what extent both objectives of the CDM's overall goal are prioritised equally. Unfortunately, the CDM continuously finds itself in the midst of controversy and projects – such as the so-called HFC-23 CDM projects in China and

the Plantar project in Brazil – have to a great extent become the visual images of what critics of the CDM initially feared would happen.[11]
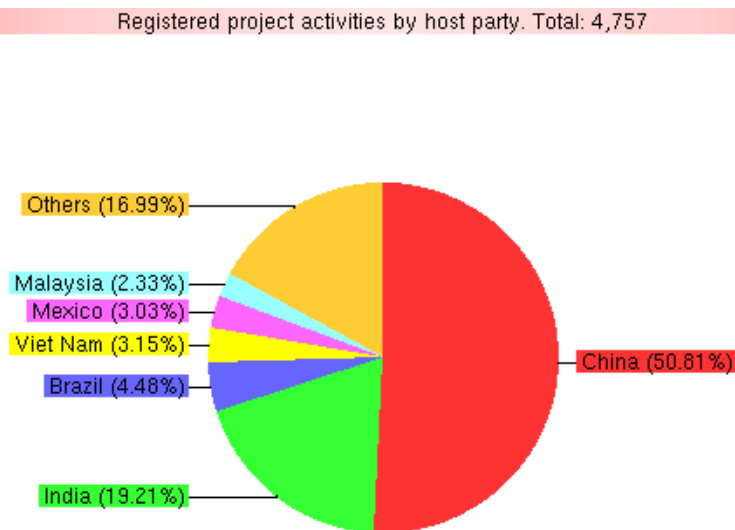

The Dysfunctionality of the CDM

There are several indicators of the CDM's functionality that seem to suggest that the CDM focuses on certain aspects while neglecting others. Only four years after the establishment of the CDM, there was a tendency, both in the literature and in general, to focus extensively and almost exclusively on the issue of assisting industrialised countries in the North in achieving target compliance. This could be seen in the large number of estimates on GHG abatement potential combined with hardly any focus on how the CDM would contribute to sustainable development or to what degree (Kolshus et al. 2001: 1). This focus is in many ways underlined by the many projects that are attractive only in terms of GHG abatement. According to core observers, CDM activities indicate that most projects are single, isolated attempts to access GHG emission reduction and "that most industrialised country governments and corporations are using the CDM merely to reduce the costs of complying with their Kyoto targets and as such are searching for projects that deliver large volumes of cheap credits" (Pearson 2007: 247; Figueres 2006: 1). The reason, it is argued, is to be found in the structure of the CDM because as a market mechanism it will automatically search for least-cost carbon credits, and thereby sideline projects like renewables by not rewarding the multiple benefits they provide (Pearson 2007: 247). These arguments rely on framing the CDM's ability to promote sustainable development in terms of whether the CDM is promoting renewables in developing countries and thereby assisting them in a transition away from fossil fuels (Pearson 2007: 247). This also means that the arguments are dependent on data that indicates or illustrates that certain projects are more favoured than others because they deliver large volumes of cheap credits. With regard to certain project types, it is widely recognised that certain projects such as large so-called F-gas projects, and other end-of-pipe options for capturing and decomposing non-CO^2 GHGs like N^2O and CH^4 – which have high global warming potentials – do not produce any direct development benefits and are merely attractive from a low-cost emission reduction perspective (Olsen 2005: 13). These projects are, according to Pearson, the most common projects despite the fact that these projects "merely shift the location at which emissions reduction are made … without delivering additional sustainable development benefits to host countries and do not help catalyse fundamental shifts in energy production and use" (Figueres 2006: 1; OECD 2004: 31).

  Furthermore, when comparing generated credit volumes in order to judge what type of credits are the most popular in terms of being traded and sold, only 10% of the total credits issued were from renewables despite the fact that renewables accounted for the majority of all project types (Pearson 2007: 248).[12] Today, it is estimated by the UNFCCC that 1,017,900,920 Certified Emission Reductions (CERs) have been issued (CDM 2012), but attaining detailed information about how many of these are generated from renewable projects seems to be a far more difficult task. The UNFCCC has no figures or statistics of such nature, and similar calculations have not been made since 2006[13] by the UNDP.[14] The challenge in attaining such information brings forth another aspect of questioning, as one could wonder why such information is not made available by the UNFCCC itself. In many ways, it seems that the CDM on the surface promotes projects that emphasise renewables and thereby sustainable

development, but an in-depth investigation may indicate that the CDM market in fact is concentrated on CERs from projects where the contribution to sustainable development can be questioned. It is a difficult assessment to make, due to lack of reliable information.

  Another indicator can be seen in the CDM's tendency to favour certain locations for implementation of CDM project activities (see Figure 1). The majority of CDM projects are located in countries where a certain level of development has already been reached and where this level of development can be argued to represent lower implementation costs related to the CDM. In December 2011, only 14 out of the 48 countries classified as least developed by the UNFCCC[15] had projects approved by the CDM Executive Board (EB), thereby representing only a total of 35 CDM projects located in least developed countries. In comparison, it is worth mentioning that China alone and its 2,417 CDM projects represent more than 50 per cent of all CDM projects (CDM 2012). Data such as these numbers seem to support the criticism from NGOs, such as the CDM Watch (2012), that the CDM is geographically biased. Comparing the credit volumes generated from these projects illustrate an even more skewed image (see Figure 2). China alone generates almost 60% of all CERs, thereby arguably also attaining far more foreign investment than any other participating country.
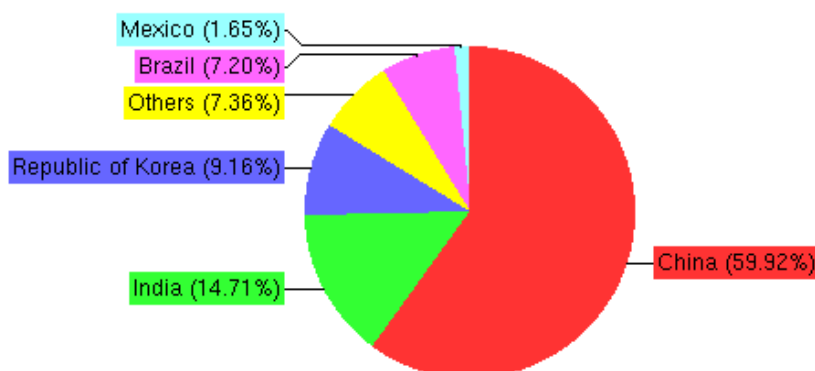
Figure 1

Registered project activities by host party. Total: 4,757

Others (16.99%)
Malaysia (2.33%)
Mexico (3.03%)
Viet Nam (3.15%)
Brazil (4.48%)
India (19.21%)
China (50.81%)

http://cdm.unfccc.int (c) 12.10.2012 14:55

Figure 2

CERs issued by host party. Total 1,016,691,098

Mexico (1.65%)
Brazil (7.20%)
Others (7.36%)
Republic of Korea (9.16%)
India (14.71%)
China (59.92%)

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From a developmental aspect, it is interesting to note that those who have so far benefitted are countries that were already in transition and therefore not necessarily those countries which needed such investment the most. The fact that there are bilateral and multilateral development agencies working only to direct the CDM towards less developed countries, in particular the African continent (CDM Watch 2012), also seems to suggest that the CDM requires additional initiatives to compensate for the embedded weaknesses of the CDM – in this case, the CDMs favouritism of specific geographic areas. Furthermore, the favouritism of certain geographic areas also brings forward the element of cost-efficiency right to the front, as many of the more developed countries chosen for CDM implementation represent locations in which costs are lower. As Cosbey et al. (2005: 46) have noted, "the beauty of any market mechanism is precisely that it will find the lowest-cost way to achieve its objectives."

The unbalance between the two goals of the CDM is, according to Olsen, widely documented, as the CDM involves trade-offs between the two goals in favour of producing low-cost emission reductions at the expense of achieving sustainable development benefits (Olsen 2005: 13). As Pearson has rightly observed, "while the CDM is rhetorically mandated to assist in achieving sustainable development and this should benefit renewables, no part of the CDM's architecture specifically monetises those benefits and as such they play a limited role, if at all, in directing investment (Pearson 2007: 249).

The Political Deliberation and Discourse on the CDM

Some criticisms of the CDM are founded on a number of ambiguous terms and concepts associated with it. One of these is sustainable development, which has caused heated debates in terms of defining what it is, by whom, and how to assess the contribution to it. As introduced earlier, it is the host country of the CDM project in

question that is responsible for guaranteeing that a specific project with an applied CDM status is meeting the goals of sustainable development. The assessment of a CDM project is based on each country's own sustainable development criteria which, one can assume, differs from country to country. There are two ways to assess this aspect. One could argue that the CDM acknowledges that the different countries in the South have different needs and that it therefore is impossible to create a common checklist for sustainable development criteria. An approach that also seems to indicate an acknowledgement of national sovereignty and self-determination in terms of not imposing one specific model or one set of values to address very different needs. However, even this pro-CDM view of this aspect poses a number of potential problems. One could argue that should an increase in competition requires it, host countries may be tempted to lower their sustainable development criteria or standards in an effort to attract foreign investment, thereby increasing chances of gaining benefits. In this scenario, the CDM—or, more specifically, the CERs generated from the CDM—becomes yet another commercial commodity in the free market as opposed to being a tool for the promotion of sustainable development. Such behaviour affects the integrity of the CDM's overall objective, but it also affects the integrity of the institutional framework because there are no incentives to prevent such double-crossing or cheating. The fact that various NGOs have suggested more restrictions in relation to the CDM projects to prevent such behaviour only underlines the risk for such behaviour (Foot 2004: 127). Furthermore, the lack of international agreement for a definition of sustainable development also means that there are no international agreed methods for evaluating or assessing to what extent the CDM project in question contributes to sustainable development. This means that any evaluation of the CDM is almost impossible (Olsen 2005: 11), but it also brings forth, again, the risk of host countries compromising their sustainable development criteria in their efforts to attract investors, as host countries may have little to bargain with due to the global scope of the CDM and investors' wide choice of location (Olsen 2005: 11). This also illustrates that targets, purposes and goals, as described and expressed in the Kyoto Protocol, are very much dependent on domestic affairs rather than just foreign policies, and that the existence of the institutional setting for the CDM relies on how those involved in this collaboration assess the benefits.

It has been suggested that the CDM should be reformed in order to better achieve its sustainable development component, and that defining what sustainable development means is a crucial aspect if sustainable development within the framework of the CDM is to be achieved (Cosbey et al. 2005: 44; McDonald 2010: 15). However, defining sustainable development across more than a hundred radically different countries is an extremely difficult—if not impossible—task. As indicated, issues regarding national sovereignty may have a huge impact on what can be done, and it seems unlikely that countries want to be dictated on some "universal" definition of what sustainable development is or should be. All countries claim to be in a better position to judge what sustainable development is in their particular national framework, and attempting to apply an internationally agreed upon set of criteria may cause countries to withdraw if the criteria in question are not regarded to be the best solution for that specific country (McDonald 2010: 15). This could be the reason why it is argued that no meaningful international agreement on the definition of sustainable development will be forthcoming (McDonald 2010: 15).

Furthermore, due to the focus on cost-efficiency and the potential competition between the developing countries for investment and economic growth, it is no surprise that the focus is placed on the CERs generated as opposed to sustainable

development, as it is the CERs that are of value. This notion of CERs being nothing more than a new commodity for economic transaction and growth seems to be further underlined by questionable initiatives such as the HFC-23 CDM projects in China and the Plantar project in Brazil, which have gained much media attention due to the negative implications these CDM projects have (Blok 2010: 19). What these types of projects have in common is the generation of large volume CERs, and it seems rather clear that the focus of these projects is to generate CERs rather than taking into account what implications such a production of cheap CERs may have for sustainability or the environment. Keeping in mind the CDM's ability to generate a successful carbon market, one could argue that this in itself is an indicator of the CERs being just another commodity in the free market, with developing countries risking their sustainable development criteria in the attempt of attracting investment due to the embedded competition in the market. In a period of less than six months (June 2011 - December 2011), approximately 650 projects went through the CDM project cycle of approval, despite the fact that the global market is only secured until 2012. This rapid increase in establishing CDM projects could indicate that CERs as a commodity has gained much momentum in terms of being a trustworthy and valuable commodity. The fact that countries—such as India and China, which were initially extremely critical of letting a market mechanism dominate the CDM and the idea of commitment to reduce global climate change—have participated in such large numbers of CDM projects (Figure 1) and generated so many CERs (Figure 2) also implies that the CERs are viewed as a commodity that can provide economic benefits. The fact that there has been a tendency to focus primarily on the CDM's ability to generate a successful carbon market indicates an acceptance within public discourse that this is what the CDM actually does. This also seems to validate the suspicion that the CDM is merely used as a positive marketing brand in line with current trends of corporations and companies wanting to portray a "green" profile, and that an actual paradigm shift is yet to be seen.

  Reflecting on the discourse on the CDM, it seems that there are two ways of assessing the CDM's failure to deliver sustainable development. On the one hand, there seems to be a wide acceptance of the fact that the CDM does not deliver enough sustainable development because it was expected that it would deliver more. On the other hand, there is also a wide acceptance of the existence of the CDM and some consensus on the fact that even if the CDM has failed in some aspects, it is still a good incentive for the promotion of combating climate change and addressing sustainable development issues in the South as long as there is continued pressure for the improvement of the CDM. However, accepting that the CDM at the outset is a good idea—because it rhetorically addresses and acknowledges the importance of fusing collaboration on development and combating global climate change, as well as creating a framework for bridging the gap between the North and the South—does not necessarily mean we have to accept that the tool is good enough as it is. This means that if the tool is the reason for the lack of expected results, due to the embedded dysfunctionality, it can seem strange that the tool is not abolished altogether. Furthermore, considering the expiry date of these agreements and the problems related to committing to a new international agreement, one could question to what extent the CDM has managed to minimise the gap between the North and the South. In many ways, the lack of consensus among developed and developing countries in reaching new agreements seems to underline that the gap is as wide as it has ever been. What is interesting in this relation and to the evaluation of the CDM is whether one is to believe that economic profits can generate sustainable development or not,

and whether neoliberal institutionalism can provide the best framework for securing international cooperation of this magnitude.

Reflection and Conclusion

The CDM is a phenomenon loaded with complexities ranging from rhetorical weaknesses to a dysfunctionality embedded in the model, and to some extent, an unbalance within the institutional framework—i.e., balancing the prioritisations of national and international issues. These complexities are, in many ways, the result of trying to combine different perspectives from the North and the South, but also different perspectives on what sustainable development entails; what combating climate change entails; and what systems, structures, tools, ideas, and values are better for addressing issues of global nature and importance. It is, at times, difficult enough to reach agreement domestically within a country, which means that reaching consensus between governments, corporations, organisations, and institutions on a global level is a far more difficult task, especially keeping in mind national sovereignty and self-determination.

  One could argue that the CDM fails in delivering sustainable development because it is a market mechanism. The element of cost-efficiency was an important factor during the Kyoto negotiations, and it can therefore come as no surprise that cost-efficiency has become the guiding principle of the CDM despite its two mandated purposes of GHG emission reduction and achieving sustainable development. Furthermore, under the current structure of the CDM, the only element of monetary value is that of the credits. This means that they are the only incentive for investors to participate. Sustainable development in comparison is, at best, valuable in terms of having branding value. In many ways, it is utopian to assume that the CDM will deliver anything else than cost-efficient credits, which brings the very existence of the CDM into question. Perhaps it is better to acknowledge that the CDM in its current structure cannot do two things at once because there are no features of the CDM structure that support the notion of promoting sustainable development — that is, sustainable development in terms of being more than economic growth.

Notes

1. This is also known as the carbon market. For details on what constitutes the carbon market, see Lecocq and Ambrosi (2007: 139).
2. The CDM Executive Board (CDM EB) supervises the Kyoto Protocol's clean development mechanism under the authority and guidance of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (COP/MOP). The CDM EB is fully accountable to the COP/MOP. The CDM EB will be the ultimate point of contact for CDM Project Participants for the registration of projects and the issuance of CERs.
3. Cheapest abatement options or cheapest emission reduction options that are favoured by the market and therefore easily sold, which may result in developing countries having to invest in more expensive measures in order to meet future reduction targets (Castro 2010: 2).
4. For further reading on the historical background of the concept of development, see Larrain 1989: 1.
5. For exact wording and definition of "sustainable development," see *Our Common Future*, Chapter 2, 1987.
6. Neither the UNFCCC nor the Kyoto Protocol provides any exact definition of what is meant when using the term sustainable development. The protocol does instead provide what is best described as guiding principles for Annex 1 countries when promoting sustainable development

(see UNFCCC 1992, Article 1 for list of definitions and Kyoto Protocol 1997: Article 2 for list of guiding principles).

7. For details on processes of approval, see Curnow and Hodes 2009: 33-34.
8. For realist inspired accounts on how states interact within institutional settings, see Stean et al. (2005: 65) and Brown (1997: 49).
9. For an elaboration on neoliberal institutionalism and functions of institutions, see Steven L. Lamy (2006: 207-221).
10. This is supported by those who argue that the idea that the CDM can promote sustainable development is founded on the assumption that payments for environmental services, including carbon- and greenhouse gas emission reduction, can generate poverty reduction and enhance sustainable development (Minang et al. 2007: 615).
11. For details and criticism on these projects, see Blok 2010.
12. This is a rough estimate. See Pearson (2007: 248).
13. This is as far as we have been able to assess from our research.
14. See UNDP 2006 for their assessment of the CDM.
15. The CDM in numbers: for figures and statistics on CDM, see http://cdm.unfccc.int; and for Least Developed Country information under the UNFCCC, see http://unfccc.int/cooperation_and_support/items/3097.php.

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ESSAY
The Existentialistic Premise of the Thermonuclear Dilemma

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ABSTRACT. This essay explores the thermonuclear dilemma in a timeless and universal philosophical context – a purely epistemological plain. Drawing upon ideas from Rousseau, classical realists such as Morgenthau and Niebuhr, and contemporary thinkers such as Bent Flyvbjerg, this essay first explores the theoretical possibilities of a world state; secondly, it explores the possibilities for transformation and mechanisms of change; and thirdly, it reflects upon some philosophical concerns with regard to contemporary opportunities and imminent difficulties. Ultimately, the essay argues that the thermonuclear dilemma is the existential premise for international politics and should therefore be at the forefront of any theorizing of international politics.

> In politics as in morals, the more we enlarge our knowledge,
> the more we are faced to recognise the extent of our misery.
> — Jean-Jacques Rousseau (1917)

With the advent of thermonuclear weaponry in the 1950s, the international world of nation-states, faced a dilemma: in a world characterized by anarchy the possibility of waging war now came with the risk of mutual assured destruction. On a global scale this would mean total nuclear annihilation. Up until this revolutionary event, Realists such as Reinhold Niebuhr and Hans J. Morgenthau – drawing on Weber's writings on *Machtpolitik* and Nietzsche's considerations of the "will-to-power" – had tried to explain the returning phenomenon of international conflict and furthermore proposed normative arguments about how states, under anarchical conditions, always should be ready to wage war in the name of human survival (Craig 2003: 32-53, 74-92, 93-116; Craig 2007: 195-215). But, as the consequences of an all-out nuclear war became more apparent, both scholars came to realize that their political philosophy, in its normative sense, was collapsing (Craig 2003: 115-116, 164-165). In a word, maintaining the Realist *ultima ratio* in an international system of nation states with the ability to end the world became "absurd" (Morgenthau 1961: 232). Living in a world organized in such a way that the underlying material premise became a seed for its destruction, became unbearable for both theorists. Determined to avoid a third

world war, they combined this normative consideration with Realist pessimism about radical solutions to solve the thermonuclear dilemma (Craig 2003: 164-165). Thus, given that the outcome of this dilemma is undesirable, they asked themselves: *what, if anything, can we do about it*?

International anarchy constituted the very center of the problem: that is to say, no anarchy – no risk of major war. Hence, the solution was clear: *eliminate international anarchy*. The thermonuclear dilemma thus made the need for transformation of international politics evermore evident: transcending anarchy for the sake of avoiding world war three became the prime concern for both Niebuhr and Morgenthau. Yet, despite their efforts, they only got to have a "glimpse" at what was to come – *the establishment of a new global Leviathan* (Craig 2003: xv-xvii).

Drawing particularly on the philosophy of Jean-Jacques Rousseau, I seek to do three things in this essay: first, examine the theoretical possibility of a world state and a social contract that engages with the problem of world community, as defined by Morgenthau; second, explore the prospects of transformation and mechanisms of change; and third, reflect upon some philosophical considerations with regard to contemporary opportunities and future difficulties. The overall argument being that, a world state is *the* only liable solution to the thermonuclear dilemma and that it remains obtainable through rational means under conditions of stable power relations. Yet, the asymmetrical relationship between power and rationality will eventually bring an end to such a world state, which in the end leads me to suggest that the nature of the thermonuclear dilemma is *existential*.

Furthermore, it should be added that Rousseau himself of course had nothing to say about the thermonuclear dilemma, *how could he*? That, however, does not mean that Rousseau's social thought and philosophy cannot teach us anything about the way *we* can think and deal with this dilemma. Having a a-historical and logical/epistemic approach to International Political Thought, Rousseau is engaged with as if his thought is apart of a universal and timeless debate about international politics. As such, this essay is theoretical and deductive and thus logical arguments take prerogative over historical ones. And in this context the essay asks the question of: what can we, inspired by Rousseau's social philosophy, say about the present problem of the thermonuclear dilemma?

The Theoretical Possibility of a World State

Scholarly effort to solve the thermonuclear dilemma has been few and sparse. Morgenthau examines three solutions to anarchy in *Politics Among Nations*, i.e., peace through *limitation*, *transformation* or *accommodation* (Morgenthau 1948: Chapters 18-25). However, as it becomes clear throughout his investigation, the only reliable way to ensure peace is by transforming international politics: by "eliminating its destructive and anarchical tendencies altogether" (ibid: 278).[2] This solution draws on Realist traditional thinking: as Hobbes argued in *Leviathan*, "Covenants, without the sword, are but words, and of no strength to secure a man at all" (Hobbes 1985: 223). Therefore the only solution to the thermonuclear dilemma is the transformation of the international system into a *genuine world state*.

In *The Inequality Among Men*, Rousseau develops a hypothetical history of how the society of his modern society had come into being. Even though he gives a comprehensive account of this societal development, he maintains that by "the fortuitous concurrence of several foreign causes" human society has arrived at a

specious social contract with all its injustice and inequalities, both natural and political (Rousseau 2004: 26). It is an illegitimate contract of the strong that constitutes the environment in which self-reflecting individuals are left to fend for themselves; a society Rousseau himself truly despised.[3] In this society, Rousseau summarizes in the beginning of *The Social Contract*, "Man is born free; and everywhere he is in chains" (Rousseau 1998: 5). Throughout the rest of the book he develops his ideal vision of how a new and legitimate contract can be designed.

The first move for Rousseau is to contrast civil society with the state of nature, posing the question of how it is possible to live in a society, being subject to its laws, and yet still be as free as one was in the state of nature. The solution, Rousseau contends, starts with the separation of different "wills": first, every individual has his own "particular will", concerned with personal interest about his own advantage; second, the "will of all", which is the aggregate of the number of particular wills; last, the "general will" which is the will that considers what is in the best interest of the whole (ibid.). The general will transcends the other two; we are to think of a group as a single individual, that is society as an organism, then the general will would be if such an individual were to think of what is in its own best interest.

At this moment it is helpful to draw attention to the connection between the "fear of nuclear death" and the emergence of what might be called the only true "general will" of mankind (Craig 2003: 171-172).[4] The desire, or to use Rousseau's vocabulary "will", not to die in a nuclear holocaust is the general will of mankind. Or to put it in another way, it is only by acting on the fear of nuclear death that the people of the earth can build a world state. Moreover, as the new social contract presupposes a particular context and not a dramatic revolutionary context (being not historical, but *logical*) Rousseau asserts, that the "primitive condition can no longer subsist, and the human race would perish unless it changed its mode of existence" (Rousseau 1998: 14). Even so, when taking the thermonuclear dilemma into consideration, the dividing line between logical and historical context becomes blurred, not to say broken. A world state with a general will determined to avoid nuclear holocaust is a Realist possibility. For Rousseau, the contract consists in that "Each of us puts in common his person and his whole power under the supreme direction of the general will; and in return we receive every member as an individual part of the whole" (ibid.: 15). And it is only by making this new contract, that Man achieves the "remarkable change" where individuals lose the freedom to follow their inclinations, but by entering into a social contract they gain *real freedom*; the freedom to maneuver within the benefits which arise from the civil state (ibid.: 19).

Yet, the persistent concern for the state of the world and the absence of world community seems to be the hindrance for establishing a world state. As Morgenthau (1946: 342) concluded in *Politics Among Nations*, "a world state cannot be established under present moral, social, and political conditions". The system of nation states is indeed a system of different communities with their own moral, social, and political traditions. If states emerge out of demand from the bottom up, as Morgenthau here assumes, a world community logically comes prior to a world state. This argument aligns with Rousseau's insistence on banning private associations. As Rousseau (1998: 30) argued, "in order to have a clear declaration of the general will … there should be no partial association in the state". Accordingly, nationalism as Morgenthau (1957: 190) asserted 'has had its day'– there is no room for it in a world state.

The Prospects of Transformation and Mechanisms of Change

While some maintain that a world state is "inevitable", others stress that, because of the intensification of the "material context", a world state is the only functionally solution and therefore would be surprising if it did not happen (Wendt 2003; Deudney 2006). In contrast, contemporary realists such as John Mearsheimer, building on Waltz's structural theorizing, maintain that such change is impossible because of the "first mover problem" where rational states face an environment inhabited by irrational states that are unable to change and thus, as a result, must resort to security maximizing policies that cause insecurity for its counterparts (Mearsheimer 2011). Nevertheless, while the first two accounts offer little guidance as to what mechanism can facilitate such change, the deterministic account of inability of change is also problematic because it, by its wish for theoretical elegance, is unable to explain how the state system that it analyses came into being.[5] Thus, mechanisms for change must be found elsewhere.

In *A Lasting Peace*, Rousseau (1917) delivers the argument for a European Federation with the purpose of a lasting peace among its powers and then a critique of it. In other words, first, it is established that war is undisputedly bad; second, in a system of states, remaining in a "state of nature" towards each other, anarchy and war will prevail; therefore, third, a federation with the power to maintain a lasting peace must be formed (Rousseau 1917).

But Rousseau goes further and elaborates on how a Federation of Europe could be created. After establishing the practical conditions, that such a Federation, must include all great powers, have an effective legislative body, coercive power, and strong enough to match any dissolution. Rousseau imagines that a general assembly of Europe is called for, at which five articles will be presented and instituted as the new constitution of Europe. One might argue that the persuasive power of reason and wisdom alone should be enough to carry through with the plans. Rousseau remains a bit more modest and states that it is only "if they took council of their true interest," that such a federation would come into being (ibid.: 91). However, he asserts that if the project were to fail it would be because "men are crazy, and because to be sane in a world of madmen is in itself a kind of madness" (ibid.: 91).

Distinguishing between "real" and "apparent" interests, Rousseau points out that while a nation's real interest always will be for peace, their apparent interest will always lie the other way (ibid.: 92-101). Therefore, even if such plans were set into motion at a perfect time, "the one thing left [would be] force; and then the question is no longer to persuade but to compel, not to write books but to raise armies" and he continues:

> Accordingly, though the scheme in itself was wise enough, the means proposed for its execution betray the simplicity of the author. He fairly supported that nothing was needed but to convoke a Congress and lay the Articles before it; that they would be signed directly and all be over on the spot. It must be admitted that, in all his projects, this good man saw clearly enough how things would work, when once set going, but that he judged like a child at the means for setting in motion (ibid.: 102).

What Rousseau here is pointing out is what could be termed the omnipresent problem of social planning: the relation between *rationality* and *power*. While rationalist and enlightenment thinkers tend to think that 'knowledge is power,' the relationship between them is more complex. To put it in more theoretical terms, the problem Rousseau has encountered is, as Bent Flyvbjerg (1998: 234) argues, "power has a rationality that rationality does not know. Rationality, on the other hand, does not have a power that power does not know." The relationship between power and

rationality is very much in power's favor: a conclusion Morgenthau also draws in his *Scientific Man Vs Power Politics* (1946). That this asymmetrical relationship is characteristic of international relations is old realist wisdom and international history has almost never failed to show us that power politics has final say in just about anything. Does this, then, mean that such plans to transform the world are impossible? Moreover, are there conditions under which rationality has the ability to affect outcomes?

Some scholars have overemphasized the first part of Rousseau's critique leading us to believe that Rousseau denied the possibility of a lasting peace altogether.[6] However, if we read the second part more carefully the prospects of world government is not that ominous (Rousseau 1917: 95). Trying to show that the project was far from utopian, it develops on St. Pierre's example of Henry IV and Sully's great project to establish a European Federation; Rousseau develops an elaborate scheme, designed with careful planning of how the different powers of Europe could be pinned against each other, so as to fight a war that would end all wars. Despite the elaborate schemes and thorough planning, the project failed. Nevertheless, Rousseau still reminds us that "beyond a doubt, a lasting peace is, under present circumstances, a project ridiculous enough. But give us back Henry the IV and Sully, and it will become once more a reasonable proposal" (ibid.: 111). The pinnacle of change, according to Rousseau, is self-reflection and the ability of acting on that reflection is the only way mankind can hope to change his environment.

Nevertheless, the argument still relies on the use of force: a liable solution for Rousseau, but not in a thermonuclear world. As Waltz points out, it "would be an invitation to prepare for world civil war" and thus the likeliness of thermonuclear war (Waltz 1979: 112). The key question then is: how can there be transformation without the use of force? And by what mechanisms is such change possible?

Recall Flyvbjerg (2001) once again, his conceptualization of power as *relational* rather than a mere *entity* allows for such change to be conceived. He argues, that: "The power of rationality is embedded in stable power relations rather than in confrontations" (Flyvbjerg 1998: 233). Where traditional Realist thought has argued for the indulgence of power politics, because it was assumed that the asymmetrical relationship between the rationality and power to be fixed in favor of the latter, Flyvbjerg has a more positive view of the prospects of rationality. Thus, rather than dismissing rationality all together, Flyvbjerg (1998: 233) point out that there are certain conditions under which rationality can flourish: he explains, "The force of reason gains maximum effect in stable power relations characterized by negotiations and consensus seeking. Hence, the power of rationality can be maintained only insofar as power relations are kept nonantagonistic and stable". The argument presented by Flyvbjerg, provided that power relations remain stable and nonantagonistic, opens up the possibility for rational change of the international system. Although it presently would seem as mere impossibility, we can still conclude that the establishment of a world state, by rational means of argument for Rousseau's "remarkable change" – where willing states give up their military power –, is possible without ending in global civil war.

The existence of thermonuclear weapons might just provide the stability needed to embark on the world state project by rational means. Whether the fear of these weapons really provided stability under the cold war, as Waltz would seem to suggest, I leave unanswered, but the absence of great power war in the last sixty years is undisputable (Waltz 1981; Holsti 1996). Even so, can the power relations remain

nonantagonistic, as Flyvbjerg maintains that they should? The possibility is there, only time will tell if rationality can become truly embedded in international politics.

Philosophical Considerations

There are two good arguments for why the transformation, despite its inherent dangers, of the anarchical state system into a genuine world state is a good idea. First of all, as Campbell Craig points out:

> In the long term deterrence is bound to fail: to predict that it will succeed forever, never once collapsing into a nuclear war, is to engage in a utopian and ahistorical kind of thinking totally contrary to traditional Realist philosophy (Craig 2003:172).

The second argument Craig (2003: 172) gives is that "the unipolar nature of international power politics today provides an unusually propitious opportunity for global state formation". With the absence of balancing in the last twenty years the stable power relations and thus fits with the transformative argument of mechanisms for change in this essay.[7] The argument is nevertheless inconsistent with the normative argument found in a social contract that seeks to abolish private associations. If, Rousseau would argue, we fail to abolish private associations the contract will yet again be a specious contract of the strong. And thus, if we want to maintain philosophical consistency the uni-polar moment is of little use.

  However, with regard to the first argument there is a more pressing and devastating reflection to be made. What would it require for a world state to be a "permanent" solution to the thermonuclear dilemma? Rousseau, even by making a "perfect social contract" still has a worrying objection to those who put their hopes of a permanent solution in the world state:

> If Sparta and Rome have perished, what state can hope to endure forever? If we wish to form a durable constitution, let us, then, not dream of making it eternal. In order to succeed we must not attempt the impossible, nor flatter ourselves that we are giving to the work of men a stability which human things do not admit to. (Rousseau 1998:89)

Drawing on Rousseau's point here we might, if we insist on solving thermonuclear dilemma once and for all, reconsider the world state solution. What Rousseau is hinting at here is the same conclusion that Robert Putnam (1993: 17) draws from within his studies of civic traditions in modern Italy, that: "Two centuries of constitution-writing around the world warn us … that designers of new institutions are often writing on water". It is the relationship between the exercise of power and the constitution (i.e., the rational restraint of power) that eventually will result in the collapse of the state. Like the forces of nature working on the terrain, the power relations will eventually demolish the checks and balances put in place to restrain them. It was the relationship between rationality and power that brought the state into being; it will be the same relationship that will ensure its destruction. As Rousseau writes: "the body politic, as well as the human body, begins to die from its birth, and bears in itself the causes of its own destruction" (Rousseau 1998:89).

  In sum, claiming that a world state would be able to permanently solve the thermonuclear dilemma, I would argue, then, is having hubristic ideas about the endurance of statehood. As Rousseau contends, the world of men is nowhere near as stable as a lasting world state would require; we will eventually bring down this "permanent solution" and the thermonuclear dilemma would yet again return. If not to a world of nation states, then to one of different antagonized political entities.

Under the assumption that, what has been invented can never be dis-invented; we must live with the possibility that the world can come to an end by our own making. We thus reach the tragic and unsatisfying conclusion, that a world state would only be able to solve the thermonuclear dilemma *temporarily*. Deterrence will eventually fail, yes, *but so too, will a world state*. Which leads us to the suggestive point I want to make in this essay: *the thermonuclear dilemma is the existential premise of international political life*. As there seems to be no permanent solution to the problem, this anomaly does not lend itself to scientific examination. Some dilemmas remain unintelligible and thus by considering the thermonuclear dilemma as an existential premise for political life we are faced to recognize the extent of our misery: *obtaining the power to destroy the world before overcoming the untranscendable human condition*.

If the only possible stance towards the problem remains a normative one, then what about the world state solution? While the thermonuclear dilemma properly will stay with humanity indefinitely, what was set out to answer was: "what, if anything, can we do about it?" Stressing "if anything" we ought to take the construction of a world state seriously because it, to this day, remains the most liable solution to the thermonuclear dilemma. The only thing we can do, as Rousseau also acknowledges, is to give it as good a constitution as possible.

Conclusion

In this essay I have argued that a world state, which engages with the world community problem, inspired by Rousseau, must ban private associations; that, the only tolerable mechanism of change in a thermonuclear world is through *rational argumentation*, which can only be embedded in stable power relations; and finally, that despite its inevitable decay and destruction, a world state remains the only liable solution to the thermonuclear dilemma. Moreover, if we are to consider the thermonuclear dilemma as an existential premise, then it will never be done with Realist political philosophy and therefore *should* remain at the very center of international political thought.

Notes

1. This essay was originally written for the master's course *Realism in the American Century*, convened by Professor Campbell Craig at the Department of International Politics, University of Wales, Aberystwyth. The Author wishes to thank Campbell Craig for a great and insightful course, along with the two reviewers, Marc Van Impe and Lucas Van Milders for valuable comments and suggestions.
2. Morgenthau's initial argument, however, called for better diplomacy between nation states (i.e., *accommodation*), as there was no world community to support a world state. Nevertheless, later in his career he returned to the idea of a genuine world state. On this point see Craig (2003 and 2007).
3. For more on how this worldview and argument has been utilized in the field of International Relations, see Waltz, Kenneth (1954 [2001]) *Man, the State and War: a theoretical analysis*, Columbia University Press, pp. 165-186.
4. The "fear of nuclear death" is central to Campbell Craig's thesis in *Glimmer of a New Leviathan*; see especially chapters 4, 5, 7, and conclusion pp. 171-172.
5. For a critique of Waltz's inability to explain change in the international system, see Ruggie, John Gerard (1986) 'Continuity and Transformation in the World Polity: Towards a Neorealist Synthesis', in Robert O. Keohane (ed.) (1986) *Neorealism and its Critics*, New York: Columbia University Press, pp. 131-157.

6. See especially Morgenthau, *Scientific Man Vs. Power Politics*, pp. 39-40, that by extending Rousseau's critique of modern international thought ignores the fact that Rousseau implored the writings of St. Pierre.
7. With regard to "the absence of balancing", see, for example, Brooks, Stephen and William Wohlforth (2008) *World Out of Balance: International Relations and the Challenge of American Primacy*, Princeton, N.J.: Princeton University Press.

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ESSAY

Why is the resettlement in a third-country the chosen solution by the Bhutanese refugees? A personal answer to a political problem

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ABSTRACT. This paper gives voice to the motivations that drove thousands of Ethnic Nepalis from Bhutan to choose resettlement as a solution to their never-ending plight. Expelled by their own country where they started to be perceived as a source of instability in the 1980s, the Bhutanese refugees have found refuge in Nepal for the last 20 years, surviving an inhospitable policy reluctant to integrate them. From 2007, the governments of Denmark, Australia, Canada, the Netherlands, New Zealand, Norway and the United States started to host the Bhutanese refugees willing to be resettled in a third-country. Since 300 Bhutanese refugees are currently living in Denmark, we decided to interview the 41 resettled in Haslev, a town in Faxe municipality, about 60 km from Copenhagen. Although refugees are generally perceived as a passive object of humanitarian assistance, our findings show people that they are aware of the difficulty to be repatriated, willing to end a life of idleness in the camps, hoping for a better future and craving for citizenship, and hence the refugees have actively chosen to start over in a foreign country despite the hardships that they had to encounter. The resettlement in fact proves to be a long process that does not end with the arrival of refugees, but it actually continues in the host state.

Introduction

Coming from Bhutan, a tiny country deep buried in the Himalayas, the ethnic Nepalis became refugees without attracting the world's attention. The ethnic Nepalis started to be perceived as a political and cultural threat in the 1980s, when the then King implemented a policy of 'Bhutanization' aimed at strengthening the national identity of his Kingdom. The consequence was the beginning of a series of discrimination that ended up with expelling the ethnic Nepalis from their own country in the end of the 1990s. Nepal became sanctuary for 108,897 registered Bhutanese refugees, and

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Bhutan with a population of 635,000 inhabitants, became the place where every sixth citizen is a refugee (Norwegian Refugee Council 2008: 3).

   From 1993 to 2003, 15 bilateral talks between Nepal and Bhutan were held without bringing any results: the first has never accepted to integrate the ethnic Nepalis within their territories, and the second has never allowed the right to return to one of the refugees who, in the meantime, were included amongst the so-called Protracted Refugee Situations. The proposal of voluntary resettlement in a third country—which was made by Denmark, Australia, Canada, the Netherlands, New Zealand, Norway and the United States that are united in the Core Working Group—has been the only bright spot so far and started to be implemented in 2007. More than 32,000 refugees have been resettled to date, of which 300 have been resettled in Denmark and 41 in Haslev, a town in Faxe municipality, about 60 km from Copenhagen. The Bhutanese refugees resettled in Haslev are the targets of this paper. We asked them to explain the reasons behind their decision to be voluntarily resettled in a third-country so that the micro-case of their experiences will lead us to understand the macro-case of the resettlement process.

Bhutan in the South Asian Context

First of all, it is necessary to situate Bhutan in the broader context of South Asia to understand influences and roots of its ethnic Nepalis refugees' impasse. Since 1947, an average of 40 million people have crossed the borders of India, Pakistan, Bangladesh, Sri Lanka and Nepal as a consequence of 12 massive bilateral flows which have transformed the geo-political aspects of the South Asian regions. Rejected peoples, political refugees from repressive regimes, and unwanted migrants form the South Asian displaced population, whose diverse statuses are yet characterized by a connecting red-line: a common *threat perception* which "arises when migration changes the linguistic or religious composition of the sending or receiving locality" (Weiner 1993: 1744).

   In Bhutan for example, the ethnic Nepalis who migrated to the southern area of the country since the 19th century, started to be perceived by the Bhutanese authorities as a cultural, political, and economic threat. The reaction of Bhutan stems from the fear towards a minority whose sense of identity grows corresponding its small entity (Weiner 1993: 1744). The *identity* takes the shape of solidarity amongst the members of the same ethnic group in response to the sovereignty of the state which cannot help but embody "notions of citizenship and exclusion, distinctions between those who belong and those who do not" (Weiner 1993: 1744).

Bhutan and the (Forgotten) History of its Refugees

Sandwiched between China to the North and India to the West, East and South, Bhutan is a small country with a population that can be divided into three major ethnic groups: the Ngalongs[1] in the Central and Western part of the country are of Tibetan origins who are Buddhist and speak Dzongkha; the Sharchhops in Eastern Bhutan are of Indo-Burmese descendants; and together with the Ngalongs are the Drukpas who share the same religion and language. The Lhotshampas (which literally means "people of the South") are ethnic Nepalis who migrated from Nepal around 1850. Mainly of Hindu ancestors, they live in the lowlands of Southern Bhutan, speak

Nepali and believe in Hinduism, differing from the Drukpas in terms of culture, language and religion.

Although the ethnic Nepalis[2] were collectively granted citizenship under the 1958 Nationality Law, the rise to power of Nepali migrants in the neighbour state of Sikkim in 1975, created anxiety on the Bhutanese authority who did not consider the ethnic Nepalis as citizens but as illegal immigrants (Weiner 1993: 1744). As a consequence, a series of measures aimed at tightening the eligibility for Bhutanese citizenship was taken. Two new Citizenship Acts in 1977 and 1985 introduced restrictive requirements to obtain nationality, increasing the residency criteria for citizenship by 10, 15 and 20 years (Human Rights Watch [HRW] 2007: 14). A census was organized in 1988: conducted only in the South, the census considered Bhutanese citizens only those ethnic Nepalis who could prove, with records as tax receipts, residency in the country in 1958, the year of the first Nationality Law (HRW 2007: 15). In addition, the so-called "One Nation, One People" policy, with the purpose of preserving and maintaining the Bhutanese national identity, was indicated as one of the objectives of the sixth Five Year Plan in 1987 (Norwegian Refugee Council 2008: 4). The 'Bhutanization' of the country included the dictation of the Dzongkha language (and thus the removal of the Nepali language from all the schools in Southern Bhutan) and of the *driglam namzha*, the traditional Drukpa code of values, dress, and etiquette (HRW 2007: 15).

The ethnic Nepalis felt to be victims of what "resembled a process of ethnic cleansing" (Norwegian Refugee Council 2008: 2), and organized mass demonstrations in September and October 1990. The authorities responded violently: a considerable number of the thousands of participants were imprisoned and tortured and, at the end of 1990, the first ethnic Nepalis were forced by the government to leave the country, signing, under duress, the so-called "voluntary migration forms" (HRW 2007: 16). Those who were not forced as such, left the country voluntarily because of the discrimination they were subjected to (HRW 2007: 27). Some settled in India, but the majority settled in Nepal, becoming part of what is defined as a Protracted Refugee Situation.

Bhutan: A Protracted Refugee Situation

According to the definition given by the UNHCR (2006: 106), a Protracted Refugee Situation (PRS) is a "refugee population of 25,000 persons or more who have been in exile for five or more years in developing countries". A PRS stems from a 'failure' which involves the country of origin, the country of first asylum and the international community: the first, being the source of fear from which the refugees flee; the second, avoiding most of the times integration within its territories; and the third, neglecting the age-old PRS in preference for refugees emergency in the glare of publicity (UNHCR 2006: 109-114).

Bhutan and its thousands of ethnic Nepalis present the necessary numbers and characteristics to be considered a PRS. Bhutan has been accused of having denied the citizenship rights to almost half of its population, forced large amounts of people to flee and discriminated the remainees (Norwegian Refugee Council 2008: 2). Nepal has been the country of first asylum for the majority of the Ethnic Nepalis who found a shelter in the South-East of this country, but to date, despite sharing the same language, religion and customs, it is still reluctant to assimilate the refugee population and it has even denied the possibility of starting income-generating activities within

the camp's borders (HRW 2007: 55). That is the reason why the ethnic Nepalis have not had any chance but to rely on international donors to survive. However, as it happens in most parts of the PRS, the ethnic Nepalis also suffer a 'donor fatigue'. On December 2006, the World Food Program (WFP) doubted that it could provide assistance to finance its food aid programs and the UNHCR also had to limit its service, once given to all the refugee population, only to the most vulnerable. In a limbo within a limbo, "the Bhutanese refugees in Nepal are trapped between their forced dependency on international assistance and the increasing reluctance of the international community to keep providing for their needs" (HRW 2007: 19).

In order to resolve a PRS, humanitarian assistance has to come along with political and diplomatic actions (UNHCR 2006: 114). Being neighbours as well as political and economic allies, Nepal and India could be the ones who can more easily influence Bhutan's approach to the ethnic Nepalis. However, India has maintained a neutral approach towards the Bhutanese refugees' issue, motivated by its need for the Bhutanese hydro-power[3], whereas the Nepal-Bhutan bilateral cooperation has not evolved significantly for reasons explained in the next section.

Bhutan and Nepal: A Never-Ending Bilateral Talk

Despite the fact that Nepal and Bhutan share historical and cultural links, the two countries' relationships have been distant for many decades. The lack of economic interaction can be easily justified by an absence of common borders and the incumbent presence of India between the two. It was only in 1983 that Nepal and Bhutan start diplomatic relationships joining the SAARC (South Asian Association of Regional Cooperation). But it was with the blast of the discrimination policy against the Ethnic Nepalis in Bhutan and their subsequent flight into Nepal that the two countries initiate a partnership which aims at finding an amicable solution to the refugees' impasse (Baral 1993: 198).

According to NGO reports, the first groups of 2,500 Ethnic Nepalis were illegally camped in Nepal by August 1991. On September of the same year, 6000 refugees were already under the shelters of UNHCR, which registered a refugee population of 62,000 people on August 1992, growing to 80,000 people by June 1993. Statistics from UNHCR, which was released on April 2001, counted a total of 108,897 Bhutanese refugees—98,897 of which have been assisted by UNHCR in the seven camps situated in Eastern Nepal (Rajesh 2003: 287), while an estimate 10,000 - 15,000 Bhutanese have settled outside the camps (HRW 2007: 73).

The first of the fifteen bilateral talks that were carried out in a time frame of ten years was held on October 1993. By common consent, Bhutan and Nepal categorized the people of the camp in four different groups: Bhutanese who have been forcefully evicted; Bhutanese who have voluntarily emigrated; non-Bhutanese; and Bhutanese who have committed criminal acts.[4]

Bhutan initially agreed upon the repatriation of the first category of refugees, but denied it on a second thought, and in the following years, the negotiations between Nepal and Bhutan came to a standstill that lasted until 1999. In 2000, the two countries constituted a Joint Verification Team (JVT), which sorted out the refugee population of just one of the seven camps. The results were released after two years and concluded by considering that: only 2.4 per cent, out of a total of 12,643 refugees registered in the camp were in the first category; 70.55 per cent in the second; 24.2 per cent in the third; and 2.85 per cent in the fourth. According to an agreement

stipulated by Bhutan and Nepal in 2003, the first category of Bhutanese is entitled to be repatriated and get back their citizenship; the second category has to re-apply for citizenship once these refugees are back in Bhutan; and the fourth category have to stand trial in Bhutan, while Bhutanese of the third category are denied to go back to Bhutan at all (HRW 2007: 41).

However, despite decisions taken and agreement signed, none of the Ethnic Nepalis have been repatriated so far and no negotiation between Bhutan and Nepal has been held since 2003. Eventually, Bhutan's categorization system and verification procedures have been strongly criticized by the international community for not allowing the right of return to its own citizens and for not meeting the standards for refugee screening and verification.[5]

Resettlement: A Solution of Last Resort

It was only in 2005 that Denmark, Australia, Canada, the Netherlands, New Zealand, Norway and the United States tried to find a solution to the Bhutanese refugee issue, by organizing themselves under the Core Working Group (CWG). In 2006, Ellen Sauerbrey, U.S. Assistant Secretary of State for Population, Refugees and Migration, announced the willingness of the United States to resettle 60,000 of the Bhutanese refugees living in Nepal. In 2007, the other CWG countries accepted to resettle smaller number of refugees. According to the webpage of the Embassy of Denmark in Kathmandu[6], as of June 2010, more than 32,000 refugees[7] from Bhutan have been resettled in CWG countries. Denmark has received more than 300 refugees to date and has committed to accept up to 150 refugees from Bhutan annually in the next few years. The Lutheran World Federation Nepal (the implementing partner of UNHCR and WFP to address the Bhutanese refugee issue), with whom we have been in contact for writing this paper, informed us that the resettlement option has been generally welcomed by the refugee population: that is, almost 80 per cent have in fact shown interest to be resettled.

Considerations on Methodology

Given the topicality of resettlement, the involvement of Denmark and the possibility to interview the Bhutanese resettled not so far from our home, we decided to look at the resettlement from the eyes of the people directly involved. We came in contact with the Bhutanese refugees through Durga Adhakari, who can be considered the representative of the Bhutanese community resettled in Haslev. Mr. Adhakari arranged the interviews with the refugees and took us to their apartments in a continuous interviewing process that was held on May 4th 2011, and lasted an entire afternoon for about seven hours.

Gender and age were regarded as crucial aspects for choosing our interviewees. The gender dimension was taken into consideration with the purpose of "identifying women's and men's different vulnerabilities" (IASC 2006: 1-2), whereas age was chosen as parameter because of its important role in the perception of the resettlement process and degree of assimilation to "cultural incompatibilities" (Kunz 1981: 51) of the host country. Consequently, our aim was to interview the same number of men and the same number of women, but of different age groups. We considered also to interview children born in the camps in order to analyze their perception of a home-country where they have never been. In the end, we have been able to interview a total

of 11 people: 5 males, 4 females and 2 children. Although we deem our sample exhaustive and responding to the purpose of our research, we do still reckon the number of interviews taken limited.

We conducted our interviews according to a qualitative research method. Our interview guide was basically designed on eight broad questions regarding the resettlement issue. The questions were focused on:

- The reason for choosing resettlement;
- Perception of good and bad aspects of the resettlement policy;
- Relationship with the home country and the resettlement country.

All the interviews have been recorded in Nepali and transcribed into English. Chronological sequence, name, gender, age, year of flight from Bhutan, period of time spent in the refugee camps and year of resettlement of the interviewees, are outlined in Table 1.

Table 1

Chronological sequence	Name	Gender	Age	Year of flight from Bhutan	Period of time spent in refugee camp (in years)	Date of resettlement
1 Male	Durga Parsad Adhakari	M	41	1993	14	04-apr-08
2 Male	Kamal Koirala	M	34	4 Jan 1991	18	10-feb-09
1 Female	Bal Kumari Adhakari	F	36	4 Jan 1991	18	04-apr-08
1 Child	Yogesh Adhakari	M	12	Born in Nepal's camp	9	2008
3 Male	Umakanta Adhakari	M	65	1991	18	17-sept -08
2 Female	Naina Kala Adhakari	F	52	Don't remember	18	2009
3 Female	Bineeta Adhakari	F	29	1991	18	2009
4 Male	Chasy Tamang	M	85	1992	17	06-oct-09
2 Child	Aakash Tamang	M	13	Born in India's camp	8	06-oct- 09
5 Male	Govinaa Neoupaney	M	22	Don't remember	19	6-oct-09
4 Female	Krishna Maya Neupane	F	50	1992	17	06-oct-09

The mass of information collected during the interviews had been clustered around four recurrent themes that will be presented in the following four sections.

"We will never get back our land…."

According to Lok Raj Baral (1993: 203), one of the most influential Nepali political analyst, the attitude shown by the Bhutanese government towards the refugee issue, is "characterized by a sense of paranoia", generated from the regime's "vulnerability and fears" (Baral 1993: 201) that the political and cultural dominant minority of Bhutan, the Drukpas, would be jeopardized by the Ethnic Nepalis minority, whose language, religion and culture is completely different. Such a paranoid behaviour has also been perceived by the Bhutanese resettled in Haslev which, in the course of our interviews, has been referred to it as a "loss of senses" (Interviews, Haslev, 4 May

2011). After the 1990 mass demonstration organized by the Ethnic Nepalis claiming their citizenship rights back, the government believes to be the victim of a terrorist movement which "threatens the very sovereignty and integrity of Bhutan and its survival as a nation" (Baral 1993: 201). Behind the insecurity and fear showed by Bhutan, Baral has seen a pragmatic and calculated willingness to "protect its elite against a worldwide trend toward democratization", labelling all the Ethnic Nepalis as *ngolopos* (anti-nationals), Bhutan can hide its "ethnic cleansing" behind the curtain of a security problem, helped by "the remoteness of their country, manipulable media, … and the blessings of giant Southern neighbour that obligingly turns a blind eye" (Baral 1993: 201).

The possible solutions to a refugee crisis are three: voluntary repatriation to the home country, settlement in the country of first asylum or resettlement in a third country. Of these three solutions, UNHCR's Executive Committee has constantly affirmed that "voluntary repatriation, in safety and dignity, where and when feasible, remains the most preferred solution in the majority of refugee situations" (HRW 2007: 39). The majority of the refugees interviewed are of like mind:

> If there was the condition to choose to go back to Bhutan, if we will be welcomed by Bhutanese regime and if they will give back our properties and land, I definitely will choose to go back to Bhutan. (Haslev, 4 May 2011)

Although the right to return is protected by Article 13(2) of the Universal Declaration of Human Rights and by Article 12(4) of the International Covenant on Civil and Political Rights, several of Bhutan's legislative provisions state that a person who voluntarily leaves his country and his properties automatically renounces his citizenship. A large number of ethnic Nepalis actually signed a voluntary migration form that implied surrendering their nationality, but most of the signatories were forced to sign the form and forced to leave their country to avoid physical harassment and imprisonment (HRW 2007: 42). The arbitrary deprivation of nationality has caused the expulsion of the Ethnic Nepalis from their own country and justified the denying of their right to return in front of Bhutan's authorities (Amnesty International 2000: 17).

Statistical data show that two-thirds of the world's 20 million refugees, asylum seekers and internally displaced people are hosted in developing countries (Obi 2010: 129) and that only 3 per cent find refuge in the developed ones. Despite such an irrelevant migratory flow, the latter still looks at it as an intimidating menace to their security, an approach to migration which holds the name of securitization (Obi 2010: 138). Nevertheless, it has been witnessed recently that even developing countries have started to securitize the migration issues occurring within their territories. It is the case of Nepal which has seen the Bhutanese refugees as a threat to its civil society, democratic stability and foreign policy (Baral 1993: 207). The consequence of this attitude has been a manifest unwillingness to integrate the ethnic Nepalis, which has also been felt by the interviewees:

> In Nepal there is no chance of integration because the Nepalese government is not interested to do that.… (Haslev, 4 May 2011)

UNHCR (2004) takes resettlement into consideration only in the absence of other options, such as voluntary repatriation and local integration. The decision of being resettled made by the refugees is an option of last resort. As they repeatedly say, they did not really choose it, but they were forced to do it:

> [I]n the end there was really no choice for us than to choose resettlement and contacted UNHCR and IOM for the process…. I was forced to choose this option as a solution. (Haslev, 4 May 2011)

> There was not solution for us so I choose to be resettled…. [W]e had to live somewhere in the planet, then America proposes to take us, then UNHCR also followed this line, then some more countries joined it. I chose to be resettled here. (Haslev, 4 May 2011)

Surprisingly, almost all the interviewees did not welcome the resettlement option as the relief to their plight, but as the loss of hope of regaining their country:

> I was surprised and felt so sad to hear it. At that time I felt like the land where I was standing was going under the water…. Our fight to go back has ended up with tragedy…. We lost the hope that we will never get back our land. (Haslev, 4 May 2011)

The Ethnic Nepalis started to apply for resettlement between 2007 and 2008. The awareness that repatriation is hampered by Bhutan causes a definitive disillusionment. But at the same time, it encourages the refugees to choose resettlement as a durable solution to their plight.

"For how long we should keep living a frustrated life in the camp…."

All the refugees interviewed spent a minimum of eighteen years in Nepal's camps, "waiting, waiting" (Haslev, 4 May 2011), with the hope of being allowed one day to go back to Bhutan. After that hope has faded away, discouragement gave place to anger: "Everybody turned aggressive because of this decision", "and a lot of people had an emotional breakdown" (Haslev, 4 May 2011). In their accurate report about the Bhutanese refugees, HRW (2007: 51) explained the anxiety in the camp as a consequence of the lack of information regarding the resettlement offer. According to the interviewees, they were in need of reliable answers but what they got was uncertainty:

> It was in the end of 2006. Yes I heard that we will be resettled in a third country but we did not know anything on that issue. We had a kind of uncertainty about where they were going to take us, how they will take us and how will be the situation of all our family members, so it was a kind of uncomfortable situation. (Haslev, 4 May 2011)

The major concern of the interviewees was the division of their family:

> We had a fear: our beloved family will be resettled in the same country or not? (Haslev, 4 May 2011)

> "Where will our parents be?" and "Where will we be?" — these were the kinds of fear we had. (Haslev, 4 May 2011)

Although political activity is banned in the UNHCR-administered camps, in his analysis of Tanzania's Lukole refugee camp, Simon Turner (2010: 128) has pointed out how "the camp paradoxically became a space which was at once depoliticised and hyper-politicised". As reported by HRW and mentioned by one of the Bhutanese in Haslev, a group of people identified with the Bhutan Maoists were very politically active in Nepal's camps. Little is known about them, but if we put Turner's (2010: 110) notion in practice, that a "story based on rumours doesn't make it less valuable" because rumours are "structuring principles" of the life in the camp, according to the rumours, the Bhutan Maoists were opposed to the resettlement offer from the very beginning, worried that it will undermine their fight for repatriation (HRW 2007: 61). As a consequence, they started to intimidate all the refugees who wanted to choose to

be resettled, accusing them of betraying the cause of Bhutan, and menacing them with retaliation (HRW 2007: 65-67). Our interviewees attested to this:

> [T]here was a group of people who belongs to the Bhutanese Maoist Peoples' Party, who forced us to say that we will fight for our land and we will be back to Bhutan. People were thus scared to open their mouth in public and say: "we are going to choose resettlement". (Haslev, 4 May 2011)

The fear to speak their mind added concern to the decision of choosing resettlement for their future life (HRW 2007: 67-68).

We chose on purpose not to ask any questions regarding the life of the refugees in the camps, thinking that this topic falls beyond the purpose of this paper. However, throughout the interviews, more than one has recalled the past experience in Nepal, and it turned out that to break with a life of frustration in the camps was one of the main reasons that motivated the Bhutanese to opt for resettlement.

Most of them wanted to end an unstable life:

> I experienced a lot of ups and downs in my life while we were in the camps in Nepal. We had always such a horrible and uncertain situation in the camp that we wanted to end up somehow … and don't want any more an uncertain life. (Haslev, 4 May 2011)

The oldest had enough of a life of privation:

> When I was in the camp in Nepal, they provided us 5 kg of rice for two weeks, what can I do with 5 kg of rice? We had a very hard time there. There was not sufficient medical treatment and medicine…. (Haslev, 4 May 2011)

The cultured wanted to end a life of idleness:

> [W]e spent our valuable career development time in camp with scarcity and uncertainty. (Haslev, 4 May 2011)

The youngest wanted to finally develop their capabilities:

> You know, we spent a very important part of our life in the camps, with uncertainties and a future in the dark. This drove us to come here. In the camp, we don't have any future. We did not have any possibilities to build our career…. (Haslev, 4 May 2011)

"Hope for the future…."

Amartya Sen's (2005: 152) compelling idea of setting free people's capabilities as a way to ensure basic human rights fits very well the condition of the Bhutanese refugees. What made the life of the refugees so hard to endure within the limbo of the camps is in fact the deprivation of the right to develop their capabilities. This explains why the refugees who answered our interviews considered the resettlement to a third country the only feasible solution to build up their skills and their future.

According to the data collected by the Organization for Economic Co-operation and Development (OECD)[8], Denmark is one of the first five countries in the world to pursue a policy of gender equality and women's empowerment. It was not by accident that three out of four women interviewed affirmed that:

> Probably I will be able to develop my capabilities here better than in the camps in Nepal or Bhutan because Denmark is a country where everyone is equal by gender. (Haslev, 4 May 2011)

The Bhutanese who are now in their thirties—single or newly married—call the "future generation" what who are forty and fifty and already have sons call

"children". The right to ensure a better life for their children is in fact one of the priorities that made the refugees choose resettlement:

> [W]e decided to be resettled for our kids' future…. [O]ur children can have a better future and better 'facilities' in general. (Haslev, 4 May 2011)

Even if most of the refugees have never heard of Denmark before having set foot on Haslev:

> When my son filled out the form to go to Denmark, I asked him: "Are you filling up the form to go where?" and he replied to me and said: "Denmark". This was the first time I heard about Denmark…. I did not know about this country, just a little. When I was in the camps, I was interested in sports and in 1998 Denmark was in the World Cup Final and that was the first time I heard about it. (Haslev, 4 May 2011)

Denmark is for most of them the right place to start over. After having lived in the chaos of the camps, the first thing to impress the Bhutanese resettled in Haslev is what they refer to as "system":

> When I arrived in Denmark, I was impressed by the overall system and environment…. I like the environment of Denmark, I mean [everything] is nice and clean. (Haslev, 4 May 2011)

The 41 Bhutanese all reside in the same neighbourhood but in different buildings where Danish families and families of different nationalities also have their own apartment. Being integrated into the local community is highly appreciated by the Bhutanese interviewed:

> [W]e don't feel any kind of segregation or separation from the Danish community. We live all together…. The Danish government is doing pretty well in order to make us a part of this society. (Haslev, 4 May 2011)

As part of the society, the refugees can finally have the means to accomplish the reason of their resettlement: a better future for them and for their children in an environment that allows setting their capabilities free.

"Being a citizen and delete refugee status…"

The leitmotiv of the interviews collected is the need of the Bhutanese refugees to be stripped of their refugee label. Stateless for the past 20 years and unable to assert any of their civil and political rights, the refugees' choice of being resettled is not exclusively utilitarian, but is also justified by the necessity of having their legal status restored. The Bhutanese want to throw away the label that generalize them as 'refugees' and finally get an individual identity as 'citizens' (Neuwirth 1988: 34):

> It was our last option to be citizens, where we can have our new identity so that we will be able to remove our refugee tag. How long can we live as refugees? (Haslev, 4 May 2011)

Durga Parsad Adhakari, 41 years old, after so many years in the camps of "non-enjoyment of civil, political, economic, social and cultural rights"[9], has founded the 'Dansk-bhutanesisk kulturforening'(Danish-Bhutanese Cultural Centre)[10] with the intention of making the Haslev community cognizant of Bhutan and its refugees[11]. Although Mr. Adhakari might have a high political profile (he has been arrested for having taken part in the mass demonstration of 1990 and spent 22 months in jail in inhumane conditions[12]), he does not act as a spokesperson for the Bhutanese cause.

Kamal Koirala, 34, brother- in-law of Adhakari and active member of the cultural club, in answer to the question: "Are you in contact with the Bhutanese People's Party?" said: "Yes I know it but I am not in touch with them politically. I am not interested in politics" (Haslev, 4 May 2011).

Nevertheless, the Bhutanese interviewed are aware that the visibility of the resettlement process put them under the international spotlight:

> Now we are spread around the world so we will have more chance to raise our voice against the Bhutanese regime, to let the world know the injustices done by the Bhutanese regimes to us. I guess our action will be much more effective than it was before. (Haslev, 4 May 2011)

The resettlement made the Bhutanese more aware of their rights as citizens and as human beings:

> I guess the Bhutanese government won't take us back because those who have been resettled in a third country will know more about democracy, human rights, freedom. (Haslev, 4 May 2011)

> I will be back to Bhutan only if the Bhutanese government will welcome us and give freedom, liberty, democracy; then it will be ok to go back there. (Haslev, 4 May 2011)

Repatriation is still the hope that almost all the refugees cling to, together with the consciousness that what they learned in Denmark could help the development and the democratization of their own country:

> If I see any Drukpas from Bhutan I will tell them: "Don't lose your face putting your citizen out of their country. Take them back and make them happy and use their skill to develop Bhutan!" (Haslev, 4 May 2011)

> … [U]se their resources and make our country a developed country. (Haslev, 4 May 2011)

Despite having been expelled from Bhutan, the Bhutanese do not have any feeling of hatred for their country.[13] On the contrary, they embody exactly what Kunz observes: "These refugees identify themselves enthusiastically with the nation, though not with its government" (Kunz 1981: 42).

> I don't feel any hatred to the country. You know, country and soil are never going to be your enemy but your enemy is going to be the regime, I do hate the Bhutanese regime and not Bhutan. (Haslev, 4 May 2011)

> … I still feel that Bhutan is mine and hope I will get it one day. (Haslev, 4 May 2011)

The Bhutanese already went through a process of reconciliation with their past (IDEA 2003: 19), that will ease them to get on with their future life.

Our Findings and the Bhutanese Refugees' Motivations

Our findings suggest four essential reasons why Bhutanese refugees chose resettlement as a durable solution to their PRS:
- Impossibility of repatriation;
- End to a life of frustration in the camps;
- Hope for a better future;
- Need for restoring a citizen identity instead of a refugee one.

On these grounds, we will firstly argue that the Bhutanese refugees in particular, and the refugees in general, are not passive victims as they are usually depicted. Secondly,

we will show how the resettlement does not conclude with the arrival of the refugees in the host country, but actually continues in the host state.

The refugees are usually portrayed as *homo sacer*, which is defined as 'bare humanity' (Agamben 1998). They have not only been stripped of their citizenship but also of their human identity to simply become what Simon Turner (2010: 50) calls "universal object of humanitarianism". However, the experience of the Bhutanese refugees shows that although denied of their basic human rights, they can still make use of their right of choice. The power of the refugees to *choose* their future counters their general victimization[14] and gives them back their humanity.

The decision of our interviewees to be resettled is conscious and motivated by the above-mentioned four reasons. The refugees are not passive spectators of their life, but effective actors, as their desire to end their frustrated life in the camps gives evidence. The will to expand their capabilities after years of forced idleness is shown by the wish of a better future for them and their children. The search for a place, which is not "exceptional" as intended by Turner (2010: 43), "a parenthesis in time and space, where refugees are kept on 'standby', neither in one nation nor the other", becomes, eventually, a concrete resettled country where they can delete their statelessness and enjoy their citizenship rights.

Nevertheless, it is also important to look behind this romantic idealism and look at the difficulties of the resettlement process. After years in the camps where they had very little control of their life, and after being totally dependent on the support of the international community, the initial settlement period asked the refugees to learn the basic skills to attain economic self-sufficiency as basis for a new social identity (Neuwirth 1988: 35). This first phase is usually called 'economic adaptation'[15] or 'occupation adjustment' and generally lasts three years. The Bhutanese interviewed had been resettled in Denmark between the middle of 2008 and the beginning of 2009; consequently, at the time of the interviews, neither of them had finished the 'adaptation' period yet. Kamal Koirala, thanks to his language proficiency in English and Danish, is the only one of the Bhutanese who already has a regular job with a regular salary, while all the refugees are in 'praktik' ("internship"):

> I am appointed to the Job Center of the Haslev Municipality as an Integration Staff. There are six elderly Bhutanese who have difficulty in communication while they are in 'praktik'. 'Praktik' means a place where they go mainly to learn spoken Danish and get knowledge of the Danish work market. When they are in praktik they learn Danish through conversation with their Danish friends at work. I visit 10 different praktik places to get the information about how the praktik is going. My main work is to translate them when they have difficulty in communication. (Haslev, 4 May 2011)

The language is, for many of the refugees interviewed, one of the most difficult problems to overcome in their integration process:

> I don't know the language, and this is so embarrassing to me and frustrating. I am an illiterate woman so I have great problem to learn it. (Haslev, 4 May 2011)

At the beginning of their new life in Denmark:

> We got all kind of assistance from a local group called 'helpinghand'.[16] They took us to market and teach us how to do shopping, what to buy and so on. It was easy. They guide us to do everything, even if we had great difficulties in managing and running our daily lives. (Haslev, 4 May 2011).

But, as noted by Kunz (1981: 46-47): "In a linguistically strange environment the refugees might find themselves excluded and isolated from human contact, and their

loneliness may result in depression or even in paranoic hallucinatory reaction". Umakanta Adhakari, 65 years old, confessed that:

> …when I arrived here, my first six months were horrible. I was so depressed. I couldn't fall asleep. I did not want to eat anything. I had to use antidepressants. (Haslev, 4 May 2011)

The same experience with the 50-year old Krishna Maya Neupane:

> Then when I came here I found myself in the middle of the desert where there is nobody except me. I don't know my destination, where I am going. I am feeling completely lonely in this planet. It's because of the language and the rest of my family members [who live away from here]. (Haslev, 4 May 2011)

To keep the family united is *a priori* condition in large-scale resettlement programs. However, the concept of family needs to be culturally regarded. In the 'Western' countries, only immediate family members are eligible for being resettled together, without considering the trauma that this will cause for South Asians who are used to living in extended, not nuclear, families (Neuwirth 1988: 32):

> UNHCR should have allowed the rest of the family to come to Denmark too but it did not happen. Some of my family members are in the USA and some others are still in the camps in Nepal… Our family is divided into many countries. Now some of my family is in Australia, some others in Canada and some in Bhutan, now we are everywhere. (Haslev, 4 May 2011)

Fortunately, the void of an extended family is filled by a 41-people community sharing the same language, traditions, lifestyle, religions and food habits that, according to Kunz (1981: 47), will accelerate the integration within the new country. Being surrounded by elements which allow an "identification" with their former country is extremely important for the refugees, because most of their problems depend on "their emotional link" with their home country (Kunz 1981: 42):

> … my place of birth that comes into my memory all the time. (Haslev, 4 May 2011)

The ethnographic examples offered by Lisa H. Mallki (1992) would be helpful to support our argument that the resettlement does not end with the arrival of the refugees to the host country, but, instead, continues along with the acclimatization of the refugees into the host state.

In her field research in Tanzania, Mallki compared two different groups of Hutu refugees who fled from Burundi, one settled within the borders of a refugee camp and the other in a township. While the refugees in the camp "saw themselves as a nation in exile", the refugees living in the township were entirely integrated in their new premises as "cosmopolitan" citizens (Mallki 1992).

Away from considering the life of the Bhutanese resettled in Haslev similar to that of a refugee camp, it is interesting to note that the three-year phase of 'economic adaptation' corresponds to a process of resettlement which is unfinished. The attachment of the Bhutanese to their culture is justified by the need of a familiar surrounding but, at the same time, shows their feelings of being out of place. Krishna Maya Neupane, 50, complains that:

> I can't perform my cultural and religious activities… I can't do my cultural activities exactly how I was used to do in Bhutan or in Nepal due to the lack of typical materials and lack of our priest. My parents memorial day, for example, normally we perform special religious activities either at my home or at a temple which is almost impossible to find it here. This makes me so frustrated. I would like to do all the tradition or cultural ceremonies according to our previous style and with all the religious practices, but it is not possible here. It is my practical period so I am working in a canteen where I

> have to clean lots of things which contains remains of beef and other kind of meat, but I definitely can't accept it because of my tradition. I can't touch and eat beef according to my cultural and religious belief but now I have to do it. (Haslev, 4 May 2011)

They are still entrapped in what Mallki defines "a construction and reconstruction of their history as 'a people'". As a country, Bhutan has lost its earthly borders to become a mythical place, an idealized "heaven":

> I feel that Bhutan is like mountains and rivers. I have never been myself there.… Sometimes my grandfather talked about Bhutan. I can imagine that Bhutan has big mountains, difficult roads, big forests like that. (Haslev, 4 May 2011)

These are the images associated to Bhutan of Yogesh Adhakari and Aakash Tamang. Respectively 12 and 13 years old, both born in the camps, they have never been to Bhutan, whose memory is exclusively constructed on the words of their grandparents.

However, it is necessary to specify that the way the refugees perceive the country left behind, differs from person to person, as well as different is the perception of the cultural incompatibility in the resettled country (Kunz 1981: 42). Age plays an important role (Kunz 1981: 42). Mrs. Neupane cannot easily accept that her sons, all of them over 18, live in a different apartment:

> Our family way of life is collective; we all live up to the third generation under the same roof. We have one kitchen and we have dinner all together but when I came to Denmark, I found that my two sons and my daughter have their own apartment and me and my husband have a different one. It's strange for us, it's very strange.… (Haslev, 4 May 2011)

On the other hand, Mrs. Neupane's son, Govinaa Neoupaney, 22, does not actually dislike this:

> Here in Denmark we should be more independent. (Haslev, 4 May 2011)

Govinaa will start to study to become a nurse in December 2011. He met his girlfriend, a Bhutanese girl resettled in Middelfart, on Facebook. In answer to the question: "How do you see yourself in 10 years?", he said:

> I see myself with a family, settled down here for the rest of my life (Haslev, 4 May 2011)

In sum, the preceding discussion has led us to the following conclusions:

- The choice of the refugees to be resettled restores them the dignity of subjects. They are finally able to help themselves, rather than being the object of help (Turner 2010: 50).

- Resettlement does not finish with the arrival of the refugees but proceeds with the country of destination and is epitomized by the 'occupation adjustment' period.

We are aware that, in order to consider our study complete, it remains to be seen how the Bhutanese refugees will perceive the resettlement after three years of 'economic adaptation'. We hope to explore this aspect in our future research.

Conclusion

Our paper ends with an answer to its title "Why is the resettlement in a third-country the chosen solution by the Bhutanese refugees?" There are four *personal answers* that explain the reasons behind the choice of being resettled, namely:

- Impossibility of repatriation;
- End to a life of frustration in the camps;
- Hope for a better future;
- Need of restoring a citizen identity instead of a refugee one.

We see these answers as the four stages the refugees went through from losing the hope to regaining it. These are four steps that brought them from expulsion from their own country to the acceptance of resettlement.

Going back to Bhutan is the last wish of most of the refugees, but the denial of the repatriation becomes at the same time what sparks their decision to be resettled. The wish of an idealized past turns into a wish of a concrete future where the *refugee* can finally change into a *citizen*. The resettlement is surely an extreme solution that tears the refugees from a familiar, but geographically and culturally closed country of first asylum to a foreign third country. The resettlement process is long and difficult, and lasts even after the arrival in the host country. But in the case of the Bhutanese refugees, it will probably conclude an impasse that has been protracted for more than twenty years.

The answers of the Bhutanese explain *why* 80 per cent of the refugee population in Nepal's camps welcomed the resettlement as a solution to their long-term encampment and plague. The personal motivations of the refugees have actually coincided with the solution chosen by the international community. Beside the resignation due to the impossibility of pursuing other solutions, the resettlement has been voluntarily decided by legal and moral duty bearers who can finally use their right of choice. Certainly, they demonstrate that a participatory solution, which is not imposed but chosen, can empower them and set them free.

Notes

1. The incumbent King of Bhutan, Jingme Khesar Namgyel Wangchuck, is a Ngalog (HRW 2007:12).
2. After that, thousands of ethnic Nepalis were forced to flee, the Bhutanese government resettled Drukpas on the land previously inhabited by the ethnic Nepalis. As a consequence, the term Lhotshampa does not exclusively refer to the ethnic Nepalis, but also include the Drukpas living in Southern Bhutan. In the course of this paper, we will use the definition of 'ethnic Nepalis' instead of 'Lhotshampas' to avoid confusion.
3. If we look at the data reported by the *Bhutan-Denmark Partnership-Strategy for Development Cooperation 2008-2013*, it is shown clearly that "India is Bhutan's largest trading partner by far, accounting for 77.2% of exports and 68.7% of imports in 2006. Hydro power exports to India were still the most important export, accounting for 26.5% of total exports in 2006" (Ministry of Foreign Affairs-Danida 2008: 12).
4. According to Bhutan's legislation, the act of defaming King-Country-Government is also criminal (HRW 2007: 45).
5. Human Rights Watch pointed out that there is no difference between the first category of Bhutanese and the second, because they both should be entitled to return to their own country as established by the international law. Amnesty International underlined that, although signatory of only the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, Bhutan is in any case bound by the International Customary Law and by the international consensus to protect and respect the

basic legal standards and human rights of its citizens (HRW 2007: 42; Amnesty International 2000: 7).

6. See http://www.ambkathmandu.um.dk/en/menu/DevelopmentCooperation/SupportToRefugeesFromBhutan/, accessed on 23 May 2011.

7. According to the Lutheran World Federation, as of 11 May 2011, 46,000 plus refugees have been resettled so far.

8. See http://www.oecd.org/document/0,3746,en_2649_201185_46462759_1_1_1_1,00.html, accessed on 31 May 2011.

9. Executive Committee Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons (No. 106 (LVII) - 2006).

10. See Frivilliggruppen i Haslev at http://www.flygtninghaslev.dk/, accessed on 21 May 2011.

11. Egon F. Kunz (1981:51) has analyzed how groups "which in their history had long experience of minority life, after settlement, tend to form communities with emphasis on friendship, customs, self-help and ethnic identity".

12. "It was a horrible situation that I am not able to express in words but it was an extreme inhuman behavior shown by the regime. None human basic needs were provided to us. They took me in custody on 7 November 1991, because I took part in the rallies where we asked for human rights and peace. I spent 22 months in custody. They put us most of the time in toilet without giving us enough food or water. We were around 35 people. We were constantly interrogated, physically abused; they pee on us and give electric shock. I didn't feel that I would stay alive. I was released after that ICRC visited us a couple of time at the Chengoun jail in Thimpu." (Haslev, 4 May 2011)

13. In almost all the houses we visited, a picture of the incumbent King of Bhutan Jingme Khesar Namgyel Wangchuck hung on the wall. They said to us that they still recognize him as 'their king' but they wish he would not have the executive power as it is the case of the Danish constitutional monarchy.

14. Christie Shrestha, a MSc student of Kentucky University, in her Master's thesis 'Power & Politics in Resettlement: A case study of Bhutanese Refugees' has analyzed the resettlement process of the Bhutanese refugees in USA. Although the American environment described by Shrestha has been more hostile to the refugees and the resettlement more difficult compared to what we have analyzed in our paper, our conclusions are identical.

15. One of the roles of the Lutheran World Federation Nepal is to provide useful vocational training to selected refugees before their resettlement so that they can use their new skills at the place of destination. Probably because the Bhutanese interviewed were among the first group of Bhutanese to be resettled, they did not receive any kind of training in the camps.

16. See *helping-hands.dk* at http://www.helping-hands.dk/, accessed on 12 November 2011.

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ESSAY

Strategies Implemented to Stop FGM/C:
A Case Study of Kenya and Ethiopia

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ABSTRACT. The purpose of this article is to investigate the western influence and implications for the discourses and practices of Female Genital Mutilation/Cutting (FGM/C) and this is presented with the two case studies: Kenya and Ethiopia. The article seeks to understand why FGM/C has taken such a long time to be eliminated considering it has been presented to be harmful to the lives of women. The main focus lies on the arguments of universal human rights, which is heavily depicted by those who oppose the practice whereas the right to culture is supported by cultural relativism theory. As a conclusion the author notes that the influence from "the west" has had an impact on the discourse of FGM/C. It also points out that the current argument of FGM/C being a violation of human rights may be the ideology that seems to fit in well with most countries, but it still faces criticisms and these objections reflect the slow rate of eradication of this practice.

Introduction

According to the World Health Organisation (WHO), Female Genital Mutilation/Cutting (FGM/C) is recognized internationally as a violation of the human rights of girls and women. WHO (2010) estimates that between 100 and 140 million girls and women worldwide have been subjected to this practice. Estimates based on the most recent prevalence data have shown that 91.5 million girls and women above the age of 9 in Africa are currently living with the consequences of FGM/C and it is also estimated that every year at least 3 million girls in Africa are still at risk of undergoing FGM/C.

  The debate on FGM/C is one that tends to bring about an emotional response from all who understand it or have come across it. Feminists, anthropologists, health practitioners, legislators and human rights organisations have, for many years, deliberated tremendously in trying to justify the reasons why this practice should be abolished. Many believe that this practice should be eliminated from the face of the earth as it does more harm than good to the physical being of the woman. On the other hand, there are others who argue that it is a matter of culture and a sense of identity

and that this cannot be judged by any other person apart from those within their own culture.

Looking at the debate, most of the discussions tend to stem from the perspective of human rights and that of cultural relativism. The two theoretical ideologies are what both the opposition and those who are for the practice generate their arguments from. Thus this article will focus on these two topics and derive an analytical understanding of the debate on FGM/C.

Universalism

The concept of the universal human rights came up after the Second World War and the horrific legacy that it left behind, which was a result of allowing individual states to define and pursue their own values (Morsink 1999 and Wronka 1998, as cited in Reichert 2006: 26). The Universal Declaration of Human Rights (UDHR) marked a historical moment when fascism had been defeated and when belief in the future was irrefutable. The desire to identify and understand the universal dilemmas of humankind and the search for equally universal solutions, gave way to many quarters of postmodern pessimism and disjuncture, on the one hand, and the celebration of difference and relativity, on the other. The human rights standards and procedures are intended to be neutral; in that they apply to all humans by virtue of common humanity and are not supposed to take account of sex, gender, sexual preference, skin colour, ethnicity, nationality, religion, or politics hence showcasing their universalism (Nagengast 1997: 350). However, the concept has experienced a great deal of criticism. One important criticism is that universalism insinuates colonial practices that assume the dominance of one group over others as it bases its values, ethics and power on the same assumption (Reichert 2006: 27; Ife 2001: 58). As such, the universal concept encounters a legitimate obstacle: that of local cultural, religious and legal norms. The universal human rights principles compel all nations to enforce these principles and this is where contradictions set in: that is, between the local cultural norms and the established universal human rights (Reichert 2006: 28).

Relativism

[Cultural] Relativism is essentially an anthropological and sociological concept that denotes that the manifestation of cultures hold a wide and diverse range of preferences, morality, motivations, and evaluations that no human rights principles can be said to be self-evident and recognized at all times and all places (Shestack 1998: 228). As one of the main critiques of the universalism concept, its perception is that all cultures are equal, that the universal values become secondary when examining cultural norms, and that no outside opinion is greater than that of the local culture (Reichert 2006: 29). Cultural relativism received its prominence greatly due to its principle of counter colonialism. The main theme of colonialism was that one culture was superior to the others but anthropologists in the 1900s argued that each culture had value in itself. According to the principles of cultural relativism, all points of view are equally valid and it maintains the fact that there is an irreducible divergence among cultures because each of these cultures is a unique entity with different parts intertwined within their structure and each cannot be understood or analysed without reference to the other parts and the cultural whole (Lawson 1998: 13, as cited in Reichert 2006: 29).

As mentioned earlier, FGM/C is predominately practiced in Africa. This article focuses on two case studies: Kenya and Ethiopia. The choice for these two countries

was mainly driven by the author's background being Kenyan and the desire to understand why FGM/C is still tolerated even after all the research and evidence presents it as being quite harmful to the health of women.

The case of FGM/C in Kenya saw its first opposition during the colonial era. An article written by Bodil F. Frederiksen (2008) shows the beginning of the controversy that continues even today. In her article, she presents the case of Kenya and how the practice of clitoridectomy first erupted in the mid-1920s and was perceived to be in the same line of thinking as a political approach of the colonial regime. The British political system and the Protestant missions in Kenya challenged the right of these communities to continue practising what was perceived as a "barbaric" custom. Female circumcision brought in a controversy that emerged across Britain particularly due to concerns about the consequences that the practice brought about. This foresaw colonial administrators drafting out a policy that stated that the "custom should not be interfered with as it came from an ancient origin", but that it would be an "offense if the people performed severe cutting or incision of greater extent than necessary for the removal of the clitoris during the girl's circumcision" (Frederiksen 2008: 32). This restriction of rights to a custom that involved female circumcision did not bring about the beginning of the elimination of the practice, but rather it brought about resistance from the communities who still wanted to continue with their cultural practice that they identified with and it also became "the heart of the anti-colonial struggle" (Frederiksen 2008: 25, 35).

There are other cases where the opposition did not set in until much later such as it was in Ethiopia. Ethiopia's history of FGM/C is not quite as extensive as it is in Kenya, however, female circumcision is assumed to have started before the conversion to Christianity by the emperors in the 4th century. It is also associated with the early Judaic practices at that time and it may have started at the same time as the male circumcision (EGLDAM[1] 2008: 83). Infibulation, which is mainly practiced in Afar region, can be traced back to the Turkish invasion of the Red Sea coast in the early 15th century. The practice was performed to keep girls/women from being raped and impregnated by invaders.[2] Unlike Kenya, Ethiopia was never colonized; hence did not receive as much influence from the west. But after the colonial era, the opposition of FGM/C was experienced in this country and was mainly pioneered by the western countries.

In time, the topic of FGM/C was no longer seen as just a mere local practice, it became a global concern. The very first attempt at a global discussion/study on the practice was first presented in 1958 by the Economic Council of the United Nations which requested for a study to be carried out by WHO. This motion was denied with the argument that the practice was a social and cultural issue rather than a medical matter as they had presented it. Three years later in Addis Ababa, this request was later on reiterated by African women who had attended the United Nations General Assembly. The request was again denied by WHO as they had a policy that mandated them to not interfere with domestic politics unless they were invited by the state itself (Boyle 2002: 41). This however, did not stop here, as it will be elaborated further on below, there were other numerous debates and discussions being carried out globally, which are still being applied and argued upon until today.

Given the many years of deliberations, one would assume that the goal to eliminate the practice would have been achieved by now. However, this is not the case; for as much as there were those against the practice (Hosken 1981), there were those who were for it (Njambi 2004). This made it hard for opponents of FGM/C as whatever arguments they brought to the table were always refuted with reasons as to why the

practice should still be upheld. One of the main arguments for this was the fact that the people who were mainly against the practice were of European descent and had no understanding as to why the ritual was undertaken. This was perceived as ethnocentric, with Western values pushed onto African values which tend to disregard the African perspective.

  With all the controversy that comes out of FGM/C as a practice, the one standpoint that has been adapted and been implemented by various developing organisations and governments (such as Kenya and Ethiopia) is that of human rights and the fact that this practice violates the rights of the woman and child. This ideology has become embedded in different policies and particularly, adapted in countries where FGM/C is quite dominant with the aim of eradicating it. Despite legislation that have been enacted to stop it, FGM/C is still practiced and it seems that the end of it may not be near. It is therefore important to ask: "What have been the implications of Western influence for the discourses and practices of FGM/C?"

Definition and Brief History of FGM/C

Female Genital Mutilation/Cutting can be defined as the practice that involves the partial or total removal of the external genital organs of a female for "customary or any other non-therapeutic reason" (Toubia et al. 2007: 3). The customs and beliefs surrounding the various forms of FGM/C are quite widespread. The earliest recorded findings of the practice are from Egypt where the writings suggest that the "practice had been in Egypt for over 2000 years" (Cloudsley 1983, as cited in Carr 1997: 3). The Egyptian practice of excision was praised by a Greek physician who elaborated that "unless the clitoris was cut it would grow and lead to inappropriate thoughts or behaviour in young women" (Abdalla 1982, in Carr 1997: 3).

  Evidence also shows that during the slave trade, traders preferred women slaves who were infibulated as they would be best for labour since they were not distracted by childbearing and thus would fetch a higher price (Cloudsley 1983, in Carr 1997: 3). Most of the theories regarding genital cutting suggested that it was a form of safeguarding the 'value' of the woman, by ensuring virginity before marriage and legitimate heirs during the marriage. All in all, there has not been any definitive evidence that documents exactly where and why the practice began (Carr 1997: 3).

  Genital cutting primarily occurs in Africa; however, this does not mean that it is only restricted to this region. Research shows that as late as the 20th century Western physicians believed that some of the mental disorders found in women could be treated through the removal of external genitalia (ibid). According to Toubia's (1995) research, in the 1800s some physicians theorized that hysteria and lesbianism could be managed by modification or by the removal of the female genitalia (ibid). Although mostly perceived to be a Muslim practice, research shows that "genital cutting predates Islam in Africa" (Toubia 1995, as cited in Carr 1997: 3). Additionally, this practice has been "documented among various faiths such as Christianity, Judaism and traditional religions" (ibid).

Prevalence Rate

Figures on the prevalence of FGM/C are important since they assist researchers in understanding the extent at which this phenomenon is undertaken. Surveys have shown that there are several variations (social-economic and demographic factors)

when it comes to this practice among different groups of women. Different women are more likely to undergo genital cutting depending on these variants but the patterns have shown that these variations are not always consistent across countries (Carr 1997: 13). For the purpose of this article, six of these variations will be looked into in relation to the two country case studies. This will include religion, age, wealth, residence (urban/rural), education and ethnicity.

Current Situation in Kenya

FGM/C has been widely practiced in Kenyan communities for many years and it continues today even though the practice has been condemned as harmful as it poses a great risk to the health and the well-being of the women and girls who are subjected to it (KDHS 2003: 250).

Figure 1
Knowledge of FGM/C and Prevalence rate of circumcised women
according to the background characteristics in Kenya, 2008

Background Characteristics	Percentage of women who have heard of female circumcision	Percentage of women who are circumcised	Number of women	Number of circumcised women
Age				
15-19	93.3	14.6	1,761	257
20-24	96.2	21.1	1,715	361
25-29	97.1	25.3	1,454	368
30-34	96.9	30.0	1,209	363
35-39	96.8	35.1	877	308
40-44	97.4	39.8	768	305
45-49	96.9	48.8	661	322
Residence				
Urban	97.5	16.5	2,148	355
Rural	95.6	30.6	6,296	1,929
Education				
No Education	87.5	53.7	752	404
Primary Incomplete	94.4	28.8	2,526	727
Primary Complete	97.3	26.4	2,272	601
Secondary +	98.8	19.1	2,894	553
Religion				
Roman Catholic	95.8	29.1	1,852	540
Protestant / other Christian	96.9	23.5	5,748	1,349
Muslim	93.9	51.4	626	322
No Religion	80.9	38.3	185	71
Ethnicity				
Embu	99.6	51.4	120	61
Kalenjin	99.9	40.4	1,115	450
Kamba	97.8	22.9	923	211
Kikuyu	99.4	21.4	1,642	352
Kisii	100.0	96.1	579	556
Luhya	95.6	0.2	1,373	3
Luo	90.9	0.1	1,098	1
Maasai	100.0	73.2	113	83
Meru	99.4	39.7	415	165

Mijikenda/Swahili	77.9	4.4	430	19
Somali	99.6	97.6	240	234
Taita/Taveta	99.5	32.2	79	25
Other	86.7	38.9	315	123
Wealth Quintile				
Lowest	90.2	40.2	1,393	560
Second	96.4	31.0	1,483	460
Middle	97.3	29.4	1,613	474
Fourth	96.9	25.9	1,736	449
Highest	97.9	15.4	2,220	341

(*Source:* KDHS 2008: 266)

Over the years, the Kenyan Demographic Health Survey (KDHS) has recorded a decline in the number of women circumcised. According to the 1998 report, the prevalence rate of circumcised women between the ages 15-49 was recorded at 38%. This dropped to 32% according to the KDHS report of 2003 and again to 27% in 2008 report. As explained earlier there are different socio-economic and demographic factors that determine this (see Figure 1).

Laws Regarding FGM/C in Kenya

In 2001, the government of Kenya adopted the Children Act which is a part of the legislation that condemns female genital mutilation for minors. Article 14 of the act states that: "No person shall subject a child to female circumcision, early marriage or other cultural rites, customs or traditional practices that are likely to negatively affect the child's life, health, social welfare, dignity or physical or psychological development" (Kenyan law reports). Although the government has enacted some laws, they have received criticism from anti-FGM/C activists who believe that the legislation is not strong enough in its punishment of offenders.

Maendeleo Ya Wanawake Organisation (MYWO)

In Swahili, "Maendeleo Ya Wanawake" means "progress/liberation for women." MYWO was founded in 1952 and is a non-profit voluntary women's organization with a mission to improve the quality of life in rural communities, especially for women and youth in Kenya. One of MYWO's principle programs is "Advocacy Strategy for the Eradication of Female Genital Mutilation in Kenya." Being a grassroots organization that is comprised of Kenyan women, MYWO was among the first organisations that were involved with the awareness and eradication of harmful traditions that affected the health of women. The organisation recognizes the cultural significance of female circumcision rites; however, it also strongly denounces the harmful practice of mutilation, especially on young women and children, and its aim is to eradicate FGM/C in the most culturally sensitive way possible, thus preventing the loss of tradition or cultural identity (MYWO: 2007).

Current situation in Ethiopia

Ethiopia is a country with deep historical roots that have been there for generations. Some of these traditions violate human rights, particularly the rights of girls and women. The national committee on traditional practices in Ethiopia listed 88 practices

as harmful and under those mentioned FGM/C was one of them (UNICEF-Innocenti 2010: 24).

   Among the African countries, Ethiopia is one of the countries with a high prevalence rate of FGM/C. The latest record of the 2005 Ethiopian Demographic and Health Survey (EDHS) shows that the prevalence rate is 74%; although the number is still quite high, there has been a gradual decline in the number. In 2000, the prevalence rate was recorded at 80% hence this shows a 6% point drop to the current statistics (ibid).

   Being a highly diverse country, the prevalence rate of FGM/C in Ethiopia has been influenced in several ways. Figure 2 highlights some of the socio-economic factors that have influenced the FGM/C rates.

Figure 2
Percentage (%) Prevalence rate of FGM/C by religion in Ethiopia, 1997
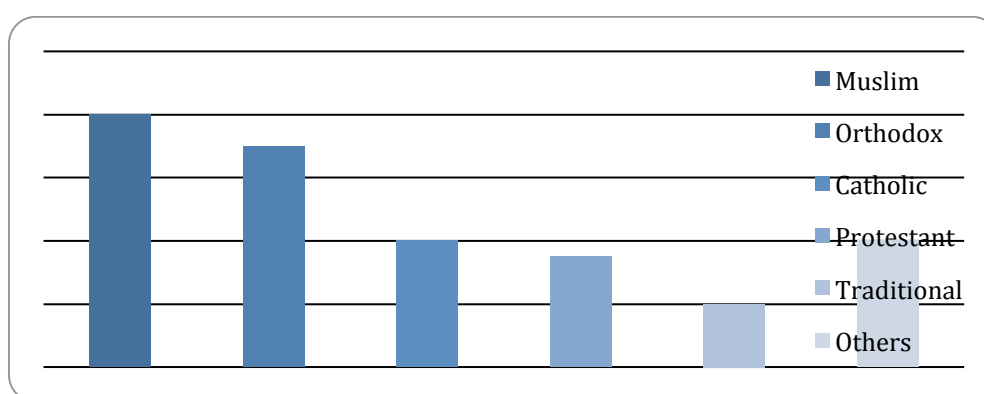
(*Source:* EGLDAM 2008: 104)

Laws on FGM/C in Ethiopia

In 2005, a new criminal code was enacted and it acknowledged the suffering caused by harmful traditional practices to women and children. Article 565 on Female Circumcision states that "Whoever circumcises a woman of any age is punishable with simple imprisonment for not less than three months or fine of not less than five hundred Birr (US$ 45)". Article 566 stipulates a law against Infibulations of the Female Genitalia: "whoever infibulates the genitalia of a women is punishable with rigorous imprisonment from three years to five years". In addition, Article 569 states that "the persons who are accomplices (cooperated) to the crime as parents, guardians or in any other capacity are punishable with imprisonment not exceeding three months or a fine not exceeding Birr 500 (US$ 45)" (Dagne 2010: 6).

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Figure 3

Knowledge of FGM/C and Prevalence rate of circumcised women
according to the background characteristics in Ethiopia, 2005

Background Characteristics	Percentage of Women who have heard of female circumcision	Percentage of women circumcised	Number of women
Age			
15-19	90.0	62.1	3,266
20-24	92.5	73.0	2,547
25-29	91.9	77.6	2,517
30-34	91.1	78.0	1,808
35-39	93.1	81.2	1,602
40-44	94.3	81.6	1,187
45-49	92.1	80.8	1,143
Residence			
Urban	97.8	68.5	2,499
Rural	990.5	75.5	11,571
Region			
Tigray	82.9	29.3	919
Affar	98.4	91.6	146
Amhara	88.9	68.5	3,482
Oromiya	97.1	87.2	5,010
Somali	98.1	97.3	486
Benishangul-Gumuz	79.5	67.6	124
SNNP	86.7	71.0	2,995
Gambela	44.6	27.1	44
Harari	99.8	85.1	39
Addis Ababa	99.5	65.7	756
Dire Dawa	99.8	92.3	69
Education			
No Education	89.8	77.3	9,271
Primary	93.8	70.8	3,123
Secondary and Higher	99.3	64.0	1,675
Wealth Quintile			
Lowest	87.9	73.0	2,428
Second	89.7	75.9	2,643
Middle	90.4	75.4	2,732
Fourth	92.2	77.6	2,647
Highest	96.8	70.6	3,621

(*Source:* from EDHS 2005)

The National Committee on Traditional Practices Ethiopia (NCTPE)

NCTPE, currently known as EGLDAM, was established in 1997 to help overcome traditional practices harmful to women's and children's health. It is currently the strongest working network of organizations that mainly deals with FGM in Ethiopia (EGLDAM-FGM.net). In 2003-2005, NCTPE, together with Intra-health

International, established an approach known as a Five-Dimensional Approach that would assist in the eradication of FGM/C in Ethiopia. The project was aimed at encouraging FGM/C abandonment by "closing knowledge gaps, strengthening communication links among policymakers and different groups within the community, and empowering women to change their attitudes and behaviour toward FGM/C" (Feldman-Jacobs et al. 2006: 19-20).

Progression of Anti-FGM/C Discussions

As elaborated in the introduction, FGM/C has been, and still is, a contested topic for quite a long time. Having to identify the most effective and appropriate strategy for the elimination of the practice seems to be the key argument surrounding this topic. Looking at the evolution of the debates, it can be noted that the journey against this practice has not been an easy one. The first time FGM/C was brought to the international audience in 1958, the practice was deemed or categorised as a "social and cultural matter" – hence, it should be dealt with by the state involved. The United Nations Charter recognised the sovereign power of member states hence the United Nations could not intervene in matters that were within the domestic jurisdiction of any state (Boyle 2002: 44).

This did not mean the end of opposition especially for the western feminists including Fran Hosken, Mary Daly and Gloria Steinem (ibid: 45). Early in the 1970s, these feminists, together with women's international organisations were quite vocal and confrontational arguing that "FGM/C was a serious problem requiring immediate international attention" (ibid). This spurred international attention to have a second look at the topic. The feminists' argument against FGM/C was that it acted as "a tool of patriarchy and a symbol of women's subordination". They further stated that "FGM/C was sadistic and part of a global patriarchal conspiracy" (ibid: 46). Many African women found this discourse offensive. In particular, this was seen in the international women's conference in Copenhagen, where African women boycotted Fran Hosken's session, calling her viewpoint insensitive and ethnocentric toward the African woman. Despite the criticism of the feminists' viewpoint, their rhetoric did capture the attention of the international community.

The International Governmental Organisations (IGOs) finally decided to intervene and stop FGM/C, but they did not rely on the feminists' argument since it was quite controversial, instead they used the scientific argument of women's health as the justification for the eradication of FGM/C (ibid: 48). At that time, the WHO and several non-governmental organisations (NGOs) had already started intervening in national arenas to assist in birth control programs; thus, the programs to eliminate FGM/C tended to fit within this mobilisation. African nation states also rooted their eradication policies on the health discourse and there was a major joint effort from the nations named the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children.

With the categorisation of FGM/C within the health rhetoric, it permitted a "compromise between rights and sovereignty"; hence international actors did not appear to be discriminating against African nations to reform. As a result, FGM/C became a health issue since medicine was neutral and exists apart from politics. In addition, medicine was closely linked to modernization and progress, hence it was argued that "It would be irrational and therefore inconceivable for a culture to reject modern medicine" (Boyle 2002: 48-49). This statement assumes that all people would

want to be modernized and that, in this case, it would become 'modern' if they had access to modern medicine.

This notion could be supported by that of Kantian and Rawlsian theories, both of which are criticized as being an aspect of universalism (Renteln 1990: 50). According to the Kantian theory, it states that the existence of a single pattern of moral reasoning will in turn be presumed to bear a single and universal result irrespective of cultural differences. The theory of Rawls had a similar notion stating that once an individual is stripped of their identity, they will inevitably choose the principles of justice by which a society should operate. Both had the conviction that human beings think alike and if faced with the same problem they would act the same. This is similar to the notion of the introduction of medicine as a discourse in the elimination of FGM/C which insinuates that all cultures would be irrational to reject modernisation. This might be plausible if they all came from the same culture and the notion to solve the problem was ideally their own, not brought or forced upon them by outsiders. But with this situation, the problem being faced (FGM/C) was not perceived as one by those involved (communities that uphold it), thus the ideology could be said to have started off on an unstable foundation.

The medical discourse was somewhat effective in making people aware of the consequences of FGM/C. However, a new trend began in response where those still upholding the practice searched for trained medical personnel to perform it. Thus, this discourse may have reduced the incidence of FGM/C but in some areas it was deemed preferable to make the practice medically safe. With this turn of events, the health discourse took a back seat and by mid-1990s there was a transition from the medical model to the human rights model (Boyle 2002: 51).

This came at a time when the international system had begun creating formal mechanisms for dealing with gender equality—notably, the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) (ibid: 52). A joint statement of WHO, United Nations Children Fund (UNICEF), United Nations Fund for Population Activities (UNFPA), and United Nations Development Program (UNDP) in 1995 labelled the medical basis for anti-FGC policies a ''mistake.'' The reason being that the medical discourse was counter-productive: instead of pushing for the practice's eradication, it made FGC/M safer. Thus in the long run the IGOs repackaged the message to: "FGC had negative health consequences, but, more importantly, it was a violation of women's rights" (Boyle 2002: 54-55). This was the message that was later on transmitted to all countries and particularly those who still do practice FGM/C. The next section will look into how this was implemented within Kenya and Ethiopia.

Enacting the Human Rights Model Within Kenya and Ethiopia Laws

Elizabeth Boyle (2002: 82) has argued that if a law is generated locally, then a nation state would ensure that these laws incorporate the unique local identities as well as the unique laws that emerge from each "local culture and power structure". This insinuates that by understanding the different local interests and power relationships, one could explain as to why such laws have been put in place and one could also foresee how local groups would react to their enactment. Boyle also argues that if these laws were an influence from the international culture, then the nation states would incorporate their laws within the interests of the universal principles – thus creating a different understanding within the local cultures where this law is enacted.

These arguments can be understood in terms of how the two case countries here adopted their laws against FGM/C. However, this contradicts with the ideology of the universal declaration of rights

The UDHR could not be termed as universal if it was not in fact that universal. The entire 193 member states of the UN have to abide by this declaration as it is part of their obligation to follow the UN Charter. Hence, as it is, enforcement of the human rights standards has also been transcended at the regional level. The regional body in Africa, The African Commission on Human and People's Rights, was inaugurated in 1987 and in the following year adopted the African Charter on Human and People's Rights (ACHPR). Article 45 under the mandate of the commission states that one of the functions of the Commission is:

> To promote human and peoples' rights and in particular: a) to collect documents, undertake studies and researches on African problems in the field of human and peoples' rights … b) to formulate and lay down, principles and rules aimed at solving legal problems relating to human and peoples' rights … and c) cooperate with other African and international institutions concerned with the promotion and protection of human and peoples' rights. (ACHPR.org)

This article is in line with UDHR and hence African states are obliged to follow the charter in place. Any act or practice that is against the article should be presented and be dealt with legally including FGM/C as a violation of human rights.

Having adopted the universalist stand, some activists insisted that FGM/C should be condemned and be punishable by legislative force. Thus, the 1990s saw the international community accepting only laws that mandated complete eradication of the practice, as such, many countries adopted this prohibition in their national laws, including Kenya and Ethiopia; especially since donor funding was seen as linked to the practice. As indicated earlier, the laws in both countries clearly state that the act is an offence and whoever is caught performing the practice should be punished, either by fine or imprisonment depending on the person's involvement. Under Kenyan law, however, the prohibition of FGM/C is only seen in the children's act protecting any one under the age of 18. These laws follow a similar phrasing as that of the U.S. law denoting that international forces have had a great influence on them (Rahman and Toubia 2000, in Boyle 2002: 93).

As much as the laws against the FGM/C have been put in place, there have been limited sources stating that these laws have been enforced. In fact, some sources have shown the retaliation against criminalisation of the practice. There have been recorded cases of deaths caused by excessive bleeding and lack of medical attention resulting from self-mutilation carried out due to fear of being arrested. In an incidence in Kenya, a girl died due to excessive blood loss after she performed the genital cutting on herself. The article states that "Pamela did the procedure on her own because she was being teased by her friends for not being circumcised...". Her mother had refused to allow her to be circumcised, as she had seen how uncircumcised girls were getting "education and doing well in life", but her daughter's friends were calling her names and that is what led to her circumcising herself (BBC News 2006). Another report shows a case of a young girl who died in the hands of a circumciser. Her parents could not take her to hospital and risk arrest (Wangila 2007: 1). According to the members of this community "abandoning this practice was and still is equated with Europeanization and deculturation", thus this has led some communities to be "patriotic and embrace the practice" (ibid: 32). This remark demonstrates one of the criticisms of the universalism of human rights. The criticism is that universalism insinuates colonialists' practices which assume dominance of one group over the

other. This could explain why some communities are still adamant in retaining this practice.

In this regard, if nation states constituted their own laws based on their citizens' interests, laws would be tailored to the specific situations of the states that pass them. An example of this was observed during the colonial era where such interests were considered. In Kenya, for instance, the British colonial system and the protestant missions challenged the right of the communities practicing FGM/C. The colonial administrators, however, drafted a policy stating that "custom should not be interfered with as it came from an ancient origin" but that it would be an "offense if the people performed severe cutting or incision of greater extent than necessary for the removal of the clitoris during the girl's circumcision" (Frederiksen 2008: 32).

The enactment of laws that criminalize FGM/C has led to things being more problematic than expected. The adoption of laws from the international community that prohibit a cultural practice can be portrayed as censoring a population and discriminating against their way of life. In turn, this has led to resistance and subsequent setbacks in the anti-FGM/C campaigns. With reference to the relativism theory (Lyons 1976: 109), it explains two categories of the ethical relativism: the agent-group relativism and the appraiser's-group relativism. According to the agent-group relativism, an act should be judged by applying the norms of the social group at which the act is being carried out. The criminalisation of FGM/C can be explained to be against the norms of the communities that practice FGM/C. It can be argued that the enacted laws did not necessarily come from the society where the act is being performed, instead they were introduced by a society where these norms are looked upon as alien or "uncivilized and barbaric" (Shell-Duncan and Hernlund 2000). This also brings about one critique of the universalism of human rights, that of it being ethnocentric, having its ideology mainly from the Western philosophers who are "prone to project their moral categories on others" (Renteln 1990: 49). It has been generally viewed that third world countries tend to have less of an option when it comes to international policy reforms (Boyle 2002: 100).

In an analysis carried out by Dezalay and Garth (1996), in Boyle 2002: 100—which attempted to elaborate more on the international agreement system by examing why third world countries participate in these arbitrations despite Western bias—, the conclusion was that these countries "had no other options; international arbitration was the only legitimate outlet when business conflicts emerged" (ibid). The influence from the international community is not only witnessed within the laws of these countries, but it has also transcended into the organisations working against FGM/C.

Approaches Implemented by Local Organisations

It can be clearly noted that the meaning and importance of FGM/C is not only across time and cultural contexts, but also within societies whose members have diverse rationale for preserving the practice. According to Gruenbaum (2001: 49), "each region or culturally identified group is likely to have more than one explanation for any practice". She also states that "the interests in preservation or change in the practices vary starkly depending on gender, age, education, status, ethnicity and religious background" (Gruenbaum, in Shell-Duncan and Hernlund 2000: 257).

In this paper, some of these interests were taken into consideration in relation to the case studies of Kenya and Ethiopia. In comparing the two countries the prevalence rates are quite different, Kenya having a percentage as low as of 27% (KDHS 2008)

while Ethiopia having a percentage of 74% (EDHS 2005). Even though the latest recordings have a margin of three years between them, Ethiopia is still on the higher side of those practicing FGM/C. Other than that, both countries seem to have a variety of different reasons why this practice is still upheld. To help analyse this, the factors that are chosen include education, residence, wealth, age, religion and ethnicity. These factors, as explained, tended to be more similar in these two countries and they have a striking correlation with the practice. Of course, the degree of correlation differed from country to country, but there were findings that showed some similar traits.

As much as there are some similarities observed, there is quite some variation when it comes to the percentages. For instance, the cases of residence, education and wealth in Ethiopia show that their correlation with FGM/C is not high, compared to that of Kenya; difference between the highest percentage and the lower one is not as great. These results could mean that there are other social pressures or factors that have a larger influence on the practice being continued and the above factors may not have as much impact. Hence, the results show that for Ethiopia the main factors that influence the prevalence of this practice are religion and ethnicity (region). As for Kenya all the above factors have a significant contribution towards the prevalence rate, but ethnicity stands out to have greater influence on the practice of FGM/C.

Considering the above information, several organisations, both local and international, have been able to come up with strategies/approaches that would aid in diminishing the practice of FGM/C. The paper will look at the two local organisations in these countries that have been part of the leading teams in this campaign: The Maendeleo ya Wanawake Organisation (MYWO) in Kenya and the National Committee on Traditional Practices (NCTPE) in Ethiopia. These two organisations have been mainly collaborating with different international organisations that have projects that are geared to the elimination of the practice.

In most cases, the reason as to why there is the introduction of the international organisations is due to funding, however, there are other factors that could denote this. One of these factors could be the one that is illustrated by Keck and Sikkink (1998: 36) on a "boomerang effect" of international action. According to them, this is where local actors reach out to international allies to assist in pressuring the governments to change the domestic practices that may be affecting the population. When the enactment of laws has not had as much success as hoped for, the involvement of the international organisations might help in making the campaigns more effective. This argument can be justified by the results experienced from the two approaches presented.

In Ethiopia, the Five-dimensional Approach was a two-year project (2003-2005) and the target group was mainly in the regions of Harari, Oromia and Somali. The design mainly focused on communication channels, cultural and religious values, social roles (of both men and women in the community), reproductive health and gender (Feldman-Jacobs et al. 2006: 22). It is noted that the design is in accordance to the findings presented on Ethiopia as being factors that influence the prevalence rate, religion and ethnicity.

The evaluation of the project in 2005 showed that there were several successful achievements, however, some of these achievements were not a replication of the situation on ground. It is true that this approach may have reached many people and that it may have "broken the ice on FGM/C and started a community dialogue that was kept a taboo"[3] but the EDHS report of the same year 2005, shows that the regions where the project focused on still held the highest prevalence rate: Somali - 97.3%, Oromiya - 87.2%, and Harari - 85.1% (see Figure 3). Nevertheless, there have been

other approaches that have been integrated within the country to try and eliminate this practice, which may be the reason as to why there has been a steady decline of 6% in the prevalence rate between the year 2000 and 2005.

The approach used in Kenya since 1996 by MYWO, the Alternative Rite of Passage (ARP), was introduced as majority of the findings showed that ethnicity was the main variable that influenced the frequency of the practice. The communities that practiced it did so as it is seen as a rite of passage. This meant that they believed that every girl had to go through the ritual to be acknowledged as a woman. The ARP's focus are: to provide education to young girls and women on growing up, reproductive health and the transition to womanhood; and to have communities publicly recognise an alternative ceremony for the rite of passage from girlhood to womanhood (Feldman-Jacobs et al. 2006: 29).

An evaluation by the Population Council on the MYWO's approach was that the ARP intervention could be successful if FGM/C is part of a community ritual and linked to a rite of passage (Oloo et al. 2011: 10). However, another evaluation carried out in 2001 criticised the approach. It stated that the approach will have little effect unless the process is accompanied by participatory education that engages the whole community. Any initiatives that only involved the at-risk girls would not promote a collective reflection that may help in the changing of social attitudes and norms, but may instead have the social stigma of being uncut progressed and so leading to girls being pressured to undergo the cut (UNICEF - Innocenti 2010: 37).

According to the MYWO reports, the approach has proven to be successful in some of the communities involved, but not with others. One of the targeted communities, the Kuria community,[4] seemed to have a problem accepting the alternative rite passage. Reports show that the local network involved in the abandonment campaign focused more on providing rescue centres for the young girls during the circumcision season. The girls within these centres were taken through the ARP approach (i.e., education and awareness) and they attained a certificate at the end of the process. However, because the community was secluded from the process, the girls, their parents, and community did not recognise it as an alternative rite of passage, therefore, there was no public acknowledgement of the girls becoming women (Oloo et al. 2011: 29). This could confirm the criticism stated earlier that without involving the whole community, the stigma and social pressure will still linger. With the setbacks experienced within the ARP approach, the country has seen other approaches being introduced and utilised. The incorporation of other methods may be the result of the country having lower prevalence rates recorded and a continuous trend of the prevalence rate dropping.

All in all, both approaches have shown similarities as to how they are implemented. The main feature they do share is that of education. Through education they are able to relay information that concerns the consequences of FGM/C to the reproductive health of women and also enlighten the girls and women on their rights. This follows the international discourses that have taken place over the years and thus, it can be asserted that the eradication of FGM/C has mainly been influenced by international debates. As such, both countries have demonstrated that external influence has had a positive impact towards the elimination of the practice. However, there were some limitations that were reported and as in Ethiopia where even though there has been a decline, it is still one of the countries with a large number of girls/women still undergoing FGM/C.

One might question: are there other factors that have not been considered within Ethiopia concerning the continuation of the practice and that may have made progress

toward the elimination of FGM/C slow paced, such as, an earlier exposure to the West? Unlike Ethiopia, Kenya was colonised by the British and with that, the beginning of the opposition to FGM/C when the colonial administrators drafted a law against the practice. Ethiopia, on the other hand, having been a free country, has had the opportunity of not having its culture questioned by outsiders. Its customs were therefore deeply rooted within its people, thus external opposition to these customs may not have been as successful and may have caused a backlash and may explain why the numbers are still very high.

Perhaps the approaches being implemented are a catalyst to invigorate the communities to continue with the practice. That is, the enactment of the laws that criminalise the customs of the communities, as well as the approaches implemented by the local organisations that alienate girls from their traditions may be the reason as to why cases such as self circumcision and parents secretly performing the practise on their children still persist.

One thing that is certain, culture is supreme in the way that it holds a powerful moulding and shaping of an individual's perceptions (Herskovits, as cited in Renteln 1990: 65). Thus, following the customs of a given culture gives the individual a sense of belonging and in this case for a girl/woman it also represents the transition from childhood to an adult, a role that is respected and honoured. This has also been explained as the reason why the custom is still upheld. Following this argument the inclusion of human rights, as a way forward to change this practice may have been the wrong step to take following this argument. With universal human rights, the main focus is on the individual and the rights of the single unit. This, in relation to cultural settings, is quite foreign as the idea of upholding the individual is not at the forefront, rather the idea of a community is what is considered as key and that is what an individual from such a community identifies with.

Several scholars have made recommendations on how to curb this tradition. Mackie (1996: 1015) had three – two of the recommendations included education campaign and public declarations from parents and community to stop the practice, both of which have been seen in the approaches carried out in Kenya and Ethiopia. His third recommendation was that "public opinion should deplore the bad health consequences of FGM/C". He argues that the communities that practice this tradition do so because "they are good people who love their children"; therefore, "campaigns that insinuate otherwise is bound to provoke a defensive reaction from them" (ibid). This is evident in the case of Kenya where girls went to rescue camps during the circumcision season, however, the community did not acknowledge the act as the alternative rite of passage it was meant to be, despite education efforts.

This also explains the reason why there are still cases of the practice even with the laws against FGM/C being in place. It has been suggested that laws enacted in response to FGM/C should also "prevent the infringement of the rights of the individual to cultural determination" (Atoki 1995: 234). Accordingly, the law must also protect the wishes of those individuals who wish to freely exercise their right to be circumcised and ensure that this is done within the statutes of law. The law should also limit the performance to trained practitioners and only be performed in approved settings. Such a law would be more efficacious than one which completely bans the practice. Enacting a ban does not eradicate FGM/C, rather it "succeeds in driving it underground" (Atoki 1995: 234). This can be supported by Ruth Benedict's statement that suggests tolerance. She states that once an opinion is embraced as a customary belief, we arrive at a more realistic social faith that may lead to coexistence and equality of valid patterns of life that mankind has created for itself (Renteln 1990:62).

This argument could also support the critics of the notion of FGM/C as violation of human rights. The enactment of laws that completely ban FGM/C, in fact, are themselves a violation of the human rights; that is the right of right to choose what one does to one's own body, regardless of the consequences.

All in all, the introduction of FGM/C to the international arena stirred up the pot, which now the whole world has to face and in particular the countries that have a high rate of the practice. Establishing a "hands off" approach, as most of the cultural relativists scholars would suggest, is out of the picture. This is because the practice is no longer a situation that happens only in Africa, but one that has seen cases of immigrants in the developed countries that still practice it. However, as much as there is international involvement, the current notion of FGM/C being a violation of the girl/woman has still not established ground within these practicing communities.

Conclusion

The topic of FGM/C is one that is divisive and difficult to address as it raises several issues. On the one hand, there is the problem of culture and tradition clashing with a modern-international society. On another hand, there are gender and social issues to consider as well as health matters. The paper's aim was to understand the implications of Western influence in the approaches taken by local organisations and governments and this was best done through the relevant data that was collected and presented. This paper has demonstrated that there have been a lot of activities being carried out in the two country cases and that international opposition to FGM/C has had such a great influence in the approaches that have been taken to eliminate this practice in both countries. Some of these influences were achieved either through direct measures, the establishment of laws against FGM/C, or through an indirect route in the case of local organisations partnering with international organisations to exert more pressure on authorities to fight the FGM/C pandemic. Nevertheless, this influence has brought about different responses from the communities involved, and has in turn brought about a change—or decline—in the number of girls/women that have been circumcised.

Another fact that has been demonstrated is that societies may differ in their placement of the fundamental moral principle, but they do agree on the principles themselves (Andre and Velasquez 1992: para 5). In this case, both the opposers and those in favour of the practice are striving to attain their fundamental moral principle, which is the protection of the girl/woman. This could be through both identification and acceptance by a society, or through creating awareness of the rights of an individual. This is also quite evident when considering the different ideologies and debates presented in relation to FGM/C.

Research has shown that some of these ideologies have worked to an extent, but they have also faced a number of criticisms to the point of having them deemed inadmissible to the subject. The argument of FGM/C as a violation of human rights may be the ideology that seems to fit in well with all the countries (predominantly in the international opinion), but it has faced its criticism and will still gather more in the future. Therefore, an end to this harmful practice can only be achieved once a middle ground is established. The strategy for the elimination should not be focused on isolation, but instead it should involve the lives and the opinions of those affected by it, as well as the local and global discourses that have been integrated. This could be achieved through accepting FGM/C in these ways: having lenient laws that do not

obliterate the practice completely but maintain the protection of children from harm, supporting adult women who still want to have the practice done to them even after they have been made aware of the consequences that may occur, advocating for less severe methods, rather than the rigorous ones that cause more complications (i.e., infibulation), and lastly, having the option of medicalization for those who still want it done as it will provide a safer way for the procedure to be done.

Such a strategy includes the moral principles that both parties want to observe and still respects the two standpoints. Most of all, such a strategy would act as a form of weaning for the future generations and could possibly bring an end to this practice.

Notes

1. Ye Ethiopia Goji Limadawi Dirgitoch Aswogaj Mahiber (EGLDAM) is the former National Committee on Traditional Practices Ethiopia (NCTPE)
2. Unpublished reports from Dehad on Afar Leader and Asmelash CARE on the Egyptian Myth in EGLDAM 2008: 83.
3. Statement from Amal Redwan, Intrahealth Project Manager (Source Feldman-Jacobs and Ryniak, 2006: 27).
4. The Kuria community lives in Nyanza Province together with the Kisii and both have a high prevalence rate of FGM/C.

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ESSAY

Manufacturing Consent in the Age of YouTube: The Case of Kony 2012

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ABSTRACT. This paper investigates to what extent the 'Propaganda Model', which Edward S. Herman and Noam Chomsky developed in their work 'Manufacturing Consent' (1988), applies to United States media discourses on how the US government should respond to the atrocities of the Ugandan warlord Joseph Kony. It establishes that the media in general does not sufficiently address US geopolitical and economic interests in the Central African region, the relative lack of civil rights in Ugandan society as a US ally, abuses by the Ugandan army, human rights implications of US support for Ugandan government policies, and the history of Western relations with Uganda. Instead of scrutinizing those aspects, the media highlights humanitarian concerns. By and large, these findings support the propaganda model.

Introduction

If ever a video on the internet went 'viral,' it is the YouTube video *Kony 2012* (Russell 2012). Kony 2012 is an online presentation that urges public leaders to arrest Ugandan guerilla group leader Joseph Kony, the head of the militia group Lord's Resistance Army, before 2012. The video raises awareness of Kony's use of child soldiers and compels the US government to assist the Ugandan government in capturing Kony. The video presentation received seven million views on the internet platform Vimeo within 16 days and over 43 million views on YouTube within only 72 hours.

  The 30-minute video provides an overview of Kony's atrocities in Uganda, followed by instructions to support the campaign for his capture by sharing the video and donating to Invisible Children, which is the non-profit organization that produced the video. Furthermore, the video presents clips of the time that its director, Jason Russell, spent in Uganda, as well as conversations with his son. Through conversations with his son, Russell illustrates the injustices that Ugandan children have to endure. Russell is a new media entrepreneur who felt compelled to raise awareness of atrocities in Uganda after having taken a trip there. The video explicates Russell's plan to compel support from 12 political decision-makers, as well as 20

notable celebrities, billionaires, and athletes who are actively supporting humanitarian campaigns around the world, to devise legislation and US government strategies for Kony's timely capture (for a summary of how the Kony 2012 video succeeded in attracting public attention and of the official and media reactions, see "Know Your Meme" 2012).

On 7 March 2012, soon after the video was launched, media outlets began commenting on how quickly the video spread. Young people not only in the United States, but also in Australia and Europe began asking for Kony's arrest through online posts, wearing Kony 2012 t-shirts, as well as donating to Invisible Children. Responses by the political establishment followed as a consequence of the proliferation of posts on social media outlets and coverage by the traditional media. For instance, on 8 March 2012, White House Press Secretary Jay Carney called the uproar for Kony's arrest a "unique crisis of conscience."

Responses to the video, however, were not exclusively positive. Many pundits commented that Invisible Children has simplified a complex conflict and left out African voices by focusing only on Western activists and the director's son. Ugandans pointed out that Kony has not been in Uganda for years. Instead, he is active in neighboring countries, for example the Central African Republic. For this reason, Ugandan and Western commentators urged against a military commitment by the United States to fight the Lord's Resistance Army in Uganda. Further, some investigations suggested that the charity Invisible Children spent too much money on lobbying efforts and too little to help children rehabilitate in Uganda. Images from Uganda, in which Ugandans asserted that they have been depicted as undignified victims and their conflict is being commercialized, circulated on many websites.

This paper investigates whether the "propaganda model," which Edward S. Herman and Noam Chomsky developed in their seminal work "Manufacturing Consent" (1988), applies to the mainstream media discourse on how the United States should respond to the atrocities of Joseph Kony. Herman and Chomsky developed the propaganda model during the Cold War, albeit during a time when the Cold War drew to a close. This paper draws on the media responses to Kony 2012 to deliberate whether the propaganda model is still valid in the 21st Century.

This question is relevant in relation to discourses on 'humanitarian interventions', which have become prominent in the post-Cold War era. The media as well as NGOs (Non Governmental Organizations) are instrumental in shaping public discussions on when Western nations should intervene in the contexts of human rights violations. This paper questions how well the US media reports on geostrategic interests of Western nations and past and present policies in regard to a country where human rights violations take place—i.e., Uganda.

First, this paper provides a summary of Herman and Chomsky's "Manufacturing Consent." Second, it explains the relationship between Western countries and Uganda as well as Uganda's human rights record. Third, it assesses to what extent US media coverage of US policies toward Uganda conform to the propaganda model and accounts for the realities of the history of US-Ugandan relationship and the Ugandan human rights record.

Manufacturing Consent: The Propaganda Model

In countries where the state regulates the media and persecutes journalists, censorship is a tangible phenomenon. By contrast, it is much more difficult to observe censorship

where the media is privatized and formal censorship is prohibited by law, especially when the media periodically exposes wrongdoing and corruption by governments and businesses and actively fashions itself as a beacon of free speech (Chomsky and Herman 1988: 1).

Notwithstanding the constitutional framework of the US media, which proscribes governmental censorship, there are significant filters in the US media which, as Chomsky and Herman explicate, determine the content of media coverage. Following the argument of Chomsky and Herman, "the mass media of the United States are effective and powerful ideological institutions that carry out a system-supportive propaganda function by reliance on market forces, internalized assumptions, and self-censorship, and without significant overt coercion" (Chomsky and Herman 1988: 306).

Not only the state, but also the market is capable of censoring media coverage. In the 1980s, when Chomsky and Herman formulated the propaganda model, more and more media outlets became integrated into the market. The process of market-integration was accelerated by a "loosening of rules limiting media concentration, cross-ownership, and control by non-media companies" (Chomsky and Herman 1988: 8). In other words, more and more big companies like General Electric began owning media outlets such as TV stations and newspapers. Chomsky and Herman assert that newspapers became more and more dependent on advertising as a result of the influence of the corporate world on the media. For example, those newspapers with fewer advertising revenues would become more expensive and thereby lose out on the market. According to the propaganda model, many firms will discriminate against media outlets that are ideologically critical against corporations. Thus, the 'radical press' is structurally disadvantaged in a media-system that is market-driven. As a consequence of market-pressures, most journalists are bound to feel compelled to 'sanitize' programs (Chomsky and Herman 1988: 16-17).

For all these reasons, "the mass media are drawn into a symbiotic relationship with powerful sources of information by economic necessity and reciprocity of interest" (Chomsky and Herman 1988: 18). To avoid libel lawsuits, which have proliferated together with conservative media watchdogs in the 1980s, the media oftentimes treats information provided by governments and businesses as factual. According to Herman and Chomsky, media outlets reproduce information provided by public relations officers because of their fear of libel lawsuits. The Pentagon, for instance, has a public relations office that employs thousands of officials (Chomsky and Herman 1988: 19).

Being objective means drawing from 'objective' and 'neutral' sources – for example, government officials, former government officials, think tanks, academics, and consultants (Chomsky and Herman 1988: 25). If foreign conflicts are covered, then 'expert knowledge' is drawn from foreign government officials and think tanks associated with interests of the foreign government, if a friendly nation or ally is concerned. On the other hand, if a conflict between a local populace and a government that qualifies as an 'official enemy' is covered, then expert knowledge is drawn from refugees, dissidents and other populations that suffer from state coercion and violence. Of course, in the 1980s any association with the Soviet Union would make a government an 'official enemy.' Similarly, anticommunism serves as a control mechanism in domestic debates (Chomsky and Herman 1988: 29). Chomsky and Herman point out that liberals and progressives were oftentimes accused of being pro-communist, and thereby as dangerous for property-owners and detrimental to geo-strategic interests of the US.

To illustrate the propaganda model, Herman and Chomsky compare the media coverage of the assassination of Jerzy Popiełuszko, a priest who was murdered by the Polish police in the Soviet sphere of influence, and the assassinations of priests in Latin American countries that are in the US sphere of interest. *The New York Times*, *Time Magazine* and *Newsweek* provided detailed coverage of the assassination of Popiełuszko (Chomsky and Herman 1988: 38). The assassination of El Salvadorian archbishop Oscar Romero, on the other hand, did not receive such extensive coverage. Drawing from this example, Herman and Chomsky refer to 'worthy' and 'unworthy' victims (Chomsky and Herman 1988: 37). Victims are 'worthy' if they have been persecuted by governments that are 'official enemies' of the United States. If they have experienced violations committed by governments that are allied with the United States or the US government, they are deemed 'unworthy victims' who, according to Herman and Chomsky, receive scant media coverage.

In the Popiełuszko case, the media covered details on the horrendous murder (Chomsky and Herman 1988: 42). In addition, the media asked who was responsible for the murder of Popiełuszko at the top governmental level (Chomsky and Herman 1988: 43-44). The media appropriately asked what Moscow knew about the Popiełuszko assassination.

But contrary to the germane journalistic rigor that the media exhibited in the Popiełuszko case, there is no systematic investigation of what Washington knew about the assassination of Archbishop Romero. Washington is generally not depicted as equally complicit in its client state's crimes as Moscow in the crimes of its satellite states, even though the US has helped installing and supported several dictatorial regimes in the Middle East, Asia, and Latin America.

Likewise, coverage of foreign elections tacitly supports US foreign policy interests. While the US media critically evaluated the Sandinista elections in Nicaragua, the US media were all praises for the elections in El Salvador and Guatemala which are both US' state allies. Contrary to the media coverage, Latin American election observers described the Nicaraguan election as "a model of probity and fairness" (Chomsky and Herman 1988: 140). On the other hand, in El Salvador and Guatemala there was an upsurge of state-sponsored terror, including public showing of mutilated bodies, which intimidated the population on the eve of the election. Hence, intimidation was a cause for large voter turnout. The media never adequately contextualized this large voter turnout: "Nevertheless, in exact accord with the propaganda line of the state, the U.S. mass media found the large turnouts in these countries to be triumphs of democratic choice, the elections legitimizing, and 'fledging democracies'" (Chomsky and Herman 1988: 141). By and large, the media failed to rigorously examine, compare and contrast the conditions in which elections in El Salvador, Guatemala, and Nicaragua took place. Otherwise, El Salvador and Guatemala would not have been hailed as "new democracies" while Nicaragua was condemned as an international pariah.

Herman and Chomsky concede that the US media do not prohibit controversy. In this respect, it is different than the media in autocratic states. During the Vietnam War, for instance, many journalists questioned the wisdom of the US presence in Indochina. As a consequence, conservative pundits claimed the US "lost the war" through a media that acted "excessively democratic" and exposed the public to the misguided war effort in Southeast Asia (Chomsky and Herman 1988: 169-170).

Chomsky and Herman do not question that criticism of the Vietnam War was possible, especially as the possibility that the US would win the war eroded more and

more. Rather, they claim that positions that were critical of the war needed to stay within a parameter of what was accepted criticism:

> A propaganda model leads to different expectations. On its assumptions, we would expect media coverage and interpretation of the war to take for granted that the United States intervened in the service of generous ideals, with the goal of defending South Vietnam from aggression and terrorism and in the interest of democracy and self-determination. With regard to the second-level debate on the performance of the media, a propaganda model leads us to expect that there would be no condemnation of the media for uncritical acceptance of the doctrine of U.S. benevolence and for adherence to the official line on all central issues, or even awareness of these characteristics of media performance. (Chomsky and Herman 1988: 169-170)

Chomsky and Herman contrast the coverage of the Vietnam War with the coverage of the Soviet Union in Afghanistan. The Western media was condemnatory in regards to the Soviet invasion. *The Economist*, quite appropriately, wrote "an invader is an invader unless invited in by a government with some claim to legitimacy" (Chomsky and Herman 1988: 176).

Western reporters covered the war from the perspective of the rebels defending their territory from foreign attack. In the coverage of the Vietnam War, on the other hand, the point of view of refugees and peasants were ignored. The media immediately deconstructs Soviet pronouncements (Chomsky and Herman 1988: 176). Abuses by invading Soviet forces were documented by Western reporters. In comparison, there was little outrage when Cambodia, a third country, was massively bombed. The media ignored the perspectives of the victims of aerial bombings. Similarly, the connection between the bombing of Cambodia and the later rise of the Red Khmer was dismissed. The atrocities of the Red Khmer were represented as if they happened in a historical vacuum.

Above all, "the search for 'opposing viewpoints' as things went wrong was also extremely narrow, limited to the domain of tactics – that is, limited to the question of 'whether the policy enunciated worked,' viewed entirely from the standpoint of U.S. interests, and with official premises taken as given" (Chomsky and Herman 1988: 178).

Western-Ugandan Relations

Idi Amin and the West: Idi Amin and the United Kingdom

In October 1970, a coup d'état by general Idi Amin ended the rule of Prime Minister Milton Obote, who spent time at a Commonwealth summit in Singapore during the time of the coup. Idi Amin would become infamous for his extraordinarily brutal reign, which was marked by ethnic cleansings, extrajudicial killings, and erratic outbursts of violence. It was assessed that he was responsible for the deaths of over 100,000 people between the years 1971-1975 (Hutton and Bloch 2001: para 2).

Hutton and Bloch (2001: para 1) assert that the coup d'état was engineered by outside interests, particularly from the UK, because of Obote's nationalization campaign. Obote wanted to take 60 per cent interests in all foreign and Ugandan-Asian owned businesses. In Uganda, huge British financial, industrial, and agricultural interests were at stake due to the policies of Obote. Inspired by Pan-Africanist discourses and ideologies, Obote wanted to reduce the influence of the

British. His 'Common Man's Charter' and plans to nationalize 30 British companies were particularly unwelcome in London (Hutton and Bloch 2001: paras 4, 5).

The first task of the British was to choose an opportune replacement for Obote. Amin seemed like a superb choice. In British circles, Amin was known as a man who was "a little short on the gray matter" and "intensely loyal to Britain" (Hutton and Bloch 2001: para 8). He was held in fond memories for his services as a non-commissioned officer in the British colonial regiment. Some claim that relationships with Amin were cultivated since 1966. Plans for the overthrow of Obote became more concrete when Obote articulated his nationalization plans in 1969 (Hutton and Bloch 2001: para 9). About 700 British troops arrived in neighboring Kenya a few days before. It took the UK government exactly one week to accept the legitimacy of the government of Amin. The hastiness of the acceptance of Amin surprised the US government.

Idi Amin and the United States

The US and Israeli governments also had presence and interests in Uganda, especially through their respective intelligence agencies, Mossad and the CIA (Hutton and Bloch 2001: para 5). The US provided economic aid and Israel trained Ugandan troops. The US was supportive of the Israeli engagement with Uganda. At that time, there was fear that Israel might become diplomatically isolated. Thus, Israel's push to form diplomatic relations with African countries was welcomed. Allegedly the Israeli military had cultivated support to Amin for some time prior to the coup.

The late 1960s were the heyday of the CIA's efforts to undermine governments whose ideologies were anti-Western and who could, if only hypothetically, become part of the Eastern bloc (Hutton and Bloch 2001: para 24). The US was already closely aligned with the governments of Kenya, Ghana, Mozambique, Tanzania, and Nigeria, and wanted to expand its power into Uganda. The Amin coup was similar to the one against the Pan-Africanist Nkrumah in Ghana in 1966. Nkrumah was also overthrown when he went abroad. There are allegations that the CIA actively supported the Nkrumah coup (Hutton and Bloch 2001: para 25).

Amin was notorious for his violent purges of members of the armed forces. In July 1978, the columnist Jack Anderson discovered that ten members of Amin's trusted circle were trained in the International Police Academy in the Washington suburb of Georgetown. The CIA-run academy was responsible for training police personnel from all over the world. Three of the Ugandans were trained at a graduate school that was also run by the CIA called International Police Services Inc. The US stationed a police instructor in Uganda shortly after the coup. Despite the controversy, weapons were exported into Uganda – for instance, American Bell helicopters were delivered in 1973 (Hutton and Bloch 2001: 46-47).

The Rule of Yoweri Museveni and US Foreign Policy

Yoweri Kaguta Museveni has ruled Uganda since January 1986. Museveni was involved in a war that toppled Amin, and would eventually end his rule in 1979 (for a reading of the history of Museveni's rule, see Musinguzi 2001). Museveni was criticized for his involvement in the war in the Democratic Republic of Congo, even though he brought stability to most of Uganda and presided over one of the most effective worldwide campaigns against HIV-AIDS. Initially, Museveni was lauded as

a new breed of an African leader who would lead the continent into a new democratic era. In recent years, however, international and national activists have questioned his democratic credentials. Before the 2006 election, he abolished presidential term limits. Moreover, Museveni began harassing and prosecuting Uganda's domestic opposition. For example, in May 2011 security forces attacked opposition leaders in Kampala, Uganda's capital, with fire hoses that drenched in pink-colored liquid, dying their clothes and skin. When the protest against rising food prices cumulated into a protest against the country's president, security forces began arresting and shooting on protestors. The protests only died down when Museveni put the main opposition leader, Kizza Besigye, under virtual house arrest (Allen 2001: para 1). Museveni also amended the constitution to deny suspected rioters and 'economic saboteurs' bail, once they had been imprisoned.

The American response to Museveni's violent intimidation of protestors has been lukewarm. The government was merely asked to act "civil" (Kaufman 2011). A response to similar acts by Mugabe of Zimbabwe, which is a pariah state in the international system, would have surely elicited a stronger response. The tepid response may reflect Washington's geopolitical and economic interests in the region, which might include access to Uganda's resource. This assertion might be supported by reports according to which Exxon is interested in buying a share in Uganda's oil. In the words of intelligence analyst Corbett (2012: para 1) which are published on an open source intelligence website: "When oil executives announced the discovery of the largest onshore oil reserves in the Lake Albert region of Uganda in July 2009, the landlocked, oft-neglected [sic] East African nation of Uganda went from relative obscurity to a key partner for multi-national oil conglomerates."

Uganda has a strategically important location in the region. It receives aid from the US government (Hearn 1997: 2). The aid is both military and civilian. The civilian aid aims at recovering the healthcare and agriculture in conflict-afflicted Uganda's Northern regions (Anyangwe 2009). Uganda is an important US proxy in locations such as Sudan and Somalia (Corbett 2012: para 8). The LRA Bill (S1067, HR2478) would legitimate the US government to intervene in Uganda to apprehend Joseph Kony. The interest in Kony, which initially was raised by humanitarian groups, has existed before the video about him went viral. A decision by Obama to deploy troops into Uganda coincided with the discovery of oil and revelations that Ugandan politicians have accepted bribes from multinational oil companies (Corbett 2012: para 3).

Not only the United States, but also China is very involved in a continent that has phenomenal economic growth rates (i.e., with some countries growing at a rate of eight per cent per year), potential for future export markets, and untapped resources (Bernard 2012). Some commentators refer to a new 'scramble for Africa'. In February 2012, the newly-appointed Chinese Ambassador to Uganda, Zhao Yali, announced a program to improve ties to Uganda, including the implementation of tariff free exports, investment in transportation projects, power generators, and infrastructure (Corbett 2012: para 4). China is known for its massive construction projects in Africa (Center for Chinese Studies 2006: 7).

Intelligence analyst Corbett suggests that the Kony video has been of convenience to economic and geopolitical planners in the US:

> But now, just as China makes its overtures toward Uganda to gain a potential toehold in
> the region and access to the as-yet-untapped oil wealth, a new video about Joseph Kony
> has suddenly gone viral online, having been viewed 10s of millions of times in just a
> week, and changing the focus of the American foreign policy debate toward greater US

> military involvement in oil-rich Uganda. Perhaps unsurprisingly, it suggests that the
> only way to capture Kony is to maintain an American military presence in the region…
> What the film's well-meaning supporters, many of them youth activists rallying behind
> a political cause for the first time, don't realize, is that the Kony film, whether wittingly
> or not, is accomplishing what years of Pentagon propaganda could not muster: public
> support for an expanded American military role in Africa. (Corbett 2012: paras 5-8)

The emerging geostrategic role of Africa, which is important for an understanding of the context of policies in regard to the continent, is reflected in US plans for a unified military command for Africa called Africom. In 2006, former defense secretary Donald Rumsfeld began establishing a committee to advise on its planning and implementation. Its mission statement reads that it intends to "strengthen our security cooperation with Africa and create new opportunities to bolster the capabilities of our partners in Africa" (Corbett 2012: para 9). Proponents point out the importance of US support for regional security missions in the midst of failed states, while opponents assert Africom serves to consolidate a permanent US presence on the continent. African heads of state thus far have lacked enthusiasm for the project and minimized cooperation.

  Anglophone Uganda is a reliable Christian partner within a region that is rife with Islamic movements. Partially for this reason, domestic conservative Christian groups in the US, for example 'The Family,' engage themselves in Ugandan politics. Ugandan politicians have close ties to groups in the US that claim that homosexuality can be cured. These groups have been inspired to enact a bill according to which homosexual acts would be punished by execution. A global outcry and pressure – including by the US government, which announced that it would make the rights of homosexuals a condition of aid (Ssegawa 2011) – led to a withdrawal of the bill. Nonetheless, behind closed doors the bill has circulated back into parliamentarian circles (Badash 2011). According to recent reports, the Ugandan parliament is scheduled to pass the bill before the end of 2012 (Muhumuza 2012).

  Moreover, allegations have been made that the Ugandan army commits human rights abuses in its pursuit of the Lord's Resistance Army, Kony's brutal militia. For example, it is alleged that the Ugandan military pressured children who were released and captured from the Lord's Resistance Army to fight for the national armed forces. Children under the age of 15 served in so-called Local Defense Units, even though the Kony 2012 campaign endorses financial and political investments into the Uganda army and the staff of Invisible Children allegedly has ties to the Uganda government (Keating 2012). In the words of the Child Soldiers Global Report 2008, which explicate the dangers of policies that escalate military action (para 2):

> Armed conflict between government forces and the opposition Lord's Resistance Army
> (LRA) in northern Uganda continued between 2004 and early 2006. The government's
> strategy of pursuing a military solution to the conflict contributed to humanitarian
> suffering and abuses against the civilian population.

The Propaganda Model and Kony 2012

To assess whether the propaganda model is relevant for the coverage of Kony 2012, I examined ten media outlets that reach a wide audience to investigate whether they reported about six aspects of the contemporary situation in Uganda and its relationship with the West, especially the United States. More specifically, I investigated whether the articles from the ten media outlets reported on the following aspects: (1) US geopolitical interests in the Central African region, for example with

regard to Africom; (2) US economic interests in the region, for example the existence of large supplies of oil as well as economic competition with China; (3) the relative lack of civil rights in Ugandan society; (4) abuses by the Ugandan army; (5) US support for Uganda government policies and the human rights implications of US policies towards Uganda, for example sending military advisers and equipment to the country; and (6) the history of Western relations to the country. I learned about these aspects by researching them outside of the mainstream media, for example on an open-source website by intelligence analyst Corbett.

The ten news outlets I examined were ABC News, CNN, *The New York Times*, NBC (San Diego), *The Washington Post*, Fox News, MSNBC, *The Huffington Post*, CBS This Morning, and the *Los Angeles Times*. Mostly I investigated the first relevant article that came up when I searched for the name of the news outlet as well as Kony 2012 in the search engine website Google. The articles had to address the situation in Uganda to some extent to be considered for analysis. In general, I did not analyze articles that addressed a second video by Invisible Children that responded to criticisms of the first video (Invisible Children 2012). Whether the ten news outlets mentioned the aforementioned aspects is depicted in the graphical representation below.

Omission of important facts about the autocratic nature of the Ugandan regime as a US ally, the history of Western nations in promoting autocratic governance in the country, and geopolitical and economic interests in the region would indicate that the propaganda model is of relevance in the coverage of the context of the Kony 2012 video. After all, these would be omissions that would contradict a narrative of the United States and Western countries as champions of human rights and democracy in the region. On the whole, the Kony 2012 video presents United States military engagement as a solution to the grave problem of the existence of the Lord's Resistance Army and its horrific human rights violations in Northern Uganda.

Newspaper outlets did not report about many of the critical aspects of Ugandan politics and human rights record as well as Uganda's relationship with the West in general and the United States in particular (see Table 1). There was, for instance, not one mention of the geopolitical and economic interests the United States has in the region. Instead of the aspects of Ugandan politics and Uganda's relationship with the West that I was looking for, newspaper outlets mostly reported on other issues. For example, CNN-US asked in its headline whether Kony 2012 created "the wrong buzz." Can a "foreign travesty against humanity" (CNN 2012: para 5) be stopped through a "slick Hollywood production" (CNN 2012: para 8)? ABC summarized the terror that the region endured because of Kony and his militia and announces that Obama will send 100 military advisors. ABC did not mention human rights implications of US-Ugandan military cooperation.

Figure 1

Graphical Representation on whether six critical contextual aspects of Kony 2012 have been mentioned by ten media outlets

News Outlet	US geopolitical interests in the region	US economic interests in the region	Relative lack of civil rights in Ugandan society	Abuses by the Uganda army	US support for Ugandan government policies adverse to human rights, human rights implications of US policies	History of Western relations to Uganda
ABC News (7 March 2012)						
CNN-US (12 March 2012)						
New York Times (21 March 2012)						
NBC San Diego (31 March 2012)			X			
Washington Post (12 April 2012)						
Fox News (9 March 2012)					X	
MSNBC [from *King 5* news] (20 April 2012)						
Huffington Post (25 April 2012)			X	X	X	X
CBS This Morning (9 March 2012)						
Los Angeles Times (29 April 2012)				X	X	

Branham and Kelly of the *New York Times* urge that "[t]he voices of affected individuals and communities should be at the center of this swelling chorus of opinions. If they were, perhaps the clamor of criticism could quiet long enough to hear what is being asked of humanitarians, academics, policy makers, and global citizens" (CNN 2012: para 2). Further, Branham and Kelly describe that the deaths

occurring in Uganda "are not only from direct violence, but from water-borne illness, malaria, and a profound destruction of the healthcare infrastructure. For every one immediate tragedy of execution or abduction by the LRA, there are untold stories of people fighting a quieter fight – struggling against the pervasive and insidious effects of instability" (CNN 2012: para 10). They do not, however, give detail on policies and the history that lead to this instability.

NBC San Diego, which was the first NBC station that came up in my Google search, detailed the protests of a local activist group against the Museveni regime, without mentioning the US support for Museveni. The Washington Post describes that the interest for the hunt for Kony has died down since the video went viral. It interviews the director of programs of 'Invisible Children.' Further, it mentions the deployment of 100 military advisors, but no abuses by the Ugandan army. Fox News focused on the cruelties of Kony and his militia. Considering the reputation of Fox News as 'hawkish', it is surprising that the article also mentions a warning about the prospects of a military intervention by a doctorial student who investigated the local conflict:

> "While their intentions are good, it's quite dangerous because they make no mention of the fact that someone will have to use force to apprehend Kony," Jack McDonald, a doctoral candidate and research associate at King's College's Department of War Studies in London told FoxNews.com. "People will get hurt trying to bring him to justice and it will likely be the local nationals." [Fox 2012: para15]

MSNBC features a report by Seattle's King 5 news, which questions whether a movement that exists merely online can produce real change. Furthermore, it gives details of US involvement in strengthening local forces in hunting down Kony, but does not mention human rights implications. The report mentions the bipartisan support that exists in Washington, D.C. for hunting down Kony.

The Huffington Post had, by far, the most critical coverage, although it failed to mention US economic and geopolitical interests in the region. It mentions the bill that persecutes and would execute gays in Uganda. Further, it describes that the International Criminal Court has charged Uganda for human rights abuses and systematic looting in the Congo while Uganda pursued its hunt for Kony (Huffington Post 2012: para 7). The article even quotes a UN Mapping report that suggests that the Uganda military may have been complicit in acts of genocide in the Democratic Republic of Congo (UN Office of the High Commissioner for Human Rights 2010, in Huffington Post 2012: para 9).[1] Further, the article describes that the Ugandan police and military forced 20,000 Northern Ugandans from their land and burned much of it. The brutal crackdown of Museveni against his opponents is mentioned as well (Huffington Post 2012: para 10). The article also mentions that the Ugandan army—the UPDF (Uganda's People Defense Force)—violently forced hundreds of thousands of Northern Ugandan Acholi tribe members into internment camps beginning in 1996 (Huffington Post 2012: para 11). In addition, it details how locals who have suffered severely from the violence of the Lord's Resistance Army believe that the Invisible Children movie depicts victims of Kony in an undignified manner. Moreover, Ugandans take issue with the 'militarized' approach to the conflict and assert the video is guilty of 'warmongering' that will not constructively solve the conflict. According to the report, the Ugandan police dispersed a demonstration against the movie. One person reportedly died, dozens were injured (Huffington Post 2012: paras 19-25).

CBS News discusses the expenses of the charity and whether the video will only be "a fad" or have a lasting impact. The *Los Angeles Times* critiques the "White Savior

Industrial Complex." The paper paraphrases critiques that mention that young American campaigners pay "scant attention to the atrocities committed by the Ugandan military (which they support in the hunt for Kony) or the Sudan People's Liberation Army, including attacks on civilians" (para 9). Further, the *Los Angeles Times* quotes Deibert (2012), whose analysis also informed the piece in the *Huffington Post*:

> Deibert wrote that, after a failed attempt to get Kony not long ago (supported by U.S. advisors), the warlord's army counterattacked against villages in Congo, resulting in the death of hundreds of people and the kidnapping of 100 children. 'What is the system of protection that Invisible Children advocates for communities such as these, put in the line of fire by the military operations the group advocates?' Deibert asked.

Concluding Remarks

This paper has been an attempt to investigate whether the propaganda model is still relevant in the 21st century. Certainly, many of its preconditions have not changed. The mass media, for instance, is still owned by big corporations. In the future it would be interesting to assess to which extent Islamophobia as well as rhetoric as regards the War on Terror replaced anticommunism as a control mechanism, particularly in the immediate aftermath of the terrorist attacks of 9/11. For future analysis, it would also be interesting to see whether new media platforms, such as blogs or twitter, adhere to the confines of the propaganda model. This paper has investigated media outlets that are under the influence of traditional gatekeepers such as the foreign policy establishment and corporate interests. I specifically sought out critical information to counterbalance official narratives.

Even though some media outlets mentioned critiques of Ugandan and American policies, my study suggests that the media generally do not pay sufficient attention to the human rights implications of US policies, the relative lack of civil rights in Uganda, abuses by the Ugandan army, US support for the Ugandan government and the history of Western-Ugandan relations. Critique of Kony 2012 as a campaign was pervasive. Critiques of Ugandan-US cooperation, US military assistance, and the Ugandan human rights records, as well as a historical contextualization of current events were much rarer even though some of these aspects were mentioned.

My study indicates that criticisms are constrained and mostly fit into the confines of the propaganda model, especially since US economic and geopolitical interests are not mentioned once in any of the articles. Some critical remarks about the outcomes and ripple effects of potential military actions, for instance, are represented in the sample. What is missing is a critical investigation of why the US is already present in the Uganda conflict. Information on the historical context is lacking. It is taken as a given that the US will act in the interest of human rights, even if articles concede that US actions may have unintended consequences. The new 'Scramble for Africa' and competition with Chinese and Islamic elements as well as the establishment of Africom and how it relates to US policies and interests towards Uganda, for instance, are not mentioned.

The intent of this essay is not to question the authenticity and genuineness of the Kony 2012 producers and of journalists. The Kony 2012 producers have raised awareness of a very important human rights issue, though they are not mindful of the Western-Ugandan relationship, Ugandan abuses and the US role in the region. Kony 2012 inspired young people, who were otherwise unconcerned about African civil wars, to act on behalf of war victims. Some of the journalists that were investigated in

this study raise vitally important questions about the representation of non-Western suffering by Westerners, the integration of African voices into the coverage of African conflicts and the commercialization of conflict coverage.

  Nonetheless, journalists must become equally critical towards geopolitics and the policies of US allies such as Uganda. After all, policy actions such as the Amin coup, the enforcement of economic interests and Western support for factions in Central Africa—which have not been sufficiently investigated and made public by the media—are one of the reasons the region is as destabilized and provides a breeding ground for the likes of Kony. As Westerners, we need to have an honest reckoning about our engagement with Central Africa if we share the interests of the makers of Kony 2012 to contribute to sustainable solutions to the suffering and abuses that have crippled Uganda and the wider region for too long.

Note

1. The Uganda government vigorously rejects UN Mapping assertions that its military may have been implicated in acts of genocide in the Democratic Republic of Congo. In the words of Ugandan Foreign Affairs Minister Sam Kutesa, "[t]he draft report under reference is a compendium of rumours, deeply flawed in methodology, sourcing and standard of proof" (Ugandan Correspondent 2012: para 2).

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