



GLENDON

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Les Cahiers de Glendon

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Les Cahiers de Glendon sont un recueil annuel des meilleurs travaux de recherche des élèves de premier cycle du Département d'Études Internationales du Collège Glendon. Conformément à la nature bilingue du Collège, *Les Cahiers* présentent des travaux en français et en anglais.

Ce recueil constitue une excellente source de référence pour l'ensemble des élèves du Département. Il représente aussi l'occasion unique pour les étudiants désireux de participer à la préparation de cette collection d'entreprendre chaque année des travaux de recherche de qualité. Nous tenons à remercier les étudiants auteurs des travaux inclus dans ce volume ainsi que le Professeur Domenico Mazzeo pour son engagement et son soutien pour la réussite de ce projet.

The *Glendon Papers* are an annual collection of the best essays prepared by the undergraduate students of the Department of International Studies at Glendon College. Given the bilingual nature of the College, the collection presents essays in English and in French.

This collection is an excellent inventory of resources for all the students of the Department. It represents, in particular, every year, for those students who want to contribute to this collection a constant encouragement to redouble their research efforts and produce work of high quality. We would like to thank the contributors for preparing their research essays for this volume as well as Professor Domenico Mazzeo for his vision and dedication to the continuation of this project.

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Les Editeurs

The Editors

Karl Max: conception de la Société Internationale et lutte des classes. <i>David Seni</i>	4
Thomas More: sa conception de la nature humaine, de l'État et de la société internationale. <i>Andrée Paulin</i>	10
Legitimacy, Representation and Effectiveness: Three Goals for a Security Council Reform. <i>Charles Vigouroux</i>	16
China and Post Cold War Relations with ASEAN: Changing Strategic Ties. <i>Julien Resche</i>	19
Comment le terrorisme a-t-il modifié la mise en oeuvre de la sécurité dans le monde? <i>Valérie Gingras</i>	28
Comparative Book Review: "The Assault on Reason" by Al Gore and "Rumpole and the Reign of Terror" by John Mortimer. <i>Hannah Renglich</i>	35
Hugo Chavez and the Bolivarian Message <i>Nicholas Hersh</i>	38
Differences of Perspective: An Examination of Racism and Ethnic Minorities in the Bolivarian Republic of Venezuela <i>Katherine Hall</i>	45
How the World Bank and the IMF reinforces the peripheral status of countries: the implementation of the Structural Adjustment Program in Ghana <i>Yaw Afriyie</i>	51
Rwanda's genocide and the theory of state sovereignty <i>Sara Hylton</i>	64
Physician Brain Drain: Exploitation or Human Right? Understanding the Multidimensional Problem <i>Polly Ford-Jones</i>	84
The Contradictions of Water Privatization <i>Andrea Hiebert</i>	98
Turkey's bid for E.U. membership and the global balance of power: a Constructive-Realist Account of Turkey's Accession Process to the EU <i>Roman Denis</i>	112
The aftermath: looking at women's roles in post-conflict transformation and formal peace processes <i>Dina Meghdadi</i>	127
Building Arab-Israeli Regionalism on Jerusalem's Foundations <i>Uri Marantz</i>	140

Karl Marx : lutte des classes et Société Internationale

David Seni

Parler du XIX^e siècle sans invoquer Karl Marx serait sûrement une épreuve redoutable. Marx fut un des hommes les plus influent de ce siècle. Considérée comme père du Communisme, sa pensée et ses écrits eurent un impact phénoménal, non seulement durant sa vie mais de façon encore plus impressionnante à la suite de cette dernière et durant le siècle suivant. Cet homme révolutionnaire, que l'on appelle tantôt philosophe; tantôt historien; tantôt économiste-politique, bouleversa le Monde par ses conceptions nouvelles sur d'innombrables sujets, dont la religion; la philosophie; la politique; la société; et l'économie (Van Cangh, 1969 : 127). Cet essai mettra surtout en lumière la conception marxiste des relations internationales. Quels sont les relations entre les États? Quel est l'unité fondamentale d'analyse dans le cadre international? L'individu, la classe, l'état? Quels sont les comportements et motivations humaines dominantes dans la société? Comment atteindre la paix, autant sur la scène nationale que sur la scène internationale? Est-ce que le communisme est un remède approprié pour résoudre des conflits et le chemin idéal pour atteindre la paix? Ces questions nous amènent notamment au concept essentiel de lutte des classes. En essayant de ne pas sous-estimer la pensée vaste et complexe de Marx, ce texte tentera de connecter les réponses en illustrant le mieux possible la conception marxiste des relations internationales.

Contexte de la vie et philosophie de Marx

Né en Allemagne en 1818 et décédé en Angleterre en 1883, Marx vécut pendant une grande partie du XIX^e siècle. Il grandit durant une période très mouvementée économiquement en Europe, la période de la révolution industrielle et de la formation de la classe ouvrière. Cette période le marquera si profondément au point où toute la pensée de Marx sera dominée par une analyse critique du capitalisme.

Avant de procéder, il est important de préciser qu'il ne faut pas attribuer la philosophie marxiste entièrement à Marx. Un autre homme, vivant à la même époque est constamment associé avec Marx fut Friedrich Engels, économiste et homme politique allemand (Éthier, 2004 : 39). *Le Manifeste du Parti Communiste*, écrit en 1848, est l'œuvre des deux hommes. Cet ouvrage est d'ailleurs un des écrits politiques qui entraîna le plus de conséquences dans l'histoire, compte tenu de la montée du communisme, ou même du socialisme. Engels et Marx sont donc les deux pères du Marxisme, même si l'appellation « Marxisme » pourrait nous faire penser à Marx seulement.

En parlant de Marxisme, il faut aussi différencier la pensée et pratique des dictateurs des pays communistes de la théorie marxiste telle que conçue par Marx. En effet, les théoriciens au pouvoir qui ont prétendu être marxistes n'ont pas forcément gardés les mêmes conceptions et interprétations avancées par Marx lui-même. Ces théoriciens étaient souvent les dirigeants de partis politiques et Chef d'États communistes qui, faute d'enseignements d'ensemble, ont élaborés des compléments de doctrine correspondant à leurs visions, à leurs intérêts, à leurs expériences, et aux conditions de leurs époques (Éthier, 2004 : 39-43). Il est même probable que le pouvoir aurait corrompu les bonnes intentions de ces dirigeants communistes. Marx et Engels

sont donc les pères du Marxisme classique; les hommes politiques marxistes qui ont suivi sont souvent appelés néo-marxistes.

Dans le contexte historique de la discipline des relations internationales, le marxisme a été considéré comme le troisième paradigme principal en relations internationales, surtout durant la Guerre Froide (Smouts, 2003 : 309), les deux premiers paradigmes étant respectivement le Réalisme et le Libéralisme. Ainsi, l'on pourrait dire que le Marxisme fut le résultat d'une profonde insatisfaction avec ces deux autres paradigmes ou théories. En effet, le Marxisme classique discuté ici est, à plusieurs titres, une critique des autres philosophies des relations internationales, surtout du libéralisme :

Si le libéralisme est né en réaction contre le réalisme, le marxisme trouve son origine dans la critique du libéralisme, en particulier celui de la philosophie idéaliste de Friedrich Hegel et de l'économie politique de Smith et Ricardo (Éthier, 2004 : 39).

La lutte des classes

La lutte des classes est probablement la base de la conception des relations internationales pour Marx. *Le Manifeste du parti Communiste* commence d'ailleurs de la manière suivante : « L'histoire de toute société jusqu'à nos jours, c'est l'histoire de la lutte des classes » (Marx, 1998 : 161). Quelle est cette lutte, et comment nous aide-t-elle à comprendre la dynamique de la société? Pour Marx, la situation est claire, c'est une lutte constante qui divise la société moderne en deux camps ennemis : la bourgeoisie et le prolétariat (Van Cangh, 1969 : 62). A la base, ces deux classes ne sont autres que la classe dirigeante qui possède les moyens de production de la richesse économique, et la classe opprimée qui produit la richesse économique par son travail (Éthier, 2004 : 40). La division des deux camps entraîne, de façon continue et répétée dans l'histoire, une lutte entre classes exploitées et exploiteuses (Van Cangh, 1969 : 61). C'est cette confrontation ou lutte qui est ce que l'on peut appeler le *moteur de l'histoire*. A noter qu'il est essentiel pour Marx d'explorer précisément ce qu'est la lutte des classes et comment elle se manifeste en société selon sa philosophie. Il croit en effet que si l'on veut changer le monde, il faut d'abord en donner une explication scientifique (Smouts, 2003 : 310).

Pourquoi cette division de classe dès le départ? Depuis l'apparition de la propriété privée et de l'État, l'histoire a fait en sorte que la société soit continuellement divisée de cette manière ; d'abord en société esclavagiste, puis en société féodale, et finalement la société capitaliste (Éthier, 2004 : 40). Le capitalisme est la phase « finale » car Marx est persuadé que ce soit la dernière étape avant que la propriété privée et l'État soient supprimés par la société communiste, qui éliminera les classes et rendra justice à la classe opprimée. Marx prend beaucoup de temps pour critiquer le Capitalisme car c'est ce type de société capitaliste, qui existe présentement et qui déjà se développait à son époque. Dans son ouvrage *Le Capital*, il explore ce que le capitalisme réserve pour l'homme, notamment l'idée que la société sera menée non vers la concurrence, mais plus vers le monopole – par exemple celui des banques et des organisations de productions (De Senarclens, 2006 : 101).

Pour Marx, la notion de lutte des classes est cruciale car elle explique le rôle de l'État. L'État ne fait que refléter les rapports entre ces deux classes sociales. La classe dirigeante ou bourgeoisie s'est en effet appropriée l'État comme instrument pour défendre ses intérêts et pour contrôler la classe prolétaire. En revanche, la classe prolétaire opprimée ne bénéficie presque pas de la richesse créée par son travail, et n'exerce aucun contrôle considérable sur les moyens de

production ni sur le pouvoir politique, ce dernier étant réservé à la classe dirigeante (Éthier, 2004 : 40). Ce qui est donc malheureux, c'est précisément le fait que l'État est avant tout soumis à l'intérêt de la classe bourgeoise. « Le gouvernement moderne n'est qu'un comité qui gère les affaires communes de toute la classe bourgeoise » (Marx, 1998 : 163). Dans ce contexte, l'existence de l'État assure la dominance politique et économique d'une classe sur une autre, soit des bourgeois sur les prolétaires. Le capitalisme entraîne l'exploitation et l'enrichissement de cette classe bourgeoise minoritaire mais puissante, au dépend de cette classe travailleuse, grande en nombre mais pauvre.

La lutte générale pour l'émancipation des classes travailleuses n'est pas exclusivement socio-économique; cette dernière est aussi une lutte pour une politique étrangère morale et juste (Smouts, 2003 : 311). Ceci montre donc l'aspiration politique internationale du prolétariat pour Marx. La classe prolétaire veut éliminer la politique étrangère des bourgeois, qui cherche non pas à satisfaire le véritable intérêt national, mais l'intérêt directe et égoïste de la classe dominante (Smouts, 2003 : 312). De manière générale, puisque l'État représente la classe bourgeoise, l'État par déduction a un rôle négatif. Ainsi, si l'on veut stopper cette division injuste, l'État doit être désintégré.

Une question se pose : est-ce que la lutte des classes est une caractéristique humaine naturelle, c'est-à-dire une caractéristique encrée dans la nature de l'homme? Pour Marx, la réponse est non, la lutte des classes n'a pas toujours existé. Elle n'était pas présente à l'origine de l'humanité et aux premières tournures de l'histoire. Elle commença lors de la création de la propriété privée. A partir du concept de propriété privée découla le besoin d'un État pour la protéger. Pour arrêter la lutte des classes, il faut mettre en corrélation directe la propriété privée, l'État, et les classes. Pour rendre justice aux classes opprimées, et pour redonner un statut économique et politique égal aux hommes, il faut détruire l'État et la propriété privée. Dans la vraie démocratie, dit-il, l'État disparaît (Van Canghai, 1969 : 51). « Ce sont les classes, et non pas les États des réalistes, ni les individus des libéraux, qui sont considérées comme l'unité d'analyse fondamentale » (Smouts, 2003 : 311).

On peut aussi mentionner la *conception matérielle de l'histoire* de Marx (plus tard devenant *matérialisme historique*) qui sous-entend que la société dirigée par l'État traditionnel produit pour l'homme un parcours social qui lui retire son potentiel, et qui par conséquent lui enlève une partie intégrale de sa liberté et de son humanité (Griffiths, 2005 : 519). Pour citer Marx directement, « [according to history] It is not the consciousness of men that determines their existence, but their social existence that determines their consciousness » (Marx, 1971 : preface). Un commentateur de Marx tente d'illustrer cette idée en écrivant « [it] is to show us that history is made my man, not by « destiny » or the so called « hand of God » (Rius, 1979 : 124). Si donc l'homme né en tant que membre d'une classe sociale, ce n'est ni cadeau ou malédiction divine mais c'est la société qui en est responsable et qui impose tel destin.

Le communisme, réponse au Capitalisme

Le communisme est le seul moyen qui permet de vaincre la société capitaliste, la propriété privée, et le rôle bourgeois de l'État. A la base, le communisme peut être introduit par cette fameuse formule marxiste : « Prolétaire de tous les pays, unissez-vous » (Smouts, 2003 : 311). Marx pousse la classe opprimée à agir, à se révolter. Cet appel à l'action qui est dirigé vers la classe prolétaire est surprenant : souvent les écrivains ont l'habitude de faire un discours

s'adressant au dirigeant, au chef d'État; au Prince (De Senarclens, 2006 : 100). En effet c'est le cas si l'on prend l'exemple de Machiavel, l'auteur Italien réaliste. Pour Marx, vu que la classe sociale est l'acteur principal des relations internationales, c'est directement auprès d'elle qu'il faut s'adresser. Sa lutte sera d'abord au niveau national, puis au niveau international; jusqu'à devenir mondiale. La révolte des prolétaires mettra fin au capitalisme et permettra une société sans classes sociales : une société communiste, une société égalitaire et juste pour l'homme.

Pour Marx, il semblerait que toute l'histoire regorge de tentative de révolte ou d'espérance de la classe opprimée pour cette justice économique. Cette victoire sera finalement possible grâce au communisme. Marx promet aux prolétaires qu'ils seront victorieux et que le capitalisme ne pourra résister à leur révolte. Il faut noter toute fois que cette victoire pourra être atteinte uniquement par l'entremise d'une révolution. Contrairement à Kant qui croit que la transition vers une société universelle de justice et liberté sera évolutionnaire, ou même à l'idéalisme d'Hegel, Marx est convaincu que l'amélioration doit se faire par l'initiative révolutionnaire (Smouts, 2003 : 313). Plus le capitalisme se développe et prend une tournure mondiale, plus la révolution communiste se rapproche de façon inévitable. En effet, Marx développe l'idée que l'exploitation capitaliste entraîne une sous-consommation de la majorité des prolétaires, qui se traduit en surproduction, « jusqu'au jour où cette contradiction donnera lieu à une objection massive : le renversement violent du système, l'abolition de la propriété privée et, partant, la résolution de l'antagonisme des classes » (De Senarclens, 2006 : 101).

L'expansion globale du capitalisme et de la bourgeoisie et leur organisation sur des bases stato-nationales ne font que multiplier les situations d'injustice pour les citoyens de la classe prolétaire dans chaque coin du monde (Smouts, 2003 : 312). L'homme prolétaire, avec le développement rapide des usines ne peut choisir son métier; il est forcé de travailler le métier que la société bourgeoise lui réserve. Il vit partout opprimé et exploité. Désormais, la classe prolétaire ne peut plus se libérer d'une telle exploitation sans que toute la société, dans chaque pays, le soit :

Cette lutte a atteint actuellement un degré où la classe exploitée et opprimée (le prolétariat) ne saurait se libérer de la classe qui l'exploite et l'opprime (la bourgeoisie) sans libérer en même temps et pour toujours la société entière de l'exploitation, de l'oppression et des luttes des classes (Van Canghai, 1969 : 61).

Mais quels sont, dans une perspective Marxiste, les effets du capitalisme sur la scène mondiale, soit avant que le communisme puisse prendre le pouvoir, quelles sont les relations entre États capitalistes? Est-ce la guerre ou la paix qui va prédominer? Peut-on prédire ce qu'il se passera au long terme? Pour Marx, la situation est la suivante : « la bourgeoisie se bat [...] toujours contre la bourgeoisie de tous les pays étrangers » (Smouts, 2003 : 312). Cette citation est intéressante, mais il nous reste à interpréter la forme de ce combat et pourquoi il a lieu. On interprète généralement ce combat comme étant une concurrence entre les nations, un combat sous l'égide de la finance qui entraîne chacun à vouloir conquérir les marchés mondiaux (De Senarclens, 2006 : 101-102). Dans un tel contexte, la rivalité capitaliste fait en sorte que toute paix ne peut être perpétuelle. Il est vrai que la production capitaliste semble créer une interdépendance universelle entre les nations capitalistes. Toutefois, chaque nation agit pour toujours plus de part du marché et si un conflit est présent – par exemple à cause de barrières protectionnistes ou une prise en charge des monopoles par l'État (De Senarclens, 2006 : 102) – alors les relations entre pays sont loin d'être amicales. Il peut donc y avoir un état de guerre permanente qui oppose les bourgeoisies des pays capitalistes entre elles (Smouts, 2003 : 312). Ce genre de conflit peut faire penser aux guerres permanentes que Hobbes a en tête dans son

Léviathan. Mais Marx ne s'arrête pas au constat purement réaliste. Pour lui, les conflits entre États ne font que refléter les contradictions inhérentes au mode de production capitaliste, soit par implication l'antagonisme des classes (De Senarclens, 2006 : 101).

Pour Marx néanmoins, les conflits Étatiques sont la conséquence de la lutte des classes (Smouts, 2003 : 312). Ces conflits ne doivent donc pas être notre principale préoccupation. Ces conflits sont plus une manifestation au niveau international du vrai problème. Le vrai problème est au niveau national et ce problème est, bien entendu, le combat de la classe exploitée.

Au fur et à mesure que l'exploitation de l'individu par l'individu est abolie, l'exploitation d'une nation par une autre est également abolie. Le jour ou tombe l'antagonisme de classes au sein de la même nation, tombe également l'hostilité entre les nations (Marx, 1998 : Manifeste du parti communiste)

Avant que l'abolition des classes dans le Monde soit possible, Marx réalise qu'il y a une période intermédiaire qui doit se passer après le capitalisme. Cette période qui constitue la transition vers la société sans classe, est celle d'une dictature du prolétariat (Van Canghai, 1969 : 53-54). L'État moderne bourgeois est premièrement effacé. Ce dernier est remplacé par un l'État prolétaire que Marx appelle notamment un régime du *socialisme d'État*; régime du *collectivisme* (Marx, 1950 : 105). Comment ce fait-il que Marx accepte même cette notion d'État? L'*État marxiste* ne contredit pas sa conception de base – négative – de l'État? Il faut noter que cet État est avant tout présent pour inverser la situation; effacer toutes les anciennes habitudes du système administratif et juridique qui sont attachées à la protection de la propriété privée (Teboul, 1996 : 59). Même si elle a le défaut d'être sous contrôle Étatique, cette société doit passer par cette phase, à la suite de ce qu'on peut imaginer être une révolution violente. Il faut non pas seulement détruire le système, mais aussi si nécessaire, les anciennes classes bourgeoises qui centralisent entre leurs mains tous les instruments de production (Van Canghai, 1969 : 56). Les membres bourgeois, l'on imagine, doivent tous être anéantis s'ils refusent de se plier devant la révolte. Tout ceci pour pouvoir accéder au but suprême, soit la victoire du communisme ou la société sans classes, dans laquelle tous les êtres humains pourraient finalement s'épanouir sans contraintes.

Peut-on parler d'un État dans cette société communiste? Il y a un débat sur ce sujet, car si l'on est prêt à utiliser cette appellation, ce serait en lui donnant un sens différent de l'usage historique traditionnel du terme État. L'État pour Marx, avait pour but d'assurer la domination d'une classe sur l'ensemble de la société. Cette domination était créée à la base par la propriété privée des moyens de production. Or si la dictature prolétarienne a réussi à éliminer cette propriété privée, il va de soi que l'antagonisme des classes disparaît et que l'État traditionnel n'a plus de raison d'exister et ne peut que disparaître (Van Canghai, 1969 : 56). L'image de gouvernance que Marx semble illustrer est celle d'une société ou collectivité qui dans sa globalité sera capable de s'autogouverner – peut être une gouvernance type contrat social de Rousseau – pour finalement s'attaquer aux besoins humains réels, vu que le souci de l'antagonisme des classes est dépassé.

En fin de compte, même si Marx essaye d'amener la société mondiale vers la paix, il peut être débattu si l'harmonie est vraiment atteinte par le communisme. Est-ce que la justice et la liberté garantissent en effet le maintien de la paix? Est-ce qu'une collectivité mondiale peut s'entendre toujours de façon pacifique? Même si l'antagonisme politique et économique des classes peut être résolu par la promesse de Marx, qu'en est-il d'autres caractéristiques encrées dans l'homme comme la religion ou la moralité? Ne le portent-elles pas au conflit et à la

guerre, soit à des barrières contre l'unification ? D'un autre côté, Marx rejette complètement l'État. Est-ce que sa conception de l'utilité et rôle de l'État est vraiment complète? L'État ne sert-il pas à d'autres choses essentielles qu'à l'intérêt bourgeois? Par exemple, l'État ne peut-il pas faire contrepoids aux effets néfastes du capitalisme, comme l'on a tenté de faire plus tard au 20ème siècle? Ce sont des questions au sujet de certains aspects de la pensée marxiste qui méritent d'être débattues davantage.

Quoi qu'il en soit, je crois qu'il n'y a aucun doute que Marx fut un grand homme dont les contributions pour l'humanité sont innombrables. Jusqu'aujourd'hui, sa pensée nous aide à comprendre et à rectifier les problèmes et besoins de notre société. Marx voulu Justice et Paix autant au niveau local qu'international et l'appel pour la lutte des classes opprimées a certainement été entendu - et continuera de l'être.

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Thomas More: conception de la nature humaine, de l'État et de la société internationale

Andrée Paulin

Les concepts de la nature humaine, de l'État et la société internationale sont des notions qui peuvent être plutôt vagues et très différentes selon la source utilisée pour les définir. Au courant de l'Histoire, plusieurs cultures et philosophes ont offert les définitions qu'ils croyaient être les plus adéquates. Des Sumères à la société indienne moderne, de Niccolo Machiavelli à Hans J. Morgenthau, une variété de perspectives ont été présentées, qui ont certainement été influencées par le contexte socio-historique et/ou la vie personnelle (si c'est une personne qui offre les idées). Il y a eu plusieurs penseurs notables qui ont contribué aux concepts de la nature humaine, de l'État et de la société internationale. L'un d'entre eux, le philosophe anglais Sir Thomas More, dans une de ses œuvres majeurs, *L'Utopie*, illustre ces trois notions, qui auront un impacte dans son temps ainsi que dans le future. C'est par l'entremise de cette œuvre, ainsi que de sources secondaires, que ses idées seront explorées. Par contre, pour mieux comprendre l'origine de telles idées, il est impératif que le contexte dans lequel More a vécu soit abordé, suivi d'une brève biographie de ce dernier. Après ceci, le projet majeur du philosophe, tel que présenté dans *L'Utopie*, sera examiné, notamment ses conceptions de la nature humaine, de l'État et de la société internationale. Enfin, l'application ou pertinence et influence de la pensée de More sera étudiée.

Le contexte historique

Né à Londres en 1478, Sir Thomas More a vécu au début de la Renaissance, une période de l'Histoire européenne qui va approximativement du 15^e siècle au 17^e siècle. Animée par une forte admiration pour l'Antiquité, la Renaissance fut dominée, dans la pensée et l'action, par quatre grands thèmes : l'humanisme, le naturalisme, le rationalisme et l'individualisme. Pendant cette période il y a eu un progrès considérable au niveau philosophique, artistique, scientifique et politique. Certains évènements importants pendant la Renaissance sont l'invention de l'imprimerie par Gutenberg et la vulgarisation conséquente de la Bible ainsi que la Réforme et la Contre-réforme. De plus, il y a une émergence de nouvelles idées philosophiques et politiques avec un très grand nombre de philosophes qui s'expriment au sujet de la condition humaine, la politique, la religion et la moralité, entres autres. Des penseurs notables de cette période historique sont Niccolo Machiavelli, Érasme, Jean Pic de la Mirandole et, parmi eux, Sir Thomas More, dont la pensée et la vie restent un illustre exemple de l'effervescence intellectuelle, politique et religieuse de la Renaissance.

À l'âge de 14 ans, soit en 1492, More entre à Oxford et y passe deux années. Après ceci il commence son étude rigoureuse de Droit et en 1501 il passe l'examen du Bar. Il est décrit par Érasme comme étant de taille normale avec une complexion pâle mais rosâtre et des cheveux bruns-noirs, tenant une barbe mince et des yeux bleu-gris (McConica, 1977 : 26). En 1504, More est élu au Parlement et une année plus tard il marie Jane Colt avec laquelle il aura quatre enfants. Après 6 années de mariage, celle-ci meure et More se trouve une nouvelle femme en Alice Middleton. Ce qui est remarquable de la part de More est la manière dont il a choisit d'éduquer ses enfants. L'éducation de ces derniers a eu lieu sous la surveillance de More qui a choisit d'offrir une éducation à tous ses enfants; filles et garçons (Reynolds, 1965 : 7). Une raison pour laquelle Sir Thomas More est si fameux est parce qu'il a tenu des rôles importants au niveau de son pays et s'est fait des amitiés avec des gens de grande importance à l'époque. Lors

de sa vie, More a servit comme conseiller du Roi qui l'a envoyé en missions diplomatiques et est devenu plus tard chancelier du Royaume. Par contre, c'est l'opposition de More à la volonté du Roi de se séparer de Rome et du Pape qui fera de lui un prisonnier dans la Tour de Londres et qui le conduira à la mort. Mais la vie de More a aussi été remplie de petits plaisirs comme son amitié avec le fameux Érasme, avec lequel il a traduit 'Dialogues de Lucien' (Prévost, 1969 : 17). Pendant ses plus de 50 ans sur la planète, Sir Thomas More a beaucoup contribué à la littérature. Quelques unes de ses œuvres les plus connues sont 'Vie de Richard III', 'L'Utopie', 'The four last Things' et 'The Dialogue concerning Tyndale'. Cet homme a aussi écrits plusieurs lettres de correspondance, a traduit des œuvres et a écrits des poèmes (Prévost, 1969 : 23). More fut exécuté le 6 juillet 1535 à Londres. Son humour l'accompagna jusqu'au tombeau car, avant d'être pendu, il aurait dit que sa barbe ne devrait pas être coupée puisqu'elle n'a commis aucun mal (Marius, 1984 : 514). Il nous a paru important d'évoquer le contexte socio-historique de l'époque ainsi que des expériences de la vie de Sir Thomas More puisque ce contexte et ces expériences se reflètent dans ses ouvrages, notamment 'L'Utopie', qui sera présentement abordée.

L'Utopie

'L'Utopie', publié pour la première fois en 1516 en Latin, est certainement une des œuvres pour laquelle Sir Thomas More est le plus reconnu. « [E]lle est une œuvre extraordinaire et qui fait penser. Elle retient l'esprit attentif par la fantaisie et le pittoresque de l'aventure racontée et par l'audace des critiques qu'elle adresse à une société fondée sur l'injustice. Profonde et logique à la fois, elle révèle un génie dans l'art le plus difficile, celui du gouvernement des hommes » (Prévost, 1969 : 77). De ce livre, plusieurs pensées de More peuvent être extrapolées. Pour mieux comprendre ces notions, une synthèse du livre et de ses grands thèmes est essentielle. En premier lieu, la signification du titre mérite d'être clarifiée. 'Utopie' est formée à partir du grec *ou-topos*, ce qui signifie 'aucun lieu'. Par contre, un fait intéressant est que 'Utopie' peut aussi trouver sa signification dans le grec *eu-topos*, qui a comme définition 'lieu de bonheur'. En ce qui concerne le contenu du livre, 'L'Utopie' de Sir Thomas More est la rédaction d'une discussion fictive de ce dernier avec Raphael Hythloday (un explorateur qui a vécu sur l'île d'Utopie) et un monologue de Hythloday concernant l'île. Le livre est divisé en deux parties distinctes. La première partie traite plutôt d'une critique par Hythloday des divers problèmes de l'Angleterre. Il aborde les sujets de lois injustes (More, 1989 : 15), des armées (More, 1989 : 18), de l'enrichissement de peu de gens et l'appauvrissement de plusieurs (More, 1989 : 19-20) ainsi que l'esclavage (More, 1989 : 24). Il touche aussi, tout au long de la première partie, à la religion, à la royauté et au travail. La deuxième partie consiste essentiellement de recommandations pour améliorer les divers aspects de la société critiqués dans la première partie. Le discours de Hythloday concernant son séjour sur l'île d'Utopie est important puisque c'est à travers de ce monologue que les pensées de Sir Thomas More peuvent mieux être déchiffrées. Ici, les sujets de dignité concernant le travail et le partage de celui-ci sont abordés (More, 1989 : 43). L'équité (More, 1989 : 44) ainsi que la politique (More, 1989 : 49), l'éducation (More, 1989 : 51), l'économie (More, 1989 : 61), les guerres (More, 1989 : 87) et la religion (More, 1989 : 95) font aussi partie de ce discours. De plus, il est important de noter que la conception de la nature humaine de More ainsi que sa conception de l'État et sa conception de la société internationale sont aussi présentes dans presque toute la deuxième partie de 'L'Utopie'. André Prévost, auteur de '*Thomas More et la crise de la pensée européenne*' offre dans ce livre une synthèse sans égale de la conception morale et politique des Utopiens :

[E]n morale, un hédonisme vertueux; en religion, l'adhésion à quelques dogmes fondamentaux nécessaires au maintien de la morale et de l'ordre public; au-delà, liberté de culte privé mais obligation de participer à un culte commun; en politique intérieure, un esprit démocratique farouchement dressé contre toute tyrannie; en politique extérieure, des relations étroites avec les peuples associés et les peuples alliés, des échanges commerciaux avec tous les États; en économie interne, la mise en commun des ressources agricoles et minières et des moyens de production; par contre, le choix entre la vie commune ou le mode de vie individuel, pour les biens de consommation; au point de vue social, un système d'assistance sociale très développé : soins gratuits aux malades et aux vieillards, gratuité totale de l'enseignement à tous les degrés. (Prévost, 1969 : 84)

Les idées principales sur la nature humaine, l'État et la société internationale abordées dans *L'Utopie* expriment la conception de la vie des Utopiens. Ces idées seront ici exposées sur la base du texte original de l'œuvre de More ainsi que les commentaires contenus dans des sources secondaires, tel le livre d'André Prévost déjà cité et celui de Karl Kautsky, *Thomas More and his Utopia*. L'on pourra facilement constater que les conceptions de la nature humaine, de l'état et de la société internationale sont très reliées. Une conception optimiste et égalitaire de la nature humaine amène à un gouvernement plutôt socialiste, qui à son tour conduit à une société internationale équitable, tant au niveau de la sécurité que des échanges économiques. Cela démontre la modernité de la pensée de More et des Utopiens, pensée animée par deux valeurs essentielles : « la recherche du bonheur et le développement de la liberté » (Prévost, 1969 : 87)

Conception de la nature humaine

Selon Prévost, la vision de la nature humaine présentée par Sir Thomas More est plutôt optimiste (Prévost, 1969 : 85). En effet, les Utopiens croient que le sentiment le plus merveilleux que l'être humain est capable de ressentir est celui de la compassion (More, 1969 : 57). En plus de ceci, More informe son lecteur que sur l'île Utopie la croyance est que c'est la peur de ne pas être capable de vivre et répondre à tous ses besoins qui provoque l'avarice, qui a comme catalyseur l'orgueil humain. (More, 1989 : 56, 109-110). Mais, More confirme que cet orgueil ne tient aucune place sur l'île idéale d'Utopie. En plus de la compassion et un orgueil contrôlé, une autre caractéristique de la nature humaine est sa capacité d'intégrer les philosophies épicuriennes et stoïques (More, 1989 : 68-69). Selon les Épicuriens, pour qu'un humain obtienne la vertu d'être heureux il a nécessairement besoin d'un plaisir bon et honnête (More, 1989 : 68-69). Du côté des Stoïques, cette même vertu est définie comme étant la vie en cohésion avec la nature que Dieu a créé. Pour obtenir cette vertu, il suffit de vivre selon la nature, aimer la Majesté Divine ainsi que vivre sans anxiété et avec le plus grand montant de joie possible (More, 1989 : 69). Bref, composantes essentielles de la nature humaine sont le désir d'enlever la tristesse de sa vie pour y instaurer la joie et la réaction spontanée de l'humain de vouloir soulager la misère d'un autre (More, 1989 : 70). Par contre, les humains doivent faire attention de ne pas chercher du plaisir pour soi même avec le but de le comparer au plaisir d'un autre, ce qui provoquera des résultats néfastes (More, 1989 : 70). En somme, la nature humaine selon Sir Thomas More est généralement positive. L'humain est donc un être capable de ressentir la compassion et qui a un orgueil qu'il tente de contrôler. Pour obtenir la vertu, il utilise des moyens épicuriens ainsi que stoïques. De plus, l'humain tend à avoir un esprit de communauté et veut aider ses compatriotes. Sur la base d'une telle conception de la nature humaine, quel est le type d'état proposé par les Utopiens?

Conception de l'État

Comme plusieurs auteurs de son temps, Sir Thomas More fut un grand critique de la royauté et a utilisé *L'Utopie* pour atteindre cet objectif et suggérer des formes de gouvernement

plus équitables et efficaces. (Kautsky, 1959 : 247). De cette manière, la conception de l'État est repérée très facilement dans cette œuvre concernant une île utopique. Le gouvernement d'Utopie est souvent comparé à un gouvernement communiste ou socialiste (Prévost, 1969 : 77). « La propriété privée des biens matériels est complètement ignorée en Utopie. More détaille avec complaisance tous les maux que l'abolition de la propriété fait disparaître. La mise en commun des richesses apparaît comme la condition de l'essor des véritables valeurs spirituelles, personnelles et communautaires» (Prévost, 1969 : 100). L'État utopien, et conséquemment la conception de l'État de More, donne une grande importance à l'équité. Sur l'île, le travail (qui est vu comme étant digne) est partagé de manière égale (More, 1989 : 43); même certains représentants politiques, qui ne sont pas obligés à effectuer de la labour, en font pour montrer leur solidarité envers les autres Utopiens (More, 1989 : 53). Mais le travail n'est pas la seule chose à être répartie de manière équitable. Chaque ville en Utopie a un même montant de territoire, visée à l'agriculture, qui l'entoure (More, 1989 : 44). De plus, lors de la réunion annuelle des représentants des villes à la capitale, les surplus de ressources sont distribués aux endroits qui en manquent... sans demander quelque chose en retour. Ceci s'effectue pour le bien commun de tous les Utopiens (More, 1989 : 61). À plus petite échelle, il y a des mets collectifs où les gens de la ville se réunissent pour manger et ceux derniers préparent la nourriture à tour de rôle, ce qui démontre un principe de base du communisme, soit la collectivité. (Kautsky, 1959 : 222-223). En plus d'être équitable, l'État selon More devrait offrir une éducation à tous ses citoyens, quelque soit leur sexe (More, 1989 : 51). En ce qui concerne la structure de l'État, le gouvernement doit être républicain (More, 1989 : 48). À chaque année, des élections ont lieu en Utopie (More, 1989 : 48) pour choisir des représentants qui se réuniront dans l'intérêt des citoyens. En ce qui concerne les logistiques, quand une décision doit être prise celle-ci doit avoir été discutée pendant au moins trois jours pour assurer un consensus (More, 1989 : 49). Un dernier aspect de la conception de l'État de More à être abordé est celui des lois et des conséquences de celles-ci. En Utopie, il y a très peu de lois et celles-ci sont faciles à comprendre pour tous, pas seulement ceux qui ont étudié le Droit (More, 1989 : 84). En ce qui concerne les punitions, l'esclavage est généralement le résultat d'une infraction sévère puisque cette option bénéficie la société de manière collective (More, 1989 : 83). Mais en plus des punitions, les citoyens sont aussi incités à la vertu et non seulement dissuadés du vice (More, 1989 : 84). Alors, la conception de l'État de Sir Thomas More pourrait être décrite comme étant équitable et républicaine, et mettant l'accent sur l'éducation et ayant un très petit nombre de lois. Quelles seraient alors les relations entre des états ainsi constitués?

Conception de la société internationale

Étant donné qu'elle comprend les deux autres acteurs déjà mentionnés, soit les humains et les États, la société internationale partagera plusieurs des caractéristiques qui se trouvent chez eux. Pour mieux définir la conception de la société internationale de More, il est important d'examiner l'attitude des Utopiens, qui incorporent les pensées de More, envers la guerre, l'économie et les relations interétatiques. En ce qui concerne la guerre, c'est quelque chose que les Utopiens essaient d'éviter; elle n'est pas bénéfique pour la communauté utopique. Par contre, il est complètement justifiable, selon les Utopiens, de déclarer la guerre contre un État qui est en possession de territoire et non seulement refuse de l'utiliser mais refuse le droit aux autres d'en jouir aussi. Ceci va contre la loi naturelle qui suggère que la terre doit être utilisée pour bénéficier les êtres (More, 1989 : 56). D'autres raisons pour lesquelles la guerre est justifiable sont la protection de son territoire, la chasse des ennemis de territoires amis ou la libération de personnes persécutées ou opprimés (More, 1989 : 87). Il est toutefois important de noter que le recours aux armes n'est pas le premier choix dans le monde idéal de More. Au contraire, une

victoire est seulement vertueuse quand elle a été accomplie grâce à la force de la compréhension ou de la persuasion (More, 1989 : 89). Un autre point sur lequel les Utopiens ont des opinions très particulières concerne les traités. Ils sont contre ceux-ci puisque ces accords, de toute façon pas toujours respectés, confirment l'existence d'une division entre les hommes et non une relation comme le Divin l'a planifié (More, 1989 : 87). Donc, un traité signifie plus une séparation qu'une réconciliation. Suivant cette même mentalité, More, par l'entremise des Utopiens, croit qu'un homme qui n'a fait aucun mal ne devrait pas être considéré un ennemi (More, 1989 : 87).

En ce qui concerne la composante économique de la société internationale de More, l'île d'Utopie exporte son surplus de biens à d'autres pays, donnant gratuitement un septième de leur cargaison aux pauvres du pays en question et vendant le reste à des prix modérés. En échange, les Utopiens reçoivent ce dont ils nécessitent chez eux ainsi qu'une grande quantité d'or et d'argent (More, 1989 : 61). Donc, les habitants d'Utopie prônent une collectivité, si non la formation d'une communauté, mondiale. Cette attitude, bien moderne, de 'village global' montre comment la pensée de More était en avant de son temps. Grâce à sa pensée innovatrice, cet auteur demeure très actuel dans notre époque de mondialisation grandissante.

La prochaine, et dernière, sous-catégorie de la conception internationale de Sir Thomas More est celle des relations interétatiques en général. Lorsqu'un étranger visite l'île d'Utopie, il est toujours accueilli chaleureusement, puisque les habitants de cette île adorent apprendre ce qui se passe dans le monde (More, 1989 : 79). En plus de ceci, certains des États qui entourent Utopie demandent à cette île de leur fournir des magistrats et les Utopiens acquiescent sans problème (More, 1989 : 85). Ceci aide à créer des relations collectives désirables dans le monde. En somme, la conception de la société internationale de Sir Thomas More peut être résumer en une société, qui essaye d'être pacifique et coopérative et tente de former une vraie communauté globale. Mais dans quelle mesure les idées de More seraient-elles applicables?

Applicabilité ou pertinence de la pensée de More

Après avoir révisé les principales idées de More, le moment est venu d'en évaluer la portée, à savoir leurs contributions dans le temps où elles ont été formulées et leur éventuel impact sur le monde d'aujourd'hui.

En ce qui concerne la période de la Renaissance, selon plusieurs sources, la pensée de More n'a pas eu un énorme impact sur la société. Ceci pourrait être à cause du fait qu'il y avait beaucoup d'autres philosophes qui écrivaient en ce temps. De plus, More ne se serait jamais préoccupé de communiquer ses idées au grand public, contrairement à Luther par exemple. Mais il est important de noter que le livre *L'Utopie* de More connu un succès international notable et fut publié en plusieurs langues. De plus, bien que les idées de More n'ont pas eu un impact concret sur la société de son temps, sa 'mini-rébellion' contre le roi d'Angleterre, qui le mena à la mort, a dû être exemplaire et mémorable.

Il est possible que les idées de More étaient trop avancées pour son temps. Par exemple, l'idée d'une distribution égale du travail et l'abolition de la propriété privée sont des notions qui font penser au Socialisme ou même le Communisme. En effet, Kautsky dit que bien que *L'Utopie* aie plus de 400 ans, les idéaux de More ne sont pas dépassés et persistent encore aujourd'hui (Kautsky, 1959 : 250). Il faut aussi noter que le terme 'Utopie' vient de More lui-même, et bien qu'après plusieurs centaines d'années la signification de ce terme risque de changer, ce qui est important est le fait que ce terme existe toujours. En somme, il paraît que les

contributions de More à la société ont été plus appréciées après son temps que pendant la période de la Renaissance. Plusieurs de ses idées étaient tout simplement trop avancées pour un temps qui se trouvait encore immergé dans beaucoup de conflits intellectuels, politiques et religieux.

En conclusion, notre recherche et analyse démontre que Thomas More est un homme pour qui l'humain est essentiellement positif, l'État équitable et la société internationale une vraie communauté. Sir Thomas More, plus tard Saint Thomas More, fut un homme qui « s'est trouvé au carrefour ... de l'Humanisme et de la Réforme. Il aurait pu en faire la synthèse. Humaniste des plus érudits, penseur des plus orthodoxes, esprit original et puissant, averti plus qu'aucun des besoins de son temps, généreux jusqu'à l'héroïsme, il possédait les qualités nécessaires à cette synthèse» (Prévost, 1969 : 359). Mais alors des nouvelles questions se posent : la synthèse a-t-elle eu lieu? Et comment la pression de se trouver au milieu de ces deux mouvements a affecté cet homme et ses pensées?

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Legitimacy, Representation and Effectiveness:

Three Goals for a Security Council Reform

Charles Vigouroux

The Security Council (SC) is the organ of the United Nations Organization (UN) with “the primary responsibility for the maintenance of international peace and security”, according to article 24 of the UN Charter. Member states of the UN explicitly recognize their obligation to implement SC resolutions, as stated in article 25: “The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter”. The Security Council is composed of five permanent members (the People's Republic of China, France, Russia, the United Kingdom and the United States) with veto power over any resolution, and ten temporary members, which are elected for two-year terms by the United Nations General Assembly and have no veto power.. However, the performance of the Security Council is weak mainly because of the veto power and the non-representation of the world population. Indeed, the context has dramatically changed since the creation of the United Nations Organization in 1945: at that time, the 5 permanent members (P-5) represented more than 50% of the world population, whereas they represented only 30% in 2006. A reform of the Security Council is therefore necessary and has to cope with several challenges: legitimacy, representation and effectiveness. How can we create a new system which would be more representative of world demography, economic powers, and geographical diversity at the same time? Above all, how can we avoid endless blockades because of the veto power? In a nutshell, how can one find a reasonable balance between collective security and state self-interests, in particular those of the P-5?

Firstly, one could argue that the permanent-members veto should be replaced with a “double-majority” voting method (a majority both of all the members and of the permanent members), to make the Security Council more effective. According to article 2 of the UN Charter, “The Organization is based on the principle of the sovereign equality of all its Members”. However, article 27 specifies that “Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members”. Then why do the P-5 have more privileges through veto power than any other member state? When the United Nations was created at the end of World War II, the Allies placed themselves at the center of a collective security system established to prevent another war (Krasno, 2006: 93). Yet, the present system can be criticized, precisely because it is far from clear how it can prevent war. In fact, this system leaves a permanent member free to wage war on any country without being punished because it has a veto power. For instance, the United States started to make war on Iraq in 2003 without authorization of the UN. Thus, the veto power does not prevent another war, but only a war supported by the UN against one of the P-5. A permanent member can put its veto against any resolution that affects its self-interests but has nothing to do with its national security, which is even worse. For instance, the recently approved Security Council resolution to send a 26,000-strong peacekeeping force to Darfur (BBC News, 3 October 2007) had been vetoed many times by China in the past. That is why the veto power should be eliminated. Nevertheless, the amendment process set out in the UN Charter requires the concurrence of the five permanent members, as well as the 2/3 of the General Assembly, for any amendment of the Charter, including a change in the structure of the Council (Weiss, 2005 : 14). Practically speaking, therefore, none of the P-5 would approve any measure that

would remove its power to veto SC resolutions. As a result, any SC reform will have to maintain the privileged status of the P-5.

As earlier mentioned, the solution could consist in replacing the permanent-member veto with a “double-majority”, as Keith L. Sellen suggests (Sellen, 1992 : 187-192). “This voting method would require the concurrence of a majority of all members as well as a majority of the permanent members, before a Security Council resolution passes”. Indeed, this system enables to maintain the privileged status of the P-5 (the independent concurrence by a majority of the permanent members is necessary) without maintaining the power to block unilaterally the passing of a resolution. One may claim that this reform could make the Security Council more effective and authoritative. Keith L. Sellen even argues that eliminating the veto is in the United States’ best interests, because United States security improves as international security improves. Furthermore, “To say that United States national security improves as international security improves is to say that security is indivisible. Indivisibility means that a security threat anywhere is a security threat everywhere and that one cannot classify any threat as purely national or international. This is true because our world is ever-shrinking” (Sellen, 1992 : 191). This argument appears relevant and realistic when we consider that the international community is getting increasingly closer through improved communications, increased economic interdependence, increased reliance on collective security, integration of ideas, and growing membership in international organizations. Yet, it remains to be seen whether such an argument will convince the P-5 to accept the rather symbolic and more collective privileged status proposed by the advocates of the “double majority” voting system and finally forego their real, individual and unilateral veto power!

Secondly, to make the Security Council more representative, the number of permanent and non-permanent members should be increased, as model A of the High-level Panel suggests. When the United Nations was created at the end of World War II, there were fifty-one members. Today it consists of 191 member states, and the balance of military and economic power in the world has changed significantly (Krasno, 2006 : 94-96). Moreover, the demographic distribution has dramatically changed since the creation of the United Nations: at that time, the 5 permanent members (P-5) represented the majority of the world population, while they represented only 30% in 2006, according to the United Nations Department of Economic and Social Affairs – Population Division. Consequently, it is necessary to expand again the number of countries on the Council to reflect the increased membership in the UN. Yet, the challenge is to rebalance the Security Council by taking into account the current world demographic, economic and geographic distribution, as proposed by Model A of the High-level Panel in 2004. However, the individual veto power of each of the P-5 should not be retained, as the model suggests, but replaced with a kind of joint privileged status of the P-5, as earlier argued. Model A proposes to create six new permanent seats, without privileged status, and three new non-permanents (elected for a two-year term, renewable). This would bring the total membership of the Security Council to twenty-four (from the original 11 and the present 15 members). Weiss et al. explain that with the new model, Africa would receive two permanent seats; Asia/Pacific would receive two new permanent and three new non-permanent seats; Europe would receive one new permanent and two non-permanent seats; the Americas would receive one new permanent and four non-permanent seats (Weiss, 2007 : 113-114). Thus, contrary to the current uneven distribution of the 15 members, each region would have six representatives.

Under the new system, we could have, for instance, South Africa and Nigeria or Egypt as permanent representatives for Africa in the Security Council, because of the size of the

population, resources or level of development of these countries. Similarly, we could have the United States and Brazil as permanent members representing the Americas. Germany could be the third West European permanent member of the Security Council with France and the United Kingdom. India and Japan could be the new permanent representatives for Asia, joining China, while Russia, because of its history and geography as a Eurasian power, could presumably represent both continents. Eventually, the new non-permanent members elected by the General Assembly would also make the Security Council more representative, and thus make the resolutions more legitimate.

However, one can contest the strict equality of seats between each region proposed by the High-level Panel in this model A. Indeed, each region would have six representatives, although they do not each represent 1/6 of the world population. For instance, Asia/Pacific is almost as rich as Europe when we look at the GDP of Germany, France, UK, Italy, and Spain compared to the GDP of Japan, China, Russia and India according to the IMF; yet, about 4 billions people live in the Asia/Pacific region against only about 731 millions in Europe in 2007, according to the INED. Despite this demographic contrast (Asia is almost six times more populated than Europe), both regions would have six representatives in this model A.

In conclusion, the Security Council reform should take place in two steps. First, the permanent-member veto should ideally be replaced with a “double-majority” to eliminate the possibility of a unilateral blockade of resolutions while maintaining the privileged status of the P-5. Because we have to keep in mind that any reform will have to be accepted by every permanent member of the Security Council, as it is written in the Charter. Second, the number of permanent and non-permanent members should be increased, as model A of the High-level Panel suggests, and only the current P-5 will have a privileged status through the “double-majority” voting method. These two steps are indispensable conditions to make the Security Council resolutions *de facto* more effective, more authoritative and more legitimate.

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China and Post Cold War Relations with ASEAN: Changing Strategic Ties

Julien Resche

Introduction

The relationships between China and the regions to the south date back almost two thousands years, at a time when the “celestial Empire” was at the epicenter of the regional affairs, a hegemonic power. The end of this system was brought about by the Western powers just over a century ago, and for the major part of the 20th Century, China was but a hollow shell, while the South eastern countries were colonized. After WWII, the structure of the regional system changed once again, but led to a series of tensions between China and her neighbors who, in order to contain China, formed a regional organization, the Association of South East Asian Nations (ASEAN). Throughout the 1990s uncertainty about China’s domestic developments made it difficult to fix an image of how it would relate to the wider Asian region. This uncertainty affected both the USA and ASEAN responses to what the Institute of International Strategic Studies (IISS) called “China’s creeping assertiveness”. As the 1990s unfolded, China’s relation with the region settled into a mix of bilateral bellicosity (over Taiwan and the South China Sea) and increasingly comfortable and skilled use of multilateralism to support those local voices concerned about excessive US influence, as well as its own agenda. China also came out well from the financial and economic crisis of the late 1990s, both because of its use of rescue funds, and because of the stark contrast with Japanese/US attitudes during that crisis. This led the ASEAN countries to have a more positive view of China and to adopt a policy of “engagement” in the late 1990s. In this essay, I will show that China has become a responsible “player” in the region by cooperating at the economic/political/security level with ASEAN and its different organs/members.

In the first part of this essay, we will take an historical approach in order to identify the different aspect of political and strategic ties between China and South-eastern countries/ASEAN over the years. We will begin by studying the relations between Imperial China and her neighbours. This is of great importance, as the system collapsed in the region only for a little over a century and the historical legacy is still being debated by different sides in order to understand today’s China. We will then switch to the revival of China under the Chinese Communist Party (CCP), and what were the set of ideals powering the region at the time and what it meant for the region. Finally, we will see in what way the end of the Cold War provided opportunities for China to engage ASEAN.

The second part of this essay will focus on relations between China and ASEAN at multiple levels. We will use a concentric approach to the questions. First, the closest interaction represented by the ASEAN - China Bilateral Relations, followed by the more extended ASEAN+3 Frameworks and then the last stage still under construction, the ASEAN Regional Forum (ARF).

Finally, we will discuss some of the more pressing issues in the region that could jeopardize the construction of a regional community still underway. We will begin by addressing the question of security. Security issues, some dating back from the end of the Cold War, others linked to today’s race for raw materials, are numerous and involve all of the ASEAN countries as well as China, Japan and “outsiders” such a the US or India. Another aspect is the economic “war” being waged between China and ASEAN. Over the year and due to her

economic boom, China has replaced a number of neighboring countries in attracting foreign direct investment (FDI), leading to complaints and tensions in the region.

I. Historical overview

As a student in International Studies and History, I have often valued an insight of the past in order to understand the socio/economic/political situation of the present. Despite the fact that the topic of this essay is focusing primarily on China's foreign policy decision-making since the end of the cold war (in our case, concerning ASEAN), China's past role in the area turns out to be an important factor in explaining the behaviour of Southeast Asia countries as well as China itself. The historical/political relationships between China and the region to the south date back almost two thousands years and can be divided into three distinct periods: Imperial China, the Revival of China, and the Post-Cold War developments.

Imperial China and Southeast kingdoms

Recorded interactions between China and her neighbors to the South began some two thousand years ago, at first confined to the territories now comprising Vietnam, Java, Sumatra, Malaysia and later Thailand, Cambodia, Burma and the rest of Indonesia. By the end of the second century a.d., China had established frequent relations with all the different kingdoms/States in these countries. These contacts evolved into a relationship based largely on trade and the passage of pilgrims from China to India (then homeland of sacred Buddhism) and gradually formalized into a relationship at the official level which followed the pattern then acceptable to overlord and rule (Tributary states). "China was seen as the leader, the law giver, the source of art and culture within her orbits" (Fitzgerald, 1973 : page 3). Hence those who were closer geographically were expected to conform more closely to the system in place, as it was the case with Vietnam and Korea; those further away were recognized as being more alien, and were not required to borrow or adopt so many of China's ways, but simply being subjected to tributes and suzerainty.

The system, dubbed "Sino-centric", did not weight harshly on any states or kings. When a king wanted the prestige of China's friendship, to oversee a rival for example, he would send a tribute mission to the emperor, and received more luxury presents in return. The strength and magnitude of the system heavily depended on China's domestic situation. When powerful and united, its influence would be felt more strongly. When governed by a weak dynasty and riddled in civil wars, the system would be forgotten.

The arrival of Western powers destroyed that system in the region as Western colonialism spread. Although China herself was not colonized, she turned into a semi-autonomous state, riddle with warlords and "bullied" by Western powers that kept taking more of her territories and sovereignty during the two centuries preceding WWII.

The "revival" of China and its consequences for Southeast Asia

The achievement of independence by the former European colonies of Southeast Asia and the coming to power of the Chinese communist regime were contemporary events, as they took place within the first decade after the end of the Second World War. Hence a new Southeast Asia was confronted with a reborn China and the new set of policies instigated by both side in this transition period that mark the rebirth of relations between the two geo-political entities. According to C. P. Fitzgerald, two important set of ideals are to be taken into account to

understand the Cold War period ((Fitzgerald, 1973 : 3). From the perspective of *China*, one could evoke a whole set of old ideas and memories of imperial past. What was rightfully her had been taken away by Western imperialist powers. One could claim that China has her historical “rights” in the region but these, if implemented, would lead head on to conflict with the newly independent and nationalistic peoples of the area and, therefore, cannot be applied peacefully.

As for the newly independent nations of *Southeast Asia*, the old fact is the simple geographical reality that China is there, very large, very powerful and even more so potentially and cannot be conjured away. Also to be taken into account is the large Chinese minorities present in those countries, usually economically strong. However, despite the fact that the colonial powers withdrew from the region, the context of the Cold War affected heavily relations in the region during the whole period. Southeastern countries sought and received the help of the US in their fight against the communist movement, actively supported by China. A series of wars between China and her closest neighbors (Sino-Indian war of 1962, Sino-Vietnam War of 1979 etc) enhances the fears that China, as a revolutionary power, sought to destroy the system in place in Asia to her benefits. A shift in position occurred in the late 1960s when China received American/Japanese support in her struggle with the Soviet Union, but the situation remained unsettling for the Southeastern countries who formed the ASEAN on August 8, 1967, as a mean to check the “domino effect” (term used to describe the successive fall of States into communism) in Asia and counterbalance China, should the need arise.

Post Cold War development and relations

The end of the Cold War provided a policy environment, in many ways more favorable to the development and articulation of a foreign relations outlook based on uniquely Chinese policies. This led to the expected and actual rise of China’s power in a regional context, which during the 1990s was less constrained by outside powers than at any time during the 20th century. To some extent, therefore, this was simply a matter of China’s relative regional weight being increased by the almost total withdrawal of Soviet and the partial redraw of American power from the region” (Buzan, 2003 : 143-173). From the Chinese perspective, such peripheral security was essential if China was to modernize its economy and, in so doing, provide for the welfare of its people.

However, the basic questions remain. What are China’s intentions in light of history? In what way ASEAN should try to engage a growingly powerful China? Can a mutually beneficial relationship be established?

The first important element in understanding China’s policies in the region is to accept the fact that, as of now, she is not a *revolutionary power* bound on destroying the regional system in place (the way Hitler’s Germany did in Europe) but a *dissatisfied power* with *limited aims*, that has entered the international system (with an active involvement in the UN and more recently the WTO), seeking minor changes in the system in order to better suit her interests.

“Since 1989, China has begun to focus on surrounding area (*Zhoubian*) diplomacy, which entails establishing a broad range of relations with neighbors” (Chin 2005 : 2). The Open Door policy of the 1980s led to a more important level of “engagement” between China and other neighboring states, while in the meantime, a corresponding diminishment of ideological interpretation of international relations occurred (in other words, ideology was counterbalanced by a more pragmatic approach favored by Deng Xiaoping). In the following decades, China’s practical engagement with the other states accelerated. In particular, China moved towards developing better relations with southeast, south and central Asian states. “Of particular

significance is China's gradual acceptance of a multilateral approach towards Southeast Asia" (Hughes, 2005 : 119-135) a shift away from strict bilateralism towards acceptance of the utility of multicultural dialogues with regional groupings and use of "soft power". Chinese foreign minister Qian Qichen's call in 1991 to strengthen ties for the mutual benefit of both sides is a perfect example of the political will behind that shift (Chin, 2005 : 4).

The more complete and thorough way to achieve a study of China-ASEAN political/economic interaction is to think in term of concentric circles. "At the innermost circle is bilateral cooperation between ASEAN and China. This is encompassed by the broader ASEAN and China interaction through the APT [ASEAN Plus Three] processes in the middle, with ties forged in the ASEAN Regional Forum forming the outmost circle" (Chin, 2005 : 48)

II. Relations between ASEAN and China

1. Bilateral relations

CHINA- ASEAN Bilateral Relations dialogue was formalized when China became a full dialogue partner of ASEAN in 1996. For five years before that, China had only been a consultative partner of ASEAN, as the two parties began consultation on closer political and security problems as well as setting up committees to explore closer cooperation on economic and trade as well as collaboration in science and technology. Following 1996, both side created the China-ASEAN Joint Cooperation Committee (AJCC), whose task is to coordinates all forms of cooperation between ASEAN and China, an organization run by the general secretary of ASEAN and the Chinese ambassador to Indonesia. In forging these deeper relations, both sides are evidently seeking to advance their own political and economic interests. What are their respective domestic and international considerations?

We have already stated in our historical review that, on the ASEAN side, the geographical reality of a powerful China cannot be evaded today as it couldn't 50 years ago. Many countries have thus been keen on keeping good bilateral relation with China. If we consider that historically, ASEAN was formed to resist communists instability in the region, such moves is a demonstration of the changes that have occurred in the region since then. The Chinese economic growth also plays a big role in defining Southeast Asian countries policies. To take advantage of this growth –and to check its potential impact on the Southeast Asian economies- ASEAN and its member states have begun negotiations to conclude a series of economic and financial agreements. Militarily, China strength is likely to grow and increasingly develop its capabilities to project itself into the surrounding areas, through its expanding blue-water Navy (difficult to predict due to lack of insight in China's military spending). Her push into space, illustrated by this year missile test will give China an important tool for surveillance and intelligence gathering, as well as improve nuclear capabilities. China has a big and growing regional advantage upon its neighbors, hence their attempt to "bring her in".

From China side, "The traditional form of power balancing thought alliance is entirely absent from Chinese discussions of multi-polarity. This can be seen when Chinese commentators claim that poles are centres of international power that are not necessarily alliances" (Hughes, 2005 : 123) Chinese leaders and scholars are well aware of the crucial distinction in post Westphalia and US neo-realism, based on the balance of power; hence any of its "strategic partnerships" is specifically not directed at any third party. The US remains the only state in the region with

capabilities to hinder China's activities. As of now it is concentrating on its "war on terror", but the PRC leadership has fears for when the US will turn its attention back on Asia. China has by now recognized the value of ASEAN as a collective organization, in realizing its own vision of a multi-polar and stable regional order, that is no longer centered on the United States. Cultivating stronger, peaceful links with ASEAN and keeping the region peaceful is a way to achieve those objectives. The region economic potential is another aspect that China considers important. In the past few years, China was adamant about the creation of a free trade area, a call renewed during the 2000 ASEAN meeting in Hanoi¹.

2. The ASEAN+ Three Framework (APT)

The second circle, known as APT or ASEAN Plus Three (ASEAN +China, Japan, South Korea) is an informal summit among the different leaders of these East Asian countries. Seen as a reaction to the 1997 financial crisis in Asia and criticisms about the apparent lack of coordination shown at the time, the APT has the purpose to deepen the cooperation among these East Asian States. This, in order to make them more capable of dealing with a similar situation, if one was to happen in the future. Activities have focused on economic and financial cooperation, although it is expanding in other sectors as well. Three main goals of APT have been identified in 2000 by the economic ministers of the thirteen countries (Chin, 2005 : 52):

- Strengthening efforts in accelerating trades, investment and technology transfer.
- Encouraging technical cooperation in information technology and E-commerce.
- Strengthening small and medium sized enterprises and supporting industries.

Particularly important is the trade between the two sub-regions (Southeast and Northeast Asia) that is booming. It grew by 27.5 % between 1999 and 2000, reaching US\$ 201.7 billion (Chin, 2005 : 53).

For the past few years, the leaders of East Asian states have also agreed to study the possibilities of creating an East Asian Summit to further institutionalize APT, establish an East Asian Free Trade Area and eventually unify the region politically as well as economically. China, as we have seen, has been pushing in that direction as it would open a new, gigantic market with an estimated population of 1.7 billion people.

The ideal of a "Greater China" deal with Chinese communities in Hong Kong, Taiwan, Singapore and elsewhere may still be alive, taking into account the leading role these communities took in promoting trade with and investment in China, thus deepening the economic interdependence between Northeast and Southeast Asia. Such a development could also provide an opportunity to integrate ASEAN further. Yet, China cannot overlook the need to manage the acute sensitivity of her neighbours and "to maintain relations with as many states as possible in order to constrain American Power under a global system defined by the struggle between "one superpower, many great powers" (Hughes, 2005 : 127).

3. The ASEAN Regional Forum (ARF)

As of today, the ARF remains the unique official multilateral forum for political and security dialogue in the Southeastern region. It was initiated by ASEAN out of a desire to possess a

¹ ASEAN Free Trade Area, <http://www.aseansec.org/12025.htm>

mechanism for dealing with the diverse array of political and security challenges arising from the end of the Cold War. As we have said earlier, and in line with “China’s peaceful rise”, the pacification of China immediate/far flung periphery and zones of interests is a central concern in the management of China’s political and security relations. To achieve this, China must engage with the surrounding states and regions. Over the years, both sides have moved away from seeing each other as implicitly hostile, enabling the relationship to grow stronger, even on security matters. The most important event demonstrating that evolution came in 1996, when China became a Dialogue Partner at the ASEAN Regional Forum. “Since that point bilateral ties have broadened to include strategies as well as developing the principle for creating preventative diplomacy mechanism” (Chin, 2005 : 5). New bilateral accords have also been reached for further collaboration on non-traditional security threats and the conduct to be adopted by all parties that have interests in the South China Sea. “China quickly adjusted to the ARF, seeing the advantage in using its soft procedures to fudge conflicts” (Buzan, 2003 : 156). As the possibility of a major conflict over the South China Sea dwindles down, greater attention is paid to issues such as environment/security threats, drug and small arms smuggling as well as human trafficking. Moreover, Southeast Asia is the global center of piracy, especially in the waters of the Malacca Strait. As China depends heavily on sea routes for trade, piracy also exposes her economy to disruption (although the real impact of small pirate actions is not well known) and insecurity resulting from that threat can only be properly dealt through cooperation in the region.

As China increased its connections in the region as well as with International Organizations, it has taken the lead in developing a unified policy that would encapsulate its political, economic and strategic concerns, a clear shift away from Deng’s policy of “not taking the lead” (*Bu Dang Tou*.) Beginning in 1996, China has used the expression of a “*New Security Concept*” to express this new approach to its International Relations in the region. Premier Wen Jiabao, on 2 November 2002, stated: “Traditional and non traditional threats are interwoven and make the security situation a lot more complicated... We should proceed from the larger interests of Asia’s development, cultivate a new security concept featuring mutual trust, mutual benefit, equality and cooperation” (Saiget, 2002 : 2). The promotion of the New Security Concept does have a number of implications for the regional political and strategic outlook in China’s relations with ASEAN (Chin, 2005 : 7-8):

- First, its articulation indicates that China’s engagement in Southeast Asia is part of a larger, long term strategy.
- “Second, China is viewing the development of its relations in the ASEAN+1 and ASEAN+3 contexts primarily through the lens of national self-interests and less in terms of region-building” although this emphasis can be expected to change.
- Finally, although foreign economic relations and trade agreements will push forward the bid to create a more prosperous environment for China, political and strategic ties are needed to stabilize the border zone, without which the domestic economic development would be jeopardized.

III. Major regional issues

Since the economic crisis of the late 1990s, the members of ASEAN as well as other Northeast Asian countries (China, Japan, Korea, Taiwan etc) have again experienced rapid

economic development, deeper intra-regional economic ties and better institutionalized security relations, within the ARF framework. China-ASEAN peaceful bilateral ties have enabled the region to prosper. However, despite the ameliorations and apparent willingness of the two parties to work together in pursuit of their respective agendas, certain questions and issue remain on the table and are sources of frictions between individual members of ASEAN and China. All the countries in the region, China at their head, are in the process of modernizing their military hardware. Furthermore, a shortage of resources has aggravated territorial dispute in certain areas, the best example being the South China Sea. Hence, despite huge progress and opportunities for cooperation, there are still many destabilizing factors.

We will begin by the **security** aspect of the question. To many ASEAN members the South China Sea problem is the biggest threats due to the numbers of States and the stakes involved, in particular the sharing of the apparently huge energy deposit or “Black Gold” that is regarded as vital to the economic development of the countries of the region. Such a difficult and vast subject will be touched only briefly in this essay. Covering about 3.5 millions squares kilometers, the South China Sea is dotted by small islands, reefs, and uninhabitable rocks. Divided in groups, the Pratas are claimed by China, Taiwan, and Vietnam, whereas the Spratlys are claimed by the former three as well as Malaysia, Brunei and the Philippines. Japan, the USA, India and South Korea are also involved in the dispute. Any conflict in the area would also affect other World Powers because of the major sea lanes present in the area, linking Asia to other foreign markets. “It is because of these competing claims, mostly between States with a history of animosity, and a willingness to deploy armed forces that the Spratlys Islands have been described as one of the potential Flash point in Asia Pacific” (Chin, 2005 : 212) . In fact, there has been a recent militarization of the region as each country has improved its armed forces capacities in the region. This also led to some minor skirmish between nations. In the year 1999, two Chinese’s vessels were sunk when they collided with Philippines Navy ships. Although the later treated it as a mere “accident”, China demanded compensation. This strained relations between the two countries and deepened suspicions around the region as to China’s future intentions. China’s economic growth also increased ASEAN apprehension over China’s eventual role in the region as she reaches her full economic potential and develops a more advanced weaponry system. This will widen the gaps between China and her neighbours and, given the lack of transparency in China’s military spending, may heighten their mutual suspicions.

ASEAN Regional Forum binds both Japan and China into a regional institutional framework. This allows Japan to address its historical problem with the region, China to address the fears of its neighbors, and “both to avoid conspicuous balancing behavior towards each other” (Buzan, 2003 : 155). However, the presence of Japan is also a problem due to frequent friction with China/Korea, in part for historical and other reasons. Tensions inside ASEAN are quick to arise when questions of security are concerned. The preferred option is of engaging China diplomatically by building a regional international society. In the mean time, maximizing the engagement of outside powers in the region and trying to expand an ASEAN style security regime for East Asia is being pursued. The US presence in the region also creates tension among member countries of the ARF between those who would like such a presence to be diminished and those, especially Japan, who prefer to keep the US engaged in the region to balance China, a balance that they are unwilling to provide themselves. An example of this pro-US policy is the recent “Right of visit” agreement signed between the Philippines and the United States enabling US Navy forces to harbor in the Philippines. But other ASEAN member countries show a tendency to appease China, or not to resist its provocations, and are not supportive of maintaining a US military presence in the region.

At the **economic** level, both China and ASEAN are competitors for goods and services in many different sectors of industries and they compete harshly against each other for foreign direct investment (FDI). Inflow of investment has greatly helped China's economic growth over the past decades. However, among many ASEAN countries, this capacity to attract and absorb such a sustained amount of international investments in sectors such as machinery and textile is viewed as a serious loss for them. According to Malaysian Prime Minister Mahathir Mohamad "China is an economic threat to Southeast Asia. It is a threat in terms of attracting foreign direct investment, and it's going to be a threat to Southeast Asia's World Trade."²

Given the enduring problems of the South China Sea and Taiwan, the sensitive position of the economic role of ethnic Chinese communities in South East Asia, and the shadows and uncertainties of China's domestic politics, it is important to understand that Beijing multilateralism in Southeast Asia cannot be separated from the rising of Chinese nationalism. "Indeed, some of these problems may become even more complex for the Beijing leadership to handle as multilateralism develops" (Buzan, 2003 : 123). Economic integration under the China-ASEAN Free Trade Area, for example, is creating a different kind of pressure as it represents a shift away from the commonly established policy of non-interference in the domestic affairs of Southeast Asian states. In fact, China may now be tempted to use ethnic Chinese in the region as an economic, political and cultural interface between China and ASEAN. There has been tension before, as the Chinese minorities were accused of "stealing" all the work and riches of the local populations, leading to riots, for example the 1998 anti-Chinese riots in Indonesia³. China, due to her new status and domestic nationalism, is now expected to support her citizen abroad: the recent case of Chinese/Italian clashes in Milan are a perfect example of this.

Conclusion

In conclusion, we can say that China and ASEAN have so far engaged successfully each other and created a "pole" in International Relation in the region. History has shown us that it is not new, as China and Southeast Asian countries started to interact with each other over 2000 years ago, at different levels and with different intensities over the centuries, in a Sino-centric system. Taking this legacy into account could help clarifying China's current intentions in the region. This applies to both ASEAN and other world/regional powers, such as Japan and the USA. Even more so with the revival of China after WWII, since her growing power and aggressive behavior, during the Cold War period, already led to a series of conflicts with her neighbors. However, after the end of the Cold War, China has benefited from a policy environment, in many ways more favorable to the development and articulation of a foreign relations outlook based on uniquely Chinese policies. Hence it has engaged ASEAN in a regional dialogue over the past decade. Both parties have followed their own agendas during that time and at different level of cooperation. From the Chinese perspective such peripheral security/dialogue was essential if China was to modernize its economy and sustain economic growth. Hence the ideal of a "peaceful rise". It also followed multilateralism in the region as a mean to softly counterbalance US influence in the region. ASEAN, for his part, seeks to engage and involve China, in order to benefit from the Chinese economic growth and appease its claims, while in the meantime keeping "exit" strategies by supporting (although with some reluctance) the USA

² The Politics of Post-Crisis China-ASEAN Economic Relations. www.iuj.ac.jp/research/wpap02-3.pdf
Page 4/5

³ Chinese diaspora: Malaysia. Jonathan Kent, BBC News, Kuala Lumpur, Thursday, 3 March 2005,
<http://news.bbc.co.uk/1/hi/world/asia-pacific/4308241.stm>

presence in the region. In brief, several issues remain, some dating back from WWII (Taiwan, Japanese war guilt etc) and other more recent (territorial claims in the South China Sea). Such "Flash points", although not likely to erupt into violent confrontations, still present a menace for the security of the region. Growing concerns over China's military spending have not helped diminish the concerns of smaller ASEAN countries. At the economic level, despite being partner and benefiting from each other opportunities, strains have occurred due to the greater appeal of the booming Chinese economy and market to attract foreign investment. This has reduced the flow of much needed foreign capital into South East Asian countries' textile and other industries, that form the backbone of their economy. As China's economy keeps growing, such strains might intensify.

We can wonder at the future of the relations between China and ASEAN. The most important interrogations concern China's future behaviour. What will be her policies once it has reached her full pick of power, accomplished her goal of modernization of the economy and society (the aim is year 2050)? Will it take a more assertive stand in the region by switching to "hard power" (coercion through diplomatic/economic and military pressure)? What will be the consequence, if on the contrary China collapses under the strain of the economic growth and domestic unrests? Moreover, the role of the USA cannot be ignored. The USA is now engaged in the "war on terror", but the day will come when the US administration will once again look East. Despite the opportunities for cooperation, what will be the reaction of the USA? Will they accept a Chinese hegemony in the region? Finally what of the ASEAN way? Will it be sustainable under such pressures, or will the lack of strong institutions, like those of the EU, prove fatal? Will its policy of engaging China work, or will it fall apart as individual states seek US protection?

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Comment le terrorisme a-t-il modifié la mise en œuvre de la sécurité dans le monde?

Valérie Gingras

Durant la Guerre froide, la principale menace à la sécurité nationale et internationale résidait dans la possibilité d'un affrontement entre les deux blocs et dans l'éventualité de l'usage de l'arme atomique. Au cours de cette période, les menaces à la sécurité étaient donc relativement bien circonscrites puisqu'elles se situaient dans un cadre politique classique, c'est-à-dire au sein des relations interétatiques. Alors que depuis l'établissement du système westphalien d'équilibre des puissances, l'ennemi par excellence était, soutient Raymond Aron, « l'État qui risque de dominer les autres » (Aron, 1984 : 137), avec la fin de la Guerre froide, le danger global a laissé place à diverses menaces de moindres ampleurs, imprévisibles et de provenances multiples. Parmi ces menaces, surtout depuis les attaques du 11 septembre 2001, le terrorisme semble être le plus structurant dans la redéfinition de la sécurité internationale post-Guerre froide. L'OTAN identifie entre autres aux articles 10 et 13 de son *Concept stratégique de 1991*, les conséquences négatives qui pourraient découler de problèmes économiques, sociaux ou politiques, les guerres civiles et religieuses, la prolifération des armes de destruction massive et les actes de terrorisme et de sabotage. En ce qui concerne la menace terroriste, elle peut se situer au niveau étatique, c'est-à-dire entre un État spécifique et sa population dans le but d'entraîner des changements sociaux ou l'indépendance du territoire (Jeanclos, 2004 : 16), ou bien au niveau transnational. Ce dernier type de terrorisme est particulièrement intéressant puisqu'il a amené une modification de la mise en œuvre de la sécurité et ce tant au niveau national qu'international.

Le terrorisme global s'organise autour d'unités décentralisées et spécialisées qui se situent partout sur la planète. En plus d'être multinational, le terrorisme utilise des ressources matérielles et humaines qui sont pratiquement indétectables, se dissimule à travers Internet par le biais de sites ouverts, ne tient pas compte des frontières, réussit à déjouer les systèmes de protection et de contrôle des États en usant de leurs faiblesses, et se déplace et se reconstitue très rapidement en cas d'atteinte à ses mouvements (Jeanclos, 2004 : 19-29). La montée du terrorisme global constitue une menace difficilement identifiable puisqu'elle se dissimule au sein de la population elle-même, soit nationale ou étrangère. Ce phénomène n'affecte donc pas seulement la mise en œuvre de la sécurité internationale, mais transforme aussi les rapports de l'État à sa propre population via un resserrement des mesures de sécurité publique. C'est donc pourquoi dans ce texte, ce changement sera examiné d'abord sur le plan national pour ensuite être examiné du point de vue de la sécurité internationale.

1. Changement dans la mise en œuvre de la sécurité publique au niveau national

Tel qu'il a été mentionné plus haut, le terrorisme introduit une nouvelle dynamique dans la mise en œuvre de la sécurité publique puisque l'État n'a plus seulement à assurer sa défense face à d'autres États, mais également face à une attaque éventuelle provenant de groupes de sa population ou d'une population étrangère. C'est ce qui s'est produit le 11 septembre 2001 lors de l'attaque contre les tours jumelles par des terroristes étrangers en sol américain. Face à ce phénomène, les États ne peuvent pas utiliser les méthodes traditionnelles militaires et diplomatiques qui leur permettaient d'assurer la sécurité publique. En effet, la stratégie « défense/dissuasion/coercition » ne constitue plus une réponse adéquate au terrorisme puisque

celui-ci ne constitue pas une cible physique et circonscrite, mais se présente comme un adversaire nébuleux et difficilement localisable. Celui-ci a essentiellement « recours à des moyens physiques et mécaniques destinés à imposer, par la terreur, une transformation de la vie sociale et politique des populations [et se présente] comme un adversaire de la société étatique ou internationale [...] d'autant plus redoutable qu'il n'accepte aucune solution négociée avec les pouvoirs politiques organisés [et qu'il] recherche la victoire quel qu'en soit le prix en vies humaines et en destruction de toutes sortes.» (Jeanclos, 2004 : 14, 37) De ce fait, les États sont déstabilisés et ont dû mettre en place de nouvelles stratégies afin d'assurer leur sécurité nationale. Dans cette optique, le 11 septembre constitue une date charnière dans l'imposition d'un nouveau degré de contrôle et d'un changement dans la mise en oeuvre de la sécurité. La mise en œuvre de la sécurité face au terrorisme repose désormais sur l'idée de « prévention/préemption » qui vient imposer un nouveau cadre stratégique au niveau politique et militaire. (Grondin, 2006 : 47) Cette nouvelle stratégie s'est entre autres traduite par l'adoption de mesures de protection de même que par la mise sur pied d'une stratégie de prévention qui s'appuie sur l'adoption de lois dans le but de resserrer la surveillance des personnes afin d'assurer la sécurité des États et de leurs citoyens (Jeanclos, 2004 : 38).

Au niveau des mesures d'ordre internes, les États vont préconiser des mesures telles qu'un « renforcement de la sécurité aux frontières, dans les avions, dans les autres transports publics, dans les expéditions par cargo, de même que de plus grandes restrictions sur les visas et l'immigration, des mesures de lutte contre le blanchiment d'argent, des efforts pour améliorer le partage international de renseignements et la coopération à travers les agences d'exécution des lois, et des alertes et exercices très fréquent » (Ferguson et Roseneau, 2004 : 623). De plus, les États vont tenter de prévenir des attaques terroristes par la mise en place de mécanismes juridiques, policiers, militaires ou monétaires. Par exemple, au niveau militaire, le Canada va opter pour un rappel immédiat du personnel militaire en congé et l'enrôlement additionnel de 2000 personnes afin de soutenir la coalition internationale anti-terroriste et il va également augmenter le nombre d'avions de combat et les mettre sur le pied d'alerte. Aux États-Unis, suite aux attaques du 11 septembre, l'administration américaine a modifié son concept de défense du territoire (homeland defence), qui mettait au centre des priorités les armes de destruction massive, pour adopter le concept de sécurité du territoire (homeland security) qui va désormais mettre l'accent sur des menaces non-conventionnelles, menaces au sein desquelles le terrorisme occupe une place centrale (Hassan-Yari et Ousman, 2004 : 92).

L'émergence du terrorisme va également amener les États à adopter une stratégie de prévention plutôt que de dissuasion. Cette stratégie va s'appuyer sur un resserrement de la surveillance via une collecte permanente de l'information et l'adoption de plusieurs projets de loi. Les événements du 11 septembre 2001 ont fourni au milieu de la sécurité l'occasion de faire des pressions afin que la surveillance soit resserrée dans le but de mieux assurer la sécurité de l'État et de la population nationale. Dès ce moment, on va alors assister à une intensification et à une expansion des formes de surveillance étatique sur les individus, légitimées au nom de la lutte au terrorisme (Aggerty et Gazso, 2005 : 169). Ils plaident que l'augmentation de la surveillance pourrait aider à identifier et à capturer les terroristes avant que ceux-ci parviennent à commettre d'autres attaques terroristes. Dans cette optique, les États vont entre autre procéder à une intensification de la collecte permanente d'information et recourir à des institutions privées ou publiques qui n'ont pas de caractère politique ou des institutions administratives avec lesquelles les citoyens ont des contacts fréquents. Ce sera par exemple le cas lors de l'acquisition du permis de conduire ou du passeport ou encore lors d'emprunt dans une institution financière. « Each of

these unremarkable acts produce a record which forms part of our “data double” ; the electronic, visual or documentary trace of ourselves that we leave behind in our encounters with modern institutions.» (Aggerty et Gazso, 2005 : 172)

Ce resserrement de la surveillance va aussi s'appuyer sur l'adoption de nouvelles mesures législatives qui augmentent le champ d'action de la surveillance même. Par exemple, aux États-Unis, cela va se traduire par l'adoption du *Patriot Act*. Cette loi va introduire des changements législatifs dans l'utilisation des nouvelles technologies d'informations par le gouvernement au niveau du processus de collecte, de diffusion et d'évaluation de l'information. Alors qu'auparavant les données étaient plutôt utilisées pour des fins sociales et visaient à prendre le pouls de la population, le *Patriot Act* a réorienté le but de la collecte de données dans une optique de surveillance de la population, au nom de la sécurité nationale⁴.

Au Canada les changements de la politique de défense se traduisent par des amendements apportés à la *Loi sur la défense nationale*, par l'adoption de la *Loi sur la sécurité publique* et par l'adoption de la *Loi antiterroriste* (loi C-36). Chacune de ses mesures visent à aider le gouvernement canadien et ses forces armées à améliorer leur capacité de protection face aux menaces terroristes (Hassan-Yari et Ousman, 2004 : 96). Par la loi C-36, le gouvernement canadien a créé « des mesures pour dissuader, rendre inopérant, identifier, poursuivre en justice, condamner et punir les groupes terroristes; [il] fournit de nouveaux instruments d'enquêtes aux organismes d'application de la loi et aux agences de la sécurité nationale ».⁵ Parmi ces mesures, on retrouve la modification aux dispositions du Code criminel afin d'élargir la définition « d'activité terroriste » et de « groupe terroriste ». On retrouve également l'augmentation du pouvoir d'enquête et de surveillance électronique par l'élimination de la nécessité de prouver que celle-ci est bel est bien le dernier recours des forces de l'ordre. Cette loi vient également augmenter le pouvoir de surveillance des agences de sécurité en leur permettant d'interroger, de surveiller, de détenir et d'ouvrir un dossier sur tout individu sans aucune autre raison que des soupçons sur une possible participation à des activités terroristes. Le pouvoir des forces policières est aussi accru, notamment en leur permettant une exception aux règles fondamentales de justice telles que la permission d'arrêter de façon préventive, de détenir une personne pour une durée dépassant 24 heures et ce, sans informer la personne du crime pour lequel elle est accusée et sans le dépôt d'un acte d'accusation formel. Enfin, le projet de loi C-44, qui vient amender la Loi sur l'aéronautique, facilite dorénavant le partage des listes de passager des vols qui partent ou qui arrivent au Canada (Bennett et French, 2003 : 7)⁶. Les États vont donc faire appel aux forces policières et aux forces armées afin de poursuivre, intercepter et arrêter les auteurs d'attentats déjà perpétrés ou ceux d'éventuelles attaques afin de contrer la menace à la sécurité nationale (Jeanclos, 2004 : 42). Dans cette optique, les États vont leur donner de plus grands pouvoirs d'investigations et de surveillance.

De tout ceci, on peut donc constater que la mise en œuvre de la sécurité nationale a subit des changements importants avec l'émergence du terrorisme. En effet, ce phénomène a amené un changement fondamental du rapport de l'État à sa propre population, qui est souvent considérée comme un foyer potentiel de groupes terroristes. Par conséquent, l'État en est venu à adopter des

⁴ Information Technologie and Surveillance, p. 480-482

⁵ http://www.justice.gc.ca/fr/news/nr/2001/doc_28217.html

⁶ Voir également MINISTÈRE DE LA JUSTICE, (2001), *Sanction royale du projet de loi C-36 : Loi antiterroriste*, Gouvernement du Canada, consulté sur Internet: http://www.justice.gc.ca/fr/news/nr/2001/doc_28217.html.

mesures de protection et de surveillance contre sa propre population et sur son propre territoire, le tout dans le but présumé de garantir la sécurité nationale. Il y a donc une application nationale de la stratégie de prévention apparue au lendemain des attentats du 11 septembre 2001. Ce qui fait en sorte que, dans le contexte post-Guerre froide mais surtout suite au 11 septembre, le niveau national s'insère de plus en plus dans la mise en œuvre de la sécurité internationale. Autrement dit, il constitue le pendant interne des modalités internationales de la sécurité. Examinons maintenant les impacts du terrorisme au niveau international.

2. Changement dans la mise en œuvre de la sécurité au niveau international

Au niveau international, on constate également que la menace du terrorisme donne une nouvelle dimension à la mise en œuvre de la sécurité. En effet, face au terrorisme, il ne s'agit plus d'user des moyens traditionnels de défense et d'être en possession d'une armée suffisamment forte et sophistiquée pour dissuader l'ennemi. L'augmentation de la capacité offensive et défensive d'un État ne suffit plus pour faire face aux dangers qu'implique le terrorisme puisque la stratégie défense/dissuasion/coercition ne s'avère pas efficace. (Angrand, 2004 : 217) Les attentats du 11 septembre ont donc amené les États à modifier leur stratégie au niveau international. Dans un premier temps, on assiste à l'émergence de l'utilisation des guerres préventives afin d'arrêter les acteurs terroristes et les États qui les tolèrent, les abritent ou bien les soutiennent. En effet, le président américain George W. Bush a annoncé le 2 juin 2002, devant l'Académie militaire de West Point que les États-Unis ne peuvent plus accepter que le terrorisme les frappe encore, soit de façon directe sur le territoire américain soit par le biais d'attentat perpétré contre des ambassades, des unités navales ou des garnisons américaines qui se situent à l'extérieur du pays.

Afin de combattre le terrorisme, il déclara que les États Unis n'avaient d'autre choix que de modifier leur stratégie de défense et que son gouvernement allait désormais tenter d'enrayer les menaces à la sécurité par le biais d'action préventive. (de la Gorce, 2002 :10) Par action préventive, il est ici entendu que le gouvernement pourra attaquer un autre État qu'il définit comme étant ennemi, indépendamment du fait qu'il ait ou non proféré ouvertement des menaces contre les États-Unis. De plus, les États-Unis déclarent que l'action préventive sera également possible même si la menace n'est pas absolument certaine. (Hammon, 2006 : 97-99) On constate donc que la force militaire ne sera plus seulement utilisée pour répondre à une agression mais plutôt pour tenter de la prévenir et ainsi éliminer les menaces à la sécurité. (Hammon, 2005 :100) Afin de combattre le terrorisme, il est donc essentiel d'agir avant, durant et après les crises afin de prévenir de telles attaques et pour protéger l'intérêt national (Grondin, 2006 : 46). Ce changement de politique constitue un changement important dans la mise en œuvre de la sécurité internationale puisqu'il vient modifier les principes traditionnels qui prônent la négociation, le respect mutuel des alliées, de même que le principe de dissuasion face à l'ennemi. Alors que, de règle générale, les États doivent s'abstenir de faire la guerre et l'utiliser seulement de façon auto-défensive (Charte des Nations Unies art. 2.4), les défenseurs de l'action préventive soutiennent que l'avènement du terrorisme modifie la façon de mettre en œuvre la sécurité et justifie des attaques préventives et non défensives.

D'un point de vue plus général, les États vont aussi faire appel aux organismes internationaux tel que l'ONU et l'OTAN afin d'établir un consensus sur les moyens à utiliser contre cette nouvelle menace et, par conséquent, redéfinir leur mission afin de maintenir et

d'assurer la sécurité internationale. Par exemple, en réponse aux attentats du 11 septembre, l'OTAN a été appelée à contribuer à la lutte contre le terrorisme en menant des actions militaires en Afghanistan, dans les Balkans et en Méditerranée. De plus, ces organismes vont développer une série d'initiatives, mises en œuvre par le biais de plans d'action et censées assurer une meilleure sécurité pour les États et leurs citoyens. Face à une menace aussi imprécise que le terrorisme, la mise en œuvre de la sécurité doit désormais passer par un renforcement de la coopération entre pays. Pour mieux se défendre, il est nécessaire qu'il y ait un renforcement de la coopération et la coordination des efforts au niveau régional, national et international dans des domaines allant du renseignement aux plans civils d'urgence, afin d'avoir une action mondiale concertée face à ce phénomène. De plus, selon l'article 3 du Plan d'action du partenariat contre le terrorisme de l'OTAN, il est nécessaire que les États prennent tous les moyens qu'ils ont à leur disposition pour identifier et accélérer le partage d'information pertinente sur les actions, les mouvements ou les réseaux terroristes. Ce même plan énonce, à l'article 7, que les États se doivent de coopérer dans des domaines tels que les consultations politiques, la planification des forces et de la défense, la défense aérienne, le contrôle de la sécurité des frontières, l'élimination des ressources qui financent le terrorisme et bien d'autre encore.⁷ En ce qui concerne l'ONU, elle abonde dans la même voie. Celle-ci a mandaté le Conseil de Sécurité afin que celui-ci assure le maintien de la paix et de la sécurité internationale face à la menace terroriste. Ce mandat renforce le rôle de législateur international du Conseil de Sécurité, qui est de plus en plus porté à « déterritorialiser et désétatiser les destinataires de ses résolutions coercitives » (Tercinet, 2004 : 63). Le Conseil de Sécurité a adopté la résolution 1373 qui contient des mesures similaires à celles adoptées par l'OTAN.

Enfin, les États vont avoir recours à des organisations policières internationales comme INTERPOL, de même qu'à leur propre forces de l'ordre et à leurs armées, qui seront appelés à collaborer avec celles des autres États afin de prévenir et d'endiguer le terrorisme. Ces organisations ont pour objectif d'accroître les échanges aux niveaux de l'information que chacun des États dispose sur les groupes terroristes, leurs membres et leurs activités, afin de faciliter l'identification et le démantèlement de ces groupes. Dans cette optique, « INTERPOL recueille, stocke, analyse et échange avec ses pays membres des informations sur des individus et des groupes d'individus suspects, par l'intermédiaire de I-24/7, son système mondial de communication policière sécurisée. L'organisation coordonne aussi la diffusion de messages d'alerte et de mise en garde au moyen d'outils bien spécifiques, comme son système de notices internationales de différentes couleurs correspondant à un code ».⁸

Bien que le terrorisme ne constitue pas un phénomène nouveau, les attentats du 11 septembre 2001, dont les États-Unis ont été victime, ont eu un impact important sur la mise en œuvre des politiques de sécurité et ce tant d'un point de vue national qu'international. En effet, par le biais de cette attaque perpétrée par des individus presque sans armes et visant une superpuissance, le terrorisme aurait contraint les États à repenser leur stratégie. Tel qu'il a été démontré, la mise en œuvre de la sécurité sur le plan national a été revue dans le but de faire face

⁷ OTAN (1991) *Le concept stratégique de l'Alliance approuvé par les Chefs d'État et de gouvernement participant à la réunion du Conseil e l'Atlantique Nord*, documents fondamentaux, consulté sur Internet : <http://www.nato.int/docu/fonda/b911107a.htm>.

⁸ INTERPOL (2007), *Le terrorisme, une menace pour la sécurité mondiale*, consulté sur Internet : <http://www.interpol.int/Public/ICPO/FactSheets/TE01FR.pdf>.

à la nouvelle menace que constitue le terrorisme. Face à celle-ci, les États ont délaissé les méthodes traditionnelles que constituait la dissuasion coercitive pour adopter une stratégie de prévention. Celle-ci va se traduire par la mise sur pied d'une série de mesures de protection, mesure qui ne sont généralement pas prises en temps de paix ou dans le cas d'affrontement interétatique. La stratégie de prévention qui est désormais mise de l'avant a également nécessité une augmentation accrue de la surveillance des individus par les États dans le but d'identifier, d'intercepter et ainsi arrêter la menace avant que celle-ci ne se réalise. Au niveau international, la modification de la mise en œuvre de la sécurité se fait sentir tant au niveau des relations interétatiques qu'au niveau des organisations internationales. Sur le plan des relations interétatiques, les États-Unis par le biais de leur politique interne vont donner vie au concept de guerre préventive. Ce faisant, ils vont à l'encontre du principe selon lequel la guerre est un outil de défense. Sur le plan des organisations internationales, celles-ci vont redéfinir leur mission face à la sécurité nationale et vont adopter de nouvelles mesures afin de faire face à cette nouvelle menace. Bref, le terrorisme a entraîné toute une série de changements dans la mise en œuvre de la sécurité.

Cette série de changements en tant que faits a été l'objet de notre essai, mais la valeur de ces changements est toute à vérifier et mériterait des analyses ultérieures et plus approfondies. Tout d'abord, il reste à voir si ces changements sont adaptés à la situation et s'ils sauront réellement contrer la menace terroriste et garantir la sécurité internationale. Même si cela serait le cas et l'efficacité des mesures adoptées est confirmée, comment éviter des questions plus profondes sur le possible impact négatif à long terme de ces changements tant au niveau national qu'international, à savoir si le remède ne pourrait pas s'avérer pire que le mal lui-même? En effet, les mesures adoptées ne risquent-elles pas de militariser davantage la conduite de la politique nationale et internationale? En d'autres mots, ces mesures ne risquent-elles pas de débiliter sérieusement la démocratie et le respect des droits de la personne, tant au niveau national qu'international ?

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COMPARATIVE BOOK REVIEW

The Assault On Reason by Al Gore

and

Rumpole and the Reign of Terror by John Mortimer

Hannah Renglich

The international world order is fraught with insecurity and unrest, and within this context, terrorism has evolved as a major threat. Frequently, as in the case of the United States, argues Al Gore, responses to acts of terrorism are performed by governments acting out of fear, and often supported by misinformed populations. *Rumpole and the Reign of Terror* by John Mortimer and *The Assault On Reason* by Al Gore examine the intricacies of this fear response as contrasted with the concept of reason, expounding upon the vices of large scale societal ignorance and an implicit erosion of democracy. In combination, the two works provide an informative critical analysis of the current trends in national peace, security and human rights with greater implications for international politics.

Though they differ in presentation, the works of both Mortimer and Gore examine a central juxtaposition between fear and reason in a post-9/11 world. Each author emphasizes the importance of the conquest of the latter in order to uphold law and democracy. Through satiric reality-based fiction, Mortimer uses the principled character of Rumpole to illustrate a departure from his fear-driven peers and illuminate what seems to be the novelty of rationality in the face of blind emotion. Rumpole is resolutely moral as he attempts to uphold the law even while being criticized by his wife and colleagues, who suggest that "things like jury trials and the presumption of innocence may have been all very well in their day. But times change. History moves on. We need quicker and more reliable results. Modernize, Mr Rumpole" (Mortimer 93). In response to these ludicrous assertions, Rumpole reiterates his staunch values, claiming, "I may be ridiculously old-fashioned...but I prefer to believe Dr Khan is innocent until he's proved guilty" (Mortimer 37). In contrast to Mortimer's paragon of reason and virtue, Al Gore explicitly delineates the failings of George W. Bush, his administration, and its manipulation of public opinion as well as disregard for the institutions of democracy, resulting in the abandonment of reason by the government and subsequently its citizens. Gore's elaboration of the politics of fear is much more blatant, as he devotes the first chapter of *The Assault on Reason* to the topic, beginning with the assertion that "when fear displaces reason, the result is often irrational hatred and division" (Gore 23). In a highly systematic manner, Gore makes the argument that the Bush administration "misused fear to manipulate the political process" (Gore 26), elaborating upon the potency of imagined threats, which when conceptualized, "can activate the fear response as powerfully as would *real* threats" (Gore 31). Both Gore and Mortimer point to fear as a propelling force toward irrational behaviour, such as Bush's manufacturing of fear and deliberate concealment of factual research in the effort to drive forward the war in Iraq. In Rumpole's case, a similar fear of the unknown and presumed state-sponsored propaganda leads characters to condemn a man who has yet to stand trial, let alone to be found guilty. Though the Mortimer and Gore examine the implication of fear for different ends - terrorism and eroding democracy, respectively - each clearly does so in contrast to reason.

Tied to Gore's and Mortimer's thematic focus on fear and reason is the concept of ignorance, which Gore argues is to a certain degree the result of socialization and specific limitations of unidirectional communication media. The wife of Mortimer's protagonist is an excellent portrayal of such societal ignorance. At the same time as she constantly says Rumpole is incapable of understanding things, she herself claims that "terrorists don't need defending. What they need is locking up securely,

or at least turving out of the country" (Mortimer 25). Gore's broader explanation of this phenomenon points to the ability for opinions to be easily manufactured and commodified:

The communication between candidates for national office and American voters is currently based almost entirely on one-way thirty-second television commercials purchased by the candidates at great expense with money donated to them largely by elites, many of whom are interested in purchasing specific policy outcomes with their contributions (Gore 76)

With an understanding that media control and distribution fall to those with large amounts of wealth, Gore writes that it is "the incestuous coupling of wealth and power that poses the deadliest threat to democracy" (Gore 73). Rumpole provides a promising contrast to the 'assumed ignorant public' of Gore's conception, yet he, too, seems to be an exception rather than the rule. With the choice between money and justice, Rumpole forgoes his devoted clients, the Timsons, in favour of the Pakistani Dr Khan's case, even though it is far more controversial and much less lucrative. Around him, however, comments such as "He could always have gone back to Afghanistan or wherever it was" (Mortimer 36) and "He is not like us, Mr Rumpole....We don't blow up innocent women and children" (Mortimer 22) serve to emphasize the severe dearth of knowledge Rumpole's companions possess. Though Mortimer paints him to be the embodiment of reason itself, even Rumpole experiences moments of doubt and suspicion, asking, "Wouldn't an innocent man have boiled over with anger, raged against the authorities, damned the police and showed nothing but contempt for a country which had arbitrarily imprisoned him?" (Mortimer 31). Ultimately, however, his reason trumps all else, and as a respectable lawyer, Rumpole acknowledges, "My beliefs, one way or the other, are completely irrelevant. I shall defend him to the best of my ability" (Mortimer 135).

Though the construction of the social critiques are different in genre, both The Assault on Reason and Rumpole and the Reign of Terror point to the erosion of democracy as threatening the integrity of the state. Al Gore's systematic exposure of the Bush administration's incompetence analyzes the disappearance of participatory processes that are fundamental for democracy, deliberate secrecy, and constant alterations to the traditional power structure in the United States at the whim of the president. With regard to the deafening silence of the citizenship, Gore ascribes blame primarily to non-participatory media, suggesting that an active two-way communication system is the only one that supports democratic principles. Gore writes that "it is astonishing how little outrage is generated by each new effort to impose tighter controls over the information that is made available" (Gore 121), suggesting that the erosion of democracy is aided by the participation vacuum. Gore goes on to devote a chapter to the changing balance of power within the three arms of the American government, continually returning to the idea that anyone who dared question the growing power of the head of state would be practically denounced as traitorous. Mortimer complements Gore's indignation by simply reaffirming Rumpole's stance when rebuked, "We hardly want to get the reputation of being a thorn in the flesh of the government, do we, Rumpole?" [and he responds] 'Don't you, Ballard? Speaking for myself, I can think of no finer reputation'" (Mortimer 38). Similarly, Mortimer expresses his distaste for unquestioning compliance with the government, referring to Rumpole's offer of promotion to judgeship, saying, "To offer me such a bribe as that for betraying my dedication to the basic principles of our legal system was an insult, even in the world of political chicanery" (Mortimer 69). Ultimately, the authors' disdain for democratic disintegration in all its dimensions is clearly expressed in the dissidence of Rumpole as well as Gore's reproachful analysis of the Bush administration.

The two narratives in question provide two unique approaches to the concept of security, with relation to fear and reason, ignorance, and eroding democracy and the effects thereupon of television media and concentrated wealth and power. Yet, Rumpole and the Reign of Terror provides a more accessible exploration of the aforementioned topics due to the acerbic satirical form employed, which makes for a more entertaining read than the often repetitive and methodical analysis offered in The

Assault on Reason. Just as can be detected in An Inconvenient Truth, Al Gore has a tendency toward the self-congratulatory, while concurrently condemning his political opponents, which has the combined effect of diminishing his credibility to a degree. Nevertheless, Gore's writing is well-researched and supported by quotes drawn from a wide spectrum of preeminent scholars, which, while at times seems roughly cobbled together, ultimately serves to enhance his arguments. Mortimer's writing, on the other hand, is a fiction based heavily on reality, which lacks much literary substance or subtlety. It is an amusing story, however, in which the likable protagonist is upheld as the only voice of reason. While Gore seems distastefully to be his own protagonist within his narrative, he redeems his moral authority in part by concluding an otherwise bleak and discouraging treatise with potentially meaningful prescriptions for the renewal of a vibrant democracy. Ultimately, the two works are well-paired and provide complementary insights into systems of democracy and terrorism. When read in combination, they effectively illuminate issues of international peace and security and enable a comprehensive understanding of the current global political climate.

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HUGO CHÁVEZ AND THE BOLIVARIAN MESSAGE

Nicholas Hersh

One would be hard pressed to arrive in Venezuela and not find symbolic forms of Simon Bolívar everywhere. Be it a statue, a painting, or veneration of the *Libertador* on Aló Presidente, the weekly television program of Hugo Chávez, current President of Venezuela. Bolívar is doubtlessly considered one of the most influential figures in Latin American liberation movements. Many historical leaders have emphasized Bolívar's values, yet none so much as Hugo Chávez. Since his inauguration, Chavez has vowed to realize the dreams of Simon Bolívar through his ideology known as 21st Century Socialism.

When we titled this year's symposium as "Venezuela: From Bolívar to Chávez," we sought to bridge the current president's regime with the original *Liberatador*. Many of our panelists reflected on Venezuela's past to explain the country's current issues. This paper serves to encapsulate the perspectives on Chávez and his interpretation of Simon Bolívar's thought.

Bolívar's name is implemented in many of Chávez's programs (Plan Bolívar⁹), international organizations (Bolivarian Alternative to the Americas¹⁰) and even in renaming the country in 1999 to the Bolivarian Republic of Venezuela. Article 1 of the Constitution reads: "The Bolivarian Republic of Venezuela is irrevocably free and independent, basing its moral property and values of freedom, equality, justice and international peace on the doctrine of Simon Bolívar, the Liberator¹¹". Yet at what level does Hugo Chávez's policies symbolize Bolívar's doctrine? How does Chávez interpret the *Libertador's* vision of Latin America? This paper argues that Hugo Chávez does realize the core values of Simon Bolívar's dream of independence, yet effectuates policies that may well be disapproved by the latter, if he were alive today.

Along with several other revolutionary leaders, Simon Bolívar combined his values of leadership, popular uprisings, and liberal democratic principles to lead Latin America to independence from the Spanish Empire. He was a creative intellectual who advocated a policy unique to Latin America, American solutions for American problems⁷. In his oath, in 1805, Bolívar said "...I swear by my honour and I swear by my homeland that I will not put my arm to rest, nor my soul to repose, until we have broken the chains which oppress us by the will of Spanish power¹²." Bolívar was born a Creole in Caracas and educated in Europe, where he was highly influenced by Enlightenment philosophers such as Rousseau and Montesquieu. However, he was also a fan of federalism in the United States and the separation of powers in its constitution. John Lynch, a biographer, describes Bolívar's policy as "practical liberalism," in which institutional mechanisms were based on practical principles, not on theoretical ones¹³.

⁹ Plan Bolívar is a social welfare program to increase vaccination and food distribution in *barrios*, or Venezuelan slums.

¹⁰ ALBA is a regional organization proposed by Cuba and Venezuela as an alternative to the Free Trade Agreement of the Americas (FTAA). It is discussed further in the paper.

¹¹ Ministerio de Comunicacion e Informacion. *Constitution of the Bolivarian Republic of Venezuela*. Caracas: Anauco Ediciones, 2006.

¹² Mészáros, István. "Bolívar and Chávez." *Monthly Review* 59.3 (Jul/Aug 2007): 55

¹³ Wilson, Catherine. "The Bolivarian Revolution According to Hugo Chávez." *Foreign Policy Research Institute Summer* (2008): 530

Furthermore, Hugo Chávez believes that his mission is to rid Venezuela of the imperialist powers that shackle its development. In current-day context, however, he is referring to the spread of neo-liberalism fueled by the United States' foreign policy and US-influenced institutions like the World Bank and IMF. Chávez's condemnation of the United States is constantly making headlines, calling Bush the devil and telling the "gringos to go home."

It is because of Venezuela's struggle against neo-liberalism that Chávez has formed his 21st Century Socialism, an ideology aimed at counteracting the imperialist tendencies of capitalist countries and at creating a free Latin America. Firstly, it entails a plethora of policies, such as the creation of companies assisted by the government through management training and credit for start ups¹⁴. Secondly, the Chávez government would become more decentralized by creating approximately 20,000 *consejos comunales*, where locals would participate in councils to initiate policies¹⁵. Thirdly, Chávez has increased activity of PVDSA, the state-oil company, to fund social programs. He also required that PVDSA own at least 51% of stakes in joint ventures made with foreign investors¹⁶. A final point is Latin American integration. In 2001, Chávez rejected the United States' proposal for a Free Trade Agreement of the Americas, claiming it would only advance exploitative neo-liberal policies, and thus pitched the Bolivarian Alternative for the Americas (ALBA), along with the Bank of the South. Through these two institutions, Latin America could increase its political and economic relations with less dependency on the World Bank and the IMF¹⁷. Chavez's 21st Century Socialism is by no means limited to these characteristics, yet they prove to be the principle ones.

One major policy for Simon Bolívar was the liberation of black slaves. Slave importing from Africa was very common in Latin America, especially in Venezuela. At the time of independence, 60% of Venezuelans had African origins, and even within those classified as white, 90% of them could trace their ancestry to Africa. Bolívar promised to free the slaves to President Alexandre Petion, the black ruler of the slave-free and independent republic of Haiti, who in turn aided him in the struggle for independence of Venezuela from the Spanish empire¹⁸. At the Congress of Angostura in 1819, Bolívar distinctly pointed out his view to his contemporaries by saying "...I plead with you to confirm the absolute liberty of the slaves, as I would plead for my life and for the life of the Republic"¹⁹.

Indeed, slavery has been abolished in Venezuela since 1854, yet racial equality is still an important issue in Venezuelan life. In the name of the Libertador, Chávez claims that there are equal rights for everyone. In 1992, he led an unsuccessful coup d'état against the then President, Rafael Caldera, a representative of the power sharing agreement between the élites, known as the *puntofijo* system, that had ruled Venezuela for decades. The coup was justified on the grounds that the government was controlled by a corrupt elite, further disenfranchising the lower class. Now as President, Chávez has enacted many policies to help minority groups. One of the examples is Barrio Adentro, which establishes medical clinics in shanty towns run by Cuban doctors. Furthermore, it provides assurance of cultural identity of Indigenous peoples as stated in article 121 of the Venezuela Constitution²⁰.

¹⁴ Gott, Richard. In the shadow of the liberator: Hugo Chávez and the transformation of Venezuela. London: Verso, London, 2000. 480

¹⁵ Gott, 481

¹⁶ Gott, 482

¹⁷ Gott, 485

¹⁸ Gott, 98

¹⁹ Mészáros, 55

²⁰ Ministerio de Comunicacion e Informacion. *Constitution of the Bolivarian Republic of Venezuela*. Caracas: Anauco Ediciones, 2006. Pg 50

In his weekly television show *Aló Presidente*, Chávez commonly speaks on the oppression of the lower class by the elite and the racism the latter shows against the Afro-Venezuelans and Indigenous peoples. He has even tied the racism problematic to his message of 21st Century Socialism. Coming from a mixed-ethnic and a not so wealthy background, many Venezuelans relate better to Chávez than to previous leaders, fueling his popularity.

Yet, the Chávez's discourse has accentuated class divisions. Chávez has enhanced his popularity by attacking the privileged classes and speaking about the rise of the poor. As a result, a strong class polarization is present both in the discourse of the government and that of the opposition. For example, Globovisión, an anti-Chávez broadcast company, has characterized the President as an "Indian, monkey and thick-lipped" and his supporters as "those who go on marches because they are paid or given a chance to get drunk²¹."

While the Chávez discourse may increase class and racial tensions, it must be stated that Venezuela's history has continually suffered from this problem, even that Bolívar had ignited it. After independence of many Latin American countries, Bolívar rewarded many caudillos and higher military officers with haciendas, while troops received worthless vouchers for future entitlement²². Even before the end of the war in Venezuela, General Páez was allowed to distribute national property as he pleased, giving himself the best land. He also believed that membership in the senate could be based on a hereditary principle²³. Bolívar was actually very conscious of the class polarization happening, and though he strongly advocated equality, it was more a question of a legally enacted equality rather than a social one²⁴. As a result of the land redistribution and empowerment of caudillos, the Afro-Venezuelans and Indigenous people felt extremely marginalized. This lack of actual equality would be one reason leading to the demise of Bolívar.

In order to realize his 21st Century Socialism, Chávez has concentrated a lot of power on the executive branch of government. Over the course of his presidency, he has nationalized most major industries, particularly PVDSA, Venezuela's largest oil company and by far the biggest exporter. Chávez has revised a criminal code which imposes prison sentences up to 40 months for expressing disrespect for the President or government officials²⁵. Moreover, in February of this year, Chávez won a constitutional referendum that eliminated the two-term limit on presidential mandates, allowing him to be continually reelected. He claimed that with the two-mandate limit, he would not have enough time to fully implement the revolution. It is hard to deny the huge empowerment of the president, regardless of one's view of its legitimacy.

While Bolívar did emphasize the idea of a life-term president, his powers were to be heavily restricted. After the independence of Bolivia, Bolívar created a constitution, which stressed a centralized executive power led by a life-term president. Bolívar explained: "This supreme authority should be perpetual, because in societies without a hereditary organization, a central point is needed upon which

²¹ Cannon, Barry. "Class/Race Polarisation in Venezuela and the Electoral Success of Hugo Chavez: a break with the past or the song remains the same?" *Third World Quarterly* 29.4 (2008): 742

²² Lynch, 256

²³ Belaunde, Víctor Andres. *Bolívar and the Political Thought of the Spanish-American Revolution*. New York: Octagon Books Inc, 1967. p 181

²⁴ Mészáros, 78

²⁵ Roberts, James. "If the Real Simon Bolívar Met Hugo Chavez, He'd See Red." *The Heritage Foundation* 2062 (August 2007): 4

the other officers depend²⁶." However, he compensated by removing the ability to appoint government officials, which strengthened judicial independence and avoided absolutism²⁷. In fact, the executive branch's powers were limited to appointing members of the treasury and controlling the army²⁸.

The constitution Bolívar proposed raised serious problems and, moreover, seemed contradictory to his earlier writings. Indeed, he advocated a unified and efficient government, yet stripped the president of any non-symbolic power. However, by doing so, he recognized the need for a balance of power, even if his interpretation at this period was imperfect. On the other hand, Chávez has expanded his executive powers to even controlling the judicial branch through the personal appointment of judges.

Chávez hopes to revive Bolívar's dream of Latin American unity through ALBA, an organization based on promoting Latin American integration at the exclusion of the United States. ALBA hopes to achieve this through the creation of TVSUR, a multi-governmental television station, and by unifying oil policies of member countries²⁹. The Bank of the South, likewise an institution proposed by Chávez, is meant to create an alternative devise to stimulate Latin American financial activity without reliance on the World Bank and IMF.

We see that Chávez attempts to thwart imperialist control through institutionalized unification of Latin America. On one hand, he is reflecting Bolívar's attempt at unity through an endogenous confederation. Yet ALBA is directed by the Chávez agenda, not based on a consensus of adhering members. Plan Caribe³⁰, a Caribbean Alliance with Venezuela, can be seen as an example of this. Chávez's opposition to the neo-liberal ideology is clearly heard, and member states are encouraged to take his side. This led the President of Brazil to publicly remind Chávez that ALBA is not meant to attack an ideology, and that 85% of Venezuelan oil is exported to the USA, thus weakening Chávez's case³¹.

Bolívar's concept of unification would encompass not just commercial relations, but political and economic ones as well. Nationalism was indeed the salience of his revolution, yet he believed that national identity surpassed physical boundaries. He hoped that the Congress of Panama, an international conference held in 1826, would thus help materialize his vision of a confederation of Latin American countries. Specifically, Bolívar dreamed of a Greater Colombia, which would include Venezuela, New Granada (present day Colombia), and Ecuador³². Optimally, the confederation of these states would be run under one government, where he would be the federal president³³. In this sense, Chávez is correct to call for economic and social integration with a strong emphasis on state control.

Yet Bolívar remained very pessimistic that a confederation of all Latin American countries would abate the ongoing anarchy. In 1826 he wrote a letter to General LaMar of Peru, urging a Peruvian solution to political chaos without support of a federation³⁴." Chávez, however, lives in a period of globalization, where there is a greater interconnection of global economic activity and a bourgeoning of

²⁶ Belaunde, 243

²⁷ Belaunde, 247

²⁸ Belaunde, 247

²⁹ Altmann, Josette. "The ALBA Bloc: An Alternative Project for Latin America?" *Real Instituto Elcano* (June 2008): 4

³⁰ Plan Caribe is a mainly deal between Venezuela and Cuba where the former give extremely subsidized to free oil to the latter in exchange for doctors.

³¹ Altmann, 4

³² Lynch, 213

³³ Lynch, 215

³⁴ Belaunde, 297

non-governmental actors, who can at times be just as influential as government actors themselves. Therefore, ALBA must be able to take into account these elements of the contemporary world, in order to function properly.

Realizing the limits of a wholly unified Latin America, Bolívar therefore focused on a unification of Venezuela and New Granada, which “could form a nation that would inspire in others the proper consideration due to her³⁵.” Firstly, unity of Venezuela and New Granada (Colombia) would bring about stability, as Bolívar believed the control of the caudillos would be limited. Secondly, unity would help economic prosperity by earning respect of the United States and particularly Britain. Bolívar said that “the union of the new states with the British empire would create the most extensive, most extraordinary, and most powerful league to have appeared on earth³⁶.” Not only had Britain emerged as a commercially powerful country in the 19th century, but Bolívar had always admired much of their philosophical thought, and believed the Latin Americans could be influenced by it as well. It is true that Bolívar and Chávez exist in different time periods, but Bolívar took a practical and liberal approach to Latin American unity, whereas Chávez remains idealistic, even narrow-minded.

Bolívar once said “The most perfect form of government is that which produces the greatest degree of happiness possible, the greatest degree of social security, the greatest amount of political stability³⁷.” He showed this very clearly when he allowed caudillos to take control of the mass of the population. He believed that Latin American *pardos*, or the poor, were not ready for such liberty, and even feared that *pardocracia*, or domination of the lower-class, was just as bad as absolutism. “Until our people acquire the political virtues of our brothers in North America, I fear that popular systems of government, far from helping us, will be our ruin³⁸.” It could even be argued that Latin Americans were searching for autocracy, as without firm leadership, political disarray would engulf the continent.

Based on the above quote, perhaps Bolívar would not necessarily oppose government that incorporated socialist principles. According to a Latino Barometro poll conducted in 2007, over 56% of Venezuelans claimed they were happy with President Chavez and his social programs, the highest rating of all Latin American countries³⁹. Confronting the ever present economic crisis, Chavez may need to readapt his policy of handouts to the poor. Keep in mind that Bolívar too often needed to readapt his policy for Latin America by working with caudillos.

In fact, Bolívar had accepted the responsibility of becoming a dictator in 1828. He said “Colombians, I shall say nothing to you of liberty, because if I fulfill my promises, you will be more than free - you will be respected⁴⁰.” Bolívar reestablished military discipline. He greatly supported the Archbishop of Bogota as religious fervor would not only solidify his popular support, but would reinforce missionary activity, which he considered the only respectable aspect of Spain’s colonial policy⁴¹.

Nonetheless, he used powers very authoritatively. He banned popular societies, suspended municipal authorities, empowered prefects, and reinstated the tribute. His reign, however, did not last long, as anarchy erupted, particularly in the sanguine battling between Peru and Colombia. Losing optimism, he later wrote to the Ministry of Foreign Relations to see if US or England would intervene. In a sense, they could take “custody” of Latin America to prevent further anarchy. Even between New

³⁵ Lynch, 216

³⁶ Lynch, 217

³⁷ Belaunde, 234

³⁸ Lynch, 286

³⁹ Latino Barometro “A Warning for reformers”

http://www.latinobarometro.org/docs/LB_2007_informe_Economist.pdf (accessed May 13, 2009)

⁴⁰ Belaunde, 373

⁴¹ Belaunde, 374

Granada and Venezuela, whom Bolívar had esteemed the most ready for unification, tension accumulated. Therefore, Bolívar put aside his dream and ideals and proposed a peace deal to separate the two states.

Chávez has not yet reached the point of seeking help from those who he considers his enemies. But the political stability in Venezuela has shown signs of deterioration. In 2002, the opposition took to the streets to overthrow Chávez. He was imprisoned for three days, then reinstated. Ever since, Chávez has relied more heavily on the military to ensure not only stability, but also political progression. The armed forces in Venezuela can be found in the PDVSA, the administration of social welfare project called Plan Bolívar, and over one-third of all regional governments⁴². Bolívar too relied on military force in reaction to political degeneration. Yet he did not employ a discourse that might further exacerbate tensions. Moreover, Bolívar tried to be realistic in his plans for unification and independence. Currently, the PDVSA finances most of Chavez' social programs. However, with the current economic crisis, the price of oil has significantly dropped. Instead of initiating serious reforms to his policy, he has instead continued to attack the Venezuelan private sector and political parties supported by the United States.

So does Hugo Chávez accurately revive the memory of Simon Bolívar through his presidency? The passion and drive that Chávez expresses are indeed comparable to that of the *Libertador*. Bolívar strived to create a Latin America not only politically and economically independent, but in spirit as well. Chávez sees the spread of neo-liberal policies as a form of exploitation and oppression of Latin America.

Bolívar and Chavez are both concerned with the racial and class issues in Venezuela. Bolívar made the liberation of black slaves vital to his campaign. For Chávez and his 21st century socialism, the poor and marginalized must be empowered in order to reduce the influence of the United States. However, the racial and class tension in Venezuela is rooted in its history, and Chavez has only exacerbated it.

Their messages may be similar, but Simon Bolívar probably would have never melded liberal democratic values with socialist policies as Hugo Chávez advocates. Bolívar truly wanted a Latin America that was unified with rights for everyone. The anarchy that ensued and the rise of caudillos are testimonies to the difficulties encountered by Bolívar and indeed to the complexity of the task. In *El general y su laberinto* (1989), Gabriel García Márquez retells how Bolívar's life ended in exile. This is also supposedly Chávez's favorite book.⁴³ While this essay is not meant to evaluate Chávez's 21st Century Socialism, it is hard not to see that some of his policies seem to contradict Bolívar's doctrine of equality and independence.

41 Wilson, 525

42 Wilson 527

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DIFFERENCES OF PERSPECTIVE: AN EXAMINATION OF RACISM AND ETHNIC MINORITIES IN THE BOLIVARIAN REPUBLIC OF VENEZUELA

Katherine Hall

Throughout their history, all states must address the issues of ethnicity, culture and racism in their societies. Though states may think of themselves as ruled by a dominant culture and ethnic group, the inflow of immigrants into a state will always shift this composition and create new issues that need to be addressed. Immigration to Venezuela since WWII has added the country to the group of states in Latin America who have seen these profound changes in the ethnic composition of their society,⁴⁴ and these changes often lead to ethnic tensions and racism. Though Venezuela generally claims there is no racism to be found within its borders, a closer examination reveals that examples of racism are found in both the media and the attitudes of the elite, directed mainly at those with Native or Afro-Venezuelan blood. Though efforts have been made by the government in Venezuela, since the abolition of slavery, to improve social conditions and remove racism, issues brought to the forefront with the election of President Hugo Chavez clearly suggest that more needs to be done.

This paper discusses groups in terms of ethnicity or race. The terms 'race' and 'ethnicity' both relate to the backgrounds of certain individuals. Where ethnicity refers to a "social construction that is central to the identification of difference and sameness," race generally refers to biological differences that can be found among individuals.⁴⁵ Both are "contextual, situational, multi-vocal".⁴⁶

Racism is the other major term that will be addressed in this paper. As used by Hernan Vera, 'racism' refers to a "socially organized set of attributes, ideas, and practices that denies people of colour and ethnic minorities the dignity, opportunity, freedom, and rewards that a nation has to offer the dominant segments of the population."⁴⁷ This is the definition I will be using, but it is interesting to note Venezuelans generally use the term 'racist' in a different way, as will be discussed more in-depth later.

There are a number of ethnic groups in the Bolivarian Republic of Venezuela, due in large part to the post-WWII immigrant push. However the most apparent minority groups remain the Afro-Venezuelans and Natives. Discrimination against these two groups can be traced back to the conquest and slavery of these populations, beginning in 1496.⁴⁸ African slave-trading had a very important place in European political economy during colonization and the subsequent years, and up until 1797 it brought over 100,000 Africans into Venezuela via legal or illegal routes.⁴⁹ The mass exploitation of these individuals combined with the terrible living conditions, the belief that this was their place, the abuse

⁴⁴. Magnus Mörner, "Historical Research on Race Relations in Latin America During the National Period," in *Race and Class in Latin America*, ed. Magnus Mörner (New York: Columbia University Press, 1970), 219.

⁴⁵. Peter Wade, *Race and Ethnicity in Latin America* (Chicago: Pluto Press, 1997), 16.

⁴⁶. Wade, 19.

⁴⁷. Hernán Vera, "Local Global Racism in Latin America," in *Racial and Ethnic Economic Inequality: An International Perspective*, eds. Samuel L. Meyers, Jr. and Bruce P. Corrie (New York: Peter Lang Publishing, Inc., 2006), 16.

⁴⁸. Jesús María Herrera Salas, "Ethnicity and Revolution: The Political Economy of Racism in Venezuela," *Latin American Perspectives* 32, no. 2 (2005): 72.

⁴⁹. Herrera Salas, 74.

and the neglect they experienced built the base for racism to grow on. Native groups similarly experienced mass oppression and marginalization in forms of "everyday racism" by the elite classes.⁵⁰ As this paper will demonstrate, this discrimination has lasted for centuries, beyond the official date of the abolition of slavery in Venezuela in 1854, though attempts were made to curb it.

Venezuelans today describe themselves as 'Café Con Leche', coffee with milk, which backs up their claims to 'racial democracy'.⁵¹ This description suggests that all Venezuelans are a mixture of Native, Afro-Venezuelan and European blood, though some may have more of one than another. The positive values of this mixture are endorsed in many levels of society, and are commonly presented as the basis of cultural unity and tolerance in Venezuelan society. For example, Foreign Secretary Luis Alfonso Dávila addressed the international anti-racism congress in 2001 stating that Venezuela is a proud multicultural society because of this particular mixture of races combined with different immigrant groups, and it has "created a culture of respect for differences, which has allowed us to better handle diversity. ... Venezuela wants to ... fight against racism, racial discrimination, xenophobia and all other forms of intolerance that exist in the world."⁵² Thus, because of their shared, mixed heritage, certain idealistic segments of society would like to believe that ethnicity and racism are no longer an issue.

Combining this attitude with the idea of racism prevailing in Venezuela gives the Venezuelans the idea that racism no longer exists in their country. Latin American countries such as Venezuela generally define racism as the "virulent anti-black type of discrimination and segregation in the United States. By looking at the closed systems in the United States as the true racism, Latin Americans overlook the signs of discrimination in their own countries."⁵³ This difference in definition ignores the more subtle forms of discrimination that exist, such as not renting a room to someone of colour, moving to a different seat so as to be farther than someone of an ethnic minority, or general racist stereotypes. Additionally, the understanding of what it is to be 'black' is perceived differently in Venezuela and Latin America than in other parts of the world. Whereas North America perceives anyone with Negroid features to be black, Venezuelans only see those with dark, black skin to be black.⁵⁴ These different perceptions make comparison of cultural tolerance difficult and illusory.

A different definition of race may, in fact, lead to a general disregard for the existence of racism in Venezuela and Latin America. Hans Neumann, for instance, affirms that in Venezuela "race is not important in judging a person. [Here] racial discrimination is not a factor either in employment or in social or intellectual realms. ... Prejudice against someone because of the colour of his skin does not

⁵⁰. Teun A. Van Dijk, *Racism and Discourse in Spain and Latin America* (Philadelphia: John Benjamins Publishing Company, 2005), 151.

⁵¹. Hernán Vera, "Local Global Racism in Latin America," in *Racial and Ethnic Economic Inequality: An International Perspective*, eds. Samuel L. Meyers, Jr. and Bruce P. Corrie (New York: Peter Lang Publishing, Inc., 2006), 22.

⁵². Teun A. Van Dijk, *Racism and Discourse in Spain and Latin America* (Philadelphia: John Benjamins Publishing Company, 2005), 153-154.

⁵³. Hernán Vera, "Local Global Racism in Latin America," in *Racial and Ethnic Economic Inequality: An International Perspective*, eds. Samuel L. Meyers, Jr. and Bruce P. Corrie (New York: Peter Lang Publishing, Inc., 2006), 22.

⁵⁴. Winthrop R. Wright, "Elitist Attitudes Toward Race in Twentieth-Century Venezuela," in *Slavery and Race Relations in Latin America*, ed. Robert Brent Toplin (Connecticut: Greenwood Press, 1974), 326.

exist. This is not an obstacle here as it is in other places."⁵⁵ This general idea as it exists in Venezuelan society can be traced back to a number of historical reasons, such as "a long legal tradition of equality, the rhetoric of Simón Bolívar [as will be examined later], and the fact that Venezuelan historians, unlike their Brazilian contemporaries, showed little interest in treating the black as a separate element of society after [abolition in] 1854."⁵⁶ Promoting ideas like this leads to overlooking subtler forms of racism.

One obvious place where these claims to complete ethnic tolerance and anti-racism can easily be disproved are the media. The best example of the persistence of racist attitudes in Venezuela, following the rise of Chavez, are the "racist taunts [towards him] in the media" which also extend into everyday conversation.⁵⁷ Racism towards Native and Afro-Venezuelan groups in general has also been present in the media, though it has been subtle in nature. In general, there are "few black faces (and even less indigenous ones) in the media. Television anchor persons are invariably white or off white, and so is Miss Venezuela, among many other celebrities, except for a handful of black people who confirm the rule. ... [Additionally] blacks only appeared in at most 10% of billboards, TV programs, movies, or telenovelas, and next to zero percent as main protagonists."⁵⁸ This leads to a 'whitening' of popular culture, a representation that those who are lighter are better off and more socially acceptable. For black models it is very hard to find assignments, as their African features are generally found unappealing and lead to casting in roles such as beach party scenes, a representation of sensual bodies, music, sports, and country-style scenes with poor people.⁵⁹

The attitude of the elites is another obvious example of the persistence of racism in Venezuela. The upper class in Venezuela has been involved in the denial of rights and improvements in the lives of Afro-Venezuelans and native peoples through the whole history of the country, not just in the early days of the conquest and slavery, when the living conditions and treatment of natives and Afro-Americans were clearly degrading. Even when, at key points in the history of Venezuela, there would have been clear benefits for both individuals and the state in loosening or removing the noose of slavery, the elite resisted the change. At the very beginning of the independence struggle, in the early 1800s, for instance, when the idea of incorporating black slaves into the armed forces was proposed, which would have allowed both freedom for the slaves and man power for the army, the elites in Caracas refused to cooperate for fear of losing their slaves, which led to the victory of Spain.⁶⁰ During the first half of the 19th century, it was commonly accepted that in principle slavery was an evil thing that needed to be abolished, however few thought that this should be done immediately,⁶¹ and the process was delayed

⁵⁵. Jesús María Herrera Salas, "Ethnicity and Revolution: The Political Economy of Racism in Venezuela," *Latin American Perspectives* 32, no. 2 (2005): 72.

⁵⁶. Winthrop R. Wright, "Elitist Attitudes Toward Race in Twentieth-Century Venezuela," in *Slavery and Race Relations in Latin America*, ed. Robert Brent Toplin (Connecticut: Greenwood Press, 1974), 331.

⁵⁷. Teun A. Van Dijk, *Racism and Discourse in Spain and Latin America* (Philadelphia: John Benjamins Publishing Company, 2005), 151.

⁵⁸. Teun A. Van Dijk, *Racism and Discourse in Spain and Latin America* (Philadelphia: John Benjamins Publishing Company, 2005), 152.

⁵⁹. Van Dijk, 152.

⁶⁰. John V. Lombardi, "The Abolition of Slavery in Venezuela: A Nonevent," in *Slavery and Race Relations in Latin America*, ed. Robert Brent Toplin (Connecticut: Greenwood Press, 1974), 231-232.

⁶¹. Lombardi, 241.

until 1854. These are some historical examples, however the racist attitudes of the elite towards the Native and Afro-Venezuelan people continue to the present.

Today, the lower classes including the Natives and Afro-Venezuelans "are constantly berated by the upper and middle classes ... as 'vermin,' 'mixed-breeds,' 'Indians,' 'barefoot,' and 'rabble.'"⁶² In the early 19th century, the Afro-Venezuelans were seen as an uncultured, racially inferior group by the writings of a number of Caracas-based elite.⁶³ The white, elitist position towards them is still generally not favorable, as was demonstrated during the election and current government of President Hugo Chavez, as will be discussed below. Additionally, as the media in Venezuela have generally been dominated by the power of the elite, the racist overtones there can also be traced back to this group. The prejudices have carried on from colonial experiences, and have led to arguments that blacks are disliked as much as they are because of the continual culture of poverty they live in.⁶⁴ Though such arguments provide no justification for the discrimination, they do reveal the elite's persistent racist thinking.

It is interesting at this point to note the shifting position of historical revolutionary leader Simón Bolívar on the topic of race and discrimination. At the beginning he took the position of the current Venezuelan government, one of cooperation and equality. When recruiting troops during the wars of independence and after, Bolívar encouraged the idea of racial harmony:

"Our people are neither European nor North American; they are a mixture of Africa and America rather than an emanation of Europe. ... While we have all been born of the same mother, our fathers, different in origin and blood, are foreigners, and all differ visibly as to the colour of their skin, a dissimilarity which places upon us an obligation of the greatest importance."⁶⁵

Later in his career, however, Bolívar had mixed feelings on the question of race :

"Racial 'diversity' [was] a central impediment to 'perfect' democracy. For Bolívar, the lack of virtue of Venezuela's mixed-race population counseled against an overly representative democracy, and he advocated a strong executive and hereditary peerage. Central to his argument was the premise that all people were not in fact created equal, and that the long oppressed and racially mixed population needed education before it could enjoy full citizen rights."⁶⁶

These shifting perspectives of Bolívar suggest that he understood the use and importance of cooperation and acceptance, while manpower was needed for a successful independence struggle as well as in the afterglow of success. However, when things settled down and the elitist opinions started to seep through to Simón Bolívar, he too seem to have become less firm in his anti-racist stand.

One should stress, however, that the Venezuelan government has made great strides since the days of slavery in terms of the official position on equality and anti-racism, which has been continued by

⁶². Jesús María Herrera Salas, "Ethnicity and Revolution: The Political Economy of Racism in Venezuela," *Latin American Perspectives* 32, no. 2 (2005): 72.

⁶³. Winthrop R. Wright, "Elitist Attitudes Toward Race in Twentieth-Century Venezuela," in *Slavery and Race Relations in Latin America*, ed. Robert Brent Toplin (Connecticut: Greenwood Press, 1974), 334.

⁶⁴. Winthrop R. Wright, "Elitist Attitudes Toward Race in Twentieth-Century Venezuela," in *Slavery and Race Relations in Latin America*, ed. Robert Brent Toplin (Connecticut: Greenwood Press, 1974), 327.

⁶⁵. Wright, 333.

⁶⁶. Nancy P. Appelbaum, Anne S. Macpherson, and Karin Alejandra Roseblatt, eds., "Introduction: Racial Nations," in *Race and Nation in Modern Latin America* (USA: University of North Carolina Press, 2003), 5.

the presidency of Hugo Chavez. Every constitution since 1830 has acknowledged the equality of all Venezuelan citizens.⁶⁷ Ethnic equality was formally enshrined in the 1961 Constitution. The 1999 Constitution built on this by recognizing the territory and rights of indigenous peoples.⁶⁸ The Chavez government has also acted as a direct champion for minorities and against racism in Venezuela. Chavez came to the presidency as the representative of the poor, including the black and indigenous peoples. In contrast, his opposition is generally seen as the representatives of the elite. "We thus witness under the political conflict a combined class struggle and racial dispute, pitching poor blacks and mulattos against middle and upper class whites in an increasingly polarized struggle for power."⁶⁹ Chavez and his government have currently brought the idea of equality and non-discrimination to the forefront, and it will be interesting to see if, as time goes on, he holds to his opinions or if, like Simón Bolívar, he will shift his position as time goes on and pressures intensify.

Venezuela is a very culturally and ethnically interesting country. From its Spanish colonial roots to its current 'Café Con Leche' status, the makeup of Venezuela's citizens is always shifting with the inclusion of new groups. However, a general mixing of cultures and blood does not ensure a country will remain without racism, as the general consensus in Venezuela would like us to believe. Examples of racism towards Native and Afro-Venezuelan groups can be seen in both representations in the media and the opinions of the elite. However, it is important to note that, though there may be a difference of opinion in society in general, the government has long made efforts to ensure an official level of equality. The government of Hugo Chavez in particular has brought the issue to prominence, with his own mixed background becoming part of the debate. Though this is not an issue that can be solved overnight, it will be interesting to see if his government can bring much change to the overall opinions of those elites, who still harbour racist ideas.

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⁶⁷. Winthrop R. Wright, "Elitist Attitudes Toward Race in Twentieth-Century Venezuela," in *Slavery and Race Relations in Latin America*, ed. Robert Brent Toplin (Connecticut: Greenwood Press, 1974), 333.

⁶⁸. Teun A. Van Dijk, *Racism and Discourse in Spain and Latin America* (Philadelphia: John Benjamins Publishing Company, 2005), 152.

⁶⁹. Teun A. Van Dijk, *Racism and Discourse in Spain and Latin America* (Philadelphia: John Benjamins Publishing Company, 2005), 151.

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HOW THE WORLD BANK AND THE IMF REINFORCES THE PERIPHERAL STATUS OF COUNTRIES: THE IMPLEMENTATION OF THE STRUCTURAL ADJUSTMENT PROGRAM IN GHANA

YAW AFRIYIE

Abstract

This paper questions the neo-liberal policies of the International Monetary Fund (IMF) and the World Bank in Africa by drawing on the world-systems theory. World-system theorists argue that the international system is characterized by the exploitation of peripheral countries by core nations, and this exploitation persists because peripheral states are dependent on core states for processed and capital goods. The paper examines how the World Bank and the IMF create and reinforce this structure of exploitation with special reference to the implementation of the Structural Adjustment Programs (SAPS) in Ghana. After assessing the economic, social, political and environmental impacts of the adjustment programs, the paper ends by offering policy recommendations on how the negative effects of adjustment policies could be addressed.

Introduction

Over the past years, there has been a growing concern that Africa is falling out of the world economy. Africa has a significant percentage of the world's population, but accounts for only two percent of world trade (Mwakikagile, 1999; p.3). Africa is also a paradox: it is potentially one of the richest continents, yet it is the poorest. Since independence, most African countries have fallen so far behind other regions of the world that the gap sometimes seems to have no rational explanation. In 1995, the third world received \$231 billion in foreign investment, but Africa's share was only \$2 billion or 1 percent (p.203). Indeed, the contrast between the performance of African countries and that of other developing nations is widening. For example, in 1965, Nigeria was richer than Indonesia, and Ghana richer than Thailand. Today, Indonesia is three times as rich as Nigeria, and Thailand five times richer than Ghana (Mwakikagile, 1999; p.3). Unfortunately, the situation is worsening with poor living conditions among African people. According to Joseph Mensah (2008) "A whopping twenty-eight of the thirty-one low human development countries of the world are found in sub-Saharan Africa" (p.2).

Unsurprisingly, different theories have offered different diagnosis for the problem of Africa. Modernization theory sought to identify the conditions that had given rise to development in the first world, and specify where and why these were lacking in the third world. Inglehart (1997) defined modernization as "a process that increases the economic and political capabilities of a society: it increases economic capabilities through industrialization, and political capabilities through bureaucratization" (p.5).

Modernization theorists argued that changes must take place in poor countries in order to break the vicious cycle of poverty and low productivity. Clearly, modernization theorists believed that development required Westernizing elites, or some kind of education in capitalist values. Therefore, "the West could help speed up the process of development in the third world, for instance by sharing its

capital and know-how, to bring these countries into the modern age of capitalism and liberal democracy" (Rapley, 2007; p. 24). From this perspective, poor African countries could only catch up with the developed countries by integrating into the global capitalist system.

Nevertheless, modernization theory assumed that development is a universal process, which will bear the same results of prosperity across all states and societies. Such assumptions are highly euro-centric as the goal of the theory is to mimic the development in Europe and North America, dubbing them as models for success. Upon these criticisms, world-systems theory was proposed by Immanuel Wallerstein as an alternative explanation to modernization theory. In his own words, Wallerstein stated that he aimed at achieving "a clear conceptual break with theories of modernization and thus provide a new theoretical paradigm to guide our investigations of the emergence and development of capitalism, industrialism, and national states" (Skocpol, 1977; p. 1075). In his book "The Essential Wallerstein", Wallerstein (2000) argued that the expansion of capitalism in the world have been reconstructed under neoliberalism which continues to reproduce under new circumstances, and in new forms, the new inequalities built in its structuring of the world (p.243). In line with Wallerstein's description of the global capitalist system, this paper will ask questions such as: does the current neoliberal global economic and political system really ensure equality among poor African countries and the developed nations? How have the neoliberal policies of the Bretton wood institutions such as the structural adjustment programs maintained the peripheral status of African countries, specifically, Ghana? How can policy makers help address the negative effects of the Structural Adjustment Programs in African countries?

This paper will attempt to answer these questions by drawing on the world systems theory. In this paper, I am going to show how the World Bank and the International Monetary Fund create and reinforce this structure with special reference to the implementation of the Structural Adjustment Programs in Ghana. In order to sufficiently elaborate my argument in this paper, I will begin with an analysis of the world-systems theory. I will build on the analysis by examining the absence of the environment in world-systems theory. Then, I will critically examine the origins, nature and impacts of adjustment policies. To test the efficacy of the IMF and World Bank adjustment policies, I will critically examine the implementation of the structural adjustment programs (SAPs) in Ghana since 1983. I will begin with a brief history of Ghana and then critically examine the implementation of the structural adjustment programs (SAPs) in Ghana since 1983. Finally, I will make recommendations on how policy makers can help address the negative effects of adjustments policies.

ANALYSIS OF WORLD-SYSTEMS THEORY

Proponents of the world-systems theory argue that the strong developed countries promote a form of development that disadvantages the people of least developed countries in favor of those in the industrial countries (Schwartz, 2007; p.120). According to Schwartz (2007), world-systems theory was in many ways an adaptation of dependency theory (p.123). Wallerstein drew heavily from dependency theory, a neo-Marxist explanation of development processes which focused on understanding the periphery by looking at core-periphery relations. In the first volume of his book, "The Modern World-System: Capitalist Agriculture and the Origins of the European World-Economy in the sixteenth

Century", Wallerstein (1974), defined world-systems as a "multicultural territorial division of labor in which the production and exchange of basic goods and raw materials is necessary for the everyday life of its inhabitants" (p.60). This division of labor refers to the forces and relations of production of the world economy as a whole and it leads to the existence of two interdependent regions: core and periphery.

These are geographically and culturally different, one focusing on labor-intensive, and the other on capital-intensive production (Wallerstein, 1999, p.182).

Core-states have complex political structures and by means of superior technology, control the major facilities of production, transportation, and communication. Peripheral areas have weak states and are dominated by the core. The peripheral countries became monocultural economies, specialising in cash crops produced by coerced labour. There are also semi peripheral states whose members act as intermediaries between the core and peripheral states (Wallerstein, 1974; p.349). The core states integrate peripheral areas into the capitalist world economy because these peripheral areas often contain important natural resources. Through political and economic control of the system, Wallerstein (1974) contends that core states exploited the labor and material resources of peripheral areas and received a large share of the surplus (p.350). Thus, European nations competed among themselves for access to peripheral areas in order to increase profits. Advanced or developed countries are the core, and the less developed are in the periphery. Peripheral countries are structurally constrained to experience a kind of development that reproduces their subordinate status (Chase-Dunn and Grimes, 1995; p.401). The World Bank and IMF adjustment policies and inequality differential strength of the various states within the system is crucial to maintain the system as a whole, because strong states reinforce and increase the differential flow of surplus to the core zone (Skocpol, 1977; p.1082). This is what Wallerstein called unequal exchange, the systematic transfer of surplus from semi proletarian sectors in the periphery to the high-technology, industrialized core (Goldfrank, 2000; p.160). This leads to a process of capital accumulation at a global scale, which involves the appropriation and transformation of peripheral surplus.

The modern world-system is an example of a world-economy (Wallerstein, 1974; p.66). This system emerged in Europe in the sixteenth century and expanded to the entire globe. The driving force behind this process of expansion has been capitalism, defined by Wallerstein (1979) as "a system of production for sale in a market for profit and appropriation of this profit on the basis of individual or collective ownership" (p.66). He argues that within the context of this system, specific institutions are created and re-created to maintain the dominance of the core countries. As an example, Wallerstein (1995), stated that "Africa has been a zone of exclusion in our modern world-system, and we may expect that over the next twenty-five to fifty years the ongoing political, economic, and cultural mechanisms of the world-system will operate to exclude Africa and Africans still more" (69). Thus, these international organizations do not affect the fundamental economic positions of core and periphery within the global economy. Profit making are the main goal of core countries and that economic, political, social, and cultural structures are built around the needs of the economy.

THE ORIGIN AND NATURE OF STRUCTURAL ADJUSTMENT PROGRAMS

In the book, *Structural adjustment: theory, practice and impacts*, Zack-Williams et. al (2000) shows that structural adjustment policies emerged with the debt crisis of the early 1980s, when most third world countries were defaulting on the payment of the loans, which led to higher interest rates. The work just cited provides a detailed picture of the debt situation in various regions of the third world. From 1980-1990, the total debt stocks of Sub-Saharan Africa debt had risen from \$56,825 million to 173,737 million. In Latin America and the Carribean, it rose from 242,596 to 431,091 and in South Asia, from 38,173 to 115,351 (Zack-Williams et. al., 2000; p.12). These mounting debts forced the third world countries to restructure their economies along the lines of the International Monetary Fund(IMF) and "neo-classical economic orthodoxy" (p.12). Thus, most third world governments were compelled to adopt the IMF and World Bank's structural adjustment programs, which meant that they had to reduce their public expenditures and open their markets to the global economy.

According to Milward (2000), structural adjustment is the "process by which the IMF and the World Bank base their lending to underdeveloped economies on certain conditions, predetermined by these institutions" (p.25). These pre-conditions are designed in ways that are acceptable to the institutions themselves. The pre-conditions include devaluation, divestiture, privatization, liberalization and stabilization (Milward, 2000; p.34). Devaluing the currency and simultaneously removing price controls eventually leads to "mass unemployment and hyper-inflation" (Milward, 2000, p.35). Devaluation makes the adjusting countries goods cheaper for foreigners to buy, but results in higher prices for foreign goods. Clearly, the escalating prices of foreign products should make the adjusting country to be wary of buying expensive foreign goods, but, the IMF actually disrupts this by rewarding the country with a large foreign currency loan that encourages it to purchase imports (Milward, 2000; p.25). This makes the third world countries to become perpetually indebted to the IMF and the World Bank.

THE IMPACTS OF STRUCTURAL ADJUSTMENT PROGRAMS

Economic Impact

As stated by Milward (2000), "Neither the IMF nor the World Bank have been able to demonstrate a convincing connection, in either direction, between SAPs and economic growth" (p.58). Indeed, attempts by the IMF and the World Bank to promote economic recovery have been undermined by its stabilization policies and conditionalities. SAPs encourage third world countries to focus on the production and export of primary commodities such as cocoa and coffee in order to earn foreign exchange (Milward, 2000; p.53). But these commodities have relatively unpredictable prices, which are subject to global market fluctuations, that can lower prices just when countries have invested in these primary goods. In order to repay their debts and stabilize the economy, third world governments are compelled to remove subsidies and also cut down on government expenditures on education, health care and social services. (Milward, 2000; p.50). Thus, SAPs hurt the poor most, because they depend heavily on these services and subsidies. Since the main purpose of SAPs is to stabilize the economy of poor countries, the recipient country gets structural adjustment loans once the economy is stabilized.

But, as Milward (2000) points out, "this stage is never arrived at before austerity produces IMF riots leading to the abandonment of adjustment (p.35).

Social Impact

However, the social dimension of adjustment programmes (SDAs) was not a major part of the adjustment agenda until the publication of UNICEF's "Adjustment with a Human Face" (Zack-Williams, 2000; p.69). The report pointed to the direct link between economic decline in developing countries and the poor living conditions of vulnerable groups such as women and children. Debt and economic adjustment policies reduce the state's capacity to intervene to correct discrimination, vulnerability and inequality, which puts these groups at greater disadvantage in difficult times. Due to this report, there have been several international and national plans for improving the health of women and children. For example, forty African countries have prepared National Plans of Action by incorporating priority health goals for children and women (Logie and Rowson, p. 280). These plans included raising immunization rates, improving oral hydration, eliminating iodine and vitamin A deficiencies and encouraging breastfeeding. But implementation has been slow due to lack of both money and political will. Another result of the SDAs report was Ghana's Program of Action to Mitigate the Costs of Adjustment (PAMSCAD)

(Zack-Williams, 2000; p.70). PAMSCAD was intended to deal with the increasing rate of poverty among vulnerable groups which included small farmers, low-income households, and laid-off workers in the private and public sectors. Unfortunately, PAMSCAD did not serve the needs of women, who were one of the most important vulnerable groups (Zack-Williams, 2000; p.71). Thus, PAMSCAD, like other SDAs also failed to alleviate poverty in third world countries.

Political Impact

On the political level, Mohan (2000) points out that the IMF and the World Bank have in some cases supported autocratic and military regimes. These dictatorial governments had to "formulate and internalize a neo-liberal consensus which often necessitated removing opposition to adjustment" (Mohan, 2000; p.81). In the case of Ghana, the adjustment program was carried out by the Provisional National Defense Council (PNDC) led by Flight Lieutenant John Jerry Rawlings (Mohan, 2000; p.82). President Rawlings was used by both the IMF and the World Bank as an instrument to promote their neo-liberal policies. In Senegal, the authoritarian features of one-party dominance were emphasized despite political opposition, while in Cote d'Ivoire too President Houphouet Boigny so controlled opposition parties that there was "multi-partyism without opposition" (Mohan, 2000; p.87). Thus, the IMF and the World Bank have supported undemocratic regimes in order to ensure the implementation of their adjustment programs.

Environmental Impact

The political, economic, and social consequences of the SAPs create environmental problems. Mohan (2000) uses political ecology framework to examine the implications of disregarding the

environmental impact of adjustment (p.102). The World Bank and the IMF failed to incorporate environmental issues into their adjustment programs. Structural adjustment was sustained by the promise that implementing certain conditionalities such as privatization and fiscal austerity would raise living standards (Mohan, 2000; p.105). However, the burden of fiscal policies under structural adjustment has fallen most heavily on the poor, which places additional pressure on a country's natural resources. Individual's effort to maintain their livelihoods have led to deforestation, land degradation, over-hunting and other pressures on endangered species. Using several case studies, Mohan (2000) shows how long-term productive capacity is being destroyed by short-term exploitation of natural resources. In Ghana, the government passed a number of laws to promote artisanal mining, whereby illegal operations such as "galamsey" came under state regulation (Mohan, 2000; p.106). Consequently, the implementation of these laws led to the Small-Scale Gold Mining Law of 1989 and the establishment of a semi-private Precious Minerals Marketing Corporation(PMMC) which "buys the gold and diamonds and capture the revenue from this sector"(Mohan, 2000; p.107). An examination of these operations showed that the galamsey mining activities often spilt onto roads and residential areas (Mohan, 2000; p.107). Even there were reports of people falling into open holes and dying. It was not only environmental but also economic and social sustainability that was threatened by the galamsey activities. According to Mohan (2000), "The lure of quick wealth has led to young men taking up mining instead of farming so that food production has decreased" (p.108).

A BRIEF HISTORY OF GHANA

Located on the shores of West Africa, Ghana was the first Sub-Saharan African country to gain its independence led by Kwame Nkrumah on 6th March, 1957. Ernest Aryeetey et. al. (2000) stated that when Ghana emerged politically independent from colonial rule, there was remarkable hope for a new structural and social change (p.5). Before its independence, Ghana was known as the Gold Coast due to its abundance in gold, bauxite and other rich natural resources. The name Ghana was chosen during its independence in reference to its ancient roots in the Ghana Empire. On its dawn of independence and early years after, Ghana was seen as a country with a promising future, destined to be a leader amongst African countries. Because of Ghana's stable economy and natural resources such as timber, gold and cocoa (of which Ghana was the world's leading producer), and also an advanced education system, a high per capita income and low national debt, Ghana had indeed a hopeful future. However, the hopes and dreams of Dr. Kwame Nkrumah and the people of Ghana dwindled down the drain after Kwame Nkrumah was deposed by a military coup in the 1960's. Following a series of military coup d'etats, Ghana's political economy became destabilized. In its effort to rebuild the economy, Ghana turned to the international community for financial help. The reconstruction effort fell under the grip of the IMF and World Bank-sponsored Structural Adjustment Programs.

THE IMPLEMENTATION OF THE STRUCTURAL ADJUSTMENT PROGRAM IN GHANA

Under the auspices of the World Bank and IMF, most African countries adopted the structural adjustment programs (SAPs). Henry Kyambalesa and Mathurin Hounnikpo (2006) explained that the main purpose of the program is to improve economic growth and decrease economic discrepancies

(p.134). The SAPs have resulted in improvements in infrastructure services, and a shift towards developing non-traditional export goods like arts and crafts and horticultural produce. For example, Kojo Appiah-Kubi (2001) stated, "Ghana has achieved a great measure of macroeconomic stabilization under its structural adjustment program, and here privatization has clearly played a central role. Government annual receipts from divestiture were equivalent to an average of 8.5% of total government revenue between 1991 and 1998, and as high as 21.7% in 1994" (p.216). These few accomplishments have enabled the Bretton Woods institutions to publicize Ghana as one of the best examples of successful economic restructuring in Africa (p.15).

But these are the few accomplishments that these Bretton Woods institutions can boast about. However, as impressive as these improvements are, one must ask how much the economy of Ghana has really improved. As Hilson and Potter (2005) explains, "as a result of the specific policies implemented to facilitate change, formal sector employment has diminished, as have many of the opportunities for personal fulfillment which existed during the early years of independence (p.106). Comparing the economy of Ghana in the early days of independence with that at its 50th anniversary of independence, there is nothing really to boast about. According to Kwame Boafo-Arthur, (1999), "The introduction of austere IMF/Bank measures, have in some cases, provided the *raison d'etre* for military interventions, the enhancement of dictatorial powers, and the imposition of martial law" (p. 9). Ghana launched its Structural Adjustment program in 1983 in the form of an Economic Recovery Program (ERP) (Konadu-Agyemang, 2001; p. 14). The ruling party was the Provisional National Defense Council (PNDC) led by Flight Lieutenant John Jerry Rawlings. As mentioned earlier on, President Rawlings was used by both the IMF and the World Bank as an instrument to promote their neoliberal policies. "Rawlings's style of governance, his tough-mindedness, human rights abuses, clamp down on the basic freedoms of Ghanaians, were in consonance with the prevailing IMF/World Bank thinking on how best a leader could implement adjustment policies" (Boafo-Arthur, 1999; p.16). To ensure safe and uninterrupted experimentation of its programs, the IMF and the World Bank supported Rawlings autocratic regime. Thus, either directly or indirectly the IMF can be blamed for supporting the repressive regime of the Rawlings administration to carry out their economic policies.

Under President Rawlings regime, the Ghanaian government turned to the World Bank and the IMF for loans. These loans were granted with some strict conditions. According to Kyambalesa and Hounnikpo (2006), "Some aspects of SAPs- such as the content of conditionality or policy strings attached to multilateral loans, and the speed and timetable of the adjustment process- may in fact be a hindrance to the pursuit and attainment of a country's socio-economic goals and aspirations"(p.135). One common feature of the World Bank and the IMF adjustment policies are the privatization of state owned companies. According to Appiak-Kubi (2001), "The privatization program is composed of these principal components: "divestiture, which involved transfer of ownership of assets or management of enterprises to the private sector; and liberalisation, which implied exposing enterprises to more competition" (p.205). One of the recommendations of the economic reform programmes in 1998 is for water to be privatized thus leasing the water systems to two private operators (Amenga-Etego, 2003; p. 1). Five multinational corporations have been pre-qualified and bidding is underway (Amenga-Etego, 2003; p.2). Even though the privatization of the water system is still underway, it has already introduced untold hardships, especially for women and children. As attested by Ian Yeboah (2003), "Water privatization in Ghana illustrates that decision-makers have sacrificed self reliance, cultural values and,

to a limited extent, sovereignty to global capital in the effort to privatize" (p.54). In the poor households, women have to make important trade-offs in order to provide for water. A clear example of such trade-offs is described by Yeboah (2003) in the case of a woman called Madam Atuko who lives in Mamobi East in Accra. When asked why she continues to drink water from a polluted well located close to an open sewer, she said the water from that well is free so taking water from there allows her to save the 2,000 cedis she would have spent on buying water to buy food for her baby (p. 56). Clearly, Ghanaians are painfully feeling the impact of this structural reform.

The fuller integration of Ghana into the global economy has been the fundamental objective of these reforms and a number of policy measures were aimed at achieving this. Of particular mention are the exchange reforms and import liberalization. According to Eboe Hutchful, (2002), the local currency i.e. the cedi, has undergone massive Depreciation (p.11). This hurt the local industries while foreign companies benefits because of cheap labour and the local currency they earn for every unit of foreign currency they bring into the country. The exchange rate of the cedi to the US\$ fell from 2,340 in 1998 to 6,000 by the end of the year 2000, a fall of 150%, while the price level rose by 34% (Teal, 2002, p.1319). This makes the Ghanaian cedi cheaper to foreigners and the U.S. dollar very expensive to the local Ghanaians. Under devaluation, foreign products become relatively more expensive for domestic consumers, which should discourage imports. But Ghanaian traders need more US currency to purchase required imported goods such as machineries, drugs and other essential items.

Consequently, the Ghanaian government took steps to encourage imports. The measures taken to liberalize imports have included the abolition in January 1989 of the import licensing system established in 1961, a reduction in tariffs, and the lifting of restrictions on access to foreign exchange (Konadu-Agyemang, 2001, p. 18). Indeed, reduction of tariffs on imported goods led to a competition between locally produced goods and imported manufactured products. Foreign products tend to be cheaper than the locally manufactured, which causes a demand for the foreign products as opposed to the locally produced ones. This frustrates the expansion of local industry because of stiff competition from places such as Asia. In the global trade, Ghana relies mainly on the export of primary goods such as cocoa, coffee, sugar cane, to wealthy states in the core, which are sold back to Ghanaians as processed. Such unequal exchange of raw materials for processed goods impoverishes Ghanaians while developed countries are enriched.

The adjustment policies involved heavy borrowing over the years to the extent that Ghana is becoming more indebted to the advanced countries. According to Hilson and Potter (2005), "Ghana's total debt quadrupled from \$1,398 million in 1980 to \$5,874 million in 1995, while external debt as a percentage of Gross Domestic Product (GDP) also rose from 31.6% to 95% over the same time period . . . Debt services, now 62% of export earnings, is diverting resources from local needs on a massive scale, thus depriving Ghanaian children of their right to education, health and adequate [nutrition]" (p.125). As a result of the extensive borrowing under the Structural Adjustment Programme, debt service now absorbs a large portion of Ghana's exports revenues. The International Monetary Fund alone receives close to one third of Ghana's expenditure on external debts, while the Bretton Woods institutions and member countries of the G7 receive more than seventy percent (Harrigan & Younger, p.198). Hence, repayment of these debts has greatly eroded the ability of the state to provide for educational, health and other needed social services.

Structural Adjustment policies require that governments cut down its expenditure on social services. This involves a partial or complete withdrawal of the government from a range of services such as the education and health sectors. Thus, the Ghanaian government shifted a significant portion of the cost of education and health to the people. There was the introduction of user fees for social services which made the use of public services very expensive. (Hilson and Potter, 2005, p.105). Also, the insufficient funding of the public health sector has caused a lot of problems such as insufficient infrastructure, understaffed facilities and lower salaries which also led to the massive brain drain of health professionals out of the country. According to Martineau et al, (2004) "Ghana has lost around US\$60 million in investment in the training of health professionals" (p.4). Most of these health workers are often lured with promises of higher wages and better standards of living to seek greener pastures in developed countries such as US, Canada and Britain. In effect, this has created huge shortage of doctors and nurses in Ghana. The few health providers available charge exorbitant fees which makes medical treatment very expensive. According to Ansah Asamoah (1996), "The private clinics and health centers mushrooming charge prohibitive fees and even in government hospitals where fees are officially lower, nursing staff and doctors device means by which they callously cheat patients" (p.182). Thus, the provision of health services is only available to the rich. This has affected the people especially, those living in the rural areas who live below the poverty line and cannot even afford basic needs of life such as food, shelter and clothing. Hence, they have resorted to traditional methods of treatment when they get sick.

Like the health sector, the education sector is also suffering from the new economic reforms. Less funding has been put into the education sector causing a decline of enrolment in schools, as education becomes less affordable for some. Most of the foreign loans have financed only basic education, leaving secondary and tertiary levels virtually unfunded (Sapri, 1998). Also, donor funds have been dedicated to capital expenditures for infrastructure rather than to invest in quality education (Sapri, 1998). As a result, Ghana is now producing students without the necessary skills for the number of formal sector jobs being created each year.

POLICY RECOMMENDATIONS

Clearly, the World Bank and the IMF's structural adjustment policies have reinforced the peripheral status of Ghana within the global capitalist system. Like other peripheral countries, Ghana is unable to control the terms under which they relate to the international economy. As a consequence, it is undeniable that the adjustment policies with all its harsh conditions have had significant impacts on the Ghanaian economy. This implies that the sufferings, which the Ghanaian people were compelled to undergo, achieved very little. This is not surprising, given that structural adjustment is not controlled by the Ghanaians, but by the Bretton Woods organizations, which seem more concerned with maintaining the dominance of core countries within the global economy. However, "the crisis of the world-system is the opportunity of the world-system in general and perhaps of Africa in particular" (p.68). Hence, a more equal distribution of goods, services, and power will be the basis on which African countries and Ghana in particular can create a new form of integration into the global economy. According to most

world systems theorists and Wallerstein (1995) in particular, "Africa has at best a fifty-fifty chance of coming out of this transition with something better. And if we engage in it in the right way, we may indeed achieve the kind of world-system we want" (Wallerstein, 1995; p.69).

Clearly, Wallerstein's world system theory does not merely portray a pessimistic picture of the core / periphery relationship within the global economy. Rather, Wallerstein believed that African countries have the capacity to come out of their peripheral status within the world system. As he reiterated "Do not ask me or other non-Africans to draw up a specific agenda for action. The ball is very much in Africa's court" (Wallerstein, 1995; p.69). In the case of Ghana, the Ghanaian people need to re-assert their autonomy as far as the adjustment programs are concerned. Although, stabilization and adjustment are necessary conditions for development to succeed, this is not a sufficient condition to break out of the vicious cycle of poverty in Ghana (Aryeetey, 2000; p.359). The SAPs should recognize the diversity of economic, social and political structures between countries, and tailor their policies to basic needs of local Ghanaians. Instead of compelling the Ghanaian government to reduce its provision of social services, the World Bank and the IMF should encourage the government to increase its spending on social services. For example, the government should expand the road network into the rural areas which would improve the marketing and distribution of agricultural products. Since Ghana relies primarily on agricultural products for its exports, the development of agricultural-based industries such as food processing and storage industries that provide linkages to the productive sector should be given a top priority. Loans at affordable rates should be readily available to rural farmers at reduced interest rates to help them expand and improve efficiency.

In addition, transferring state corporations to foreign companies should be made in a form and manner, which does not undermine the contribution of skilled Ghanaians. Specifically, the Ghanaian government should provide incentives to encourage skilled Ghanaians living abroad to return home, since Ghanaian professionals understand the culture practices of the local people and are more capable of devising local solutions to their daily problems.

Moreover, the work of African development agencies such as the African Development Bank (ADB) should be enhanced to help Ghana. The ADB, the continent's premier finance development institution should continue to provide essential development resources and technical assistance in support of Ghana's developmental efforts. Unlike the World Bank and the IMF, the ADB provides loans to African countries at a very low cost. "Loan maturities are 50 years with 10 years grace and there is no interest levy other than a 0.75 per cent service charge per annum on outstanding balances and a commitment fee of 0.50 per cent per annum on undisbursed commitments (Kabbaj, 2003; p.132). The grace period on the ADB loan will give the Ghanaian government more time to pay back these loans and without pressures from the borrowers.

Conclusion

Clearly, Wallerstein's description of the relationship between core states and peripheral states illustrates the exploitative nature of world trade. Third world countries are relegated to the production of raw materials for wealthy states in the core, which are redistributed as value-added goods back to the poor countries at higher prices. Such unequal exchange of raw materials for processed goods

impoverishes poor countries, while developed countries are enriched. Thus, core/periphery relations are usually characterized as exploitive, and they persist because peripheral states are dependent on core states for receiving processed goods. As was seen in the Ghanaian case study, the World Bank and the IMF reinforced this exploitative relationship with the adjustments policies in Ghana. Instead of improving the living conditions of the local African people, the SAPs reinforced the peripheral status of Ghana within the global capitalist system. Indeed, there should be modifications to the program to avoid these adverse effects. It is important that policy makers focus on the viable solutions available to address the negative effects of neo-liberal adjustment. This will help reduce the connection between adjustment policies and the growing inequalities between developed and underdeveloped countries.

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RWANADA'S GENOCIDE AND THE THEORY OF STATE SOVEREIGNTY

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Abstract

This paper analyses the principle of state sovereignty and the role it has played in intrastate conflict since the end of the Cold War. The Rwandan genocide is used as a case study to examine the relationship between state sovereignty and human rights. The theoretical and analytical framework used in the paper is based on liberal cosmopolitanism, including the value this normative framework places on individualism. The paper argues that current debates about state sovereignty must be considered in light of a number of key developments that have occurred since Rwanda's genocide, including: current debates about the use of humanitarian military intervention, the adoption of the Responsibility to Protect doctrine, the role of the International Criminal Tribunal for Rwanda, and the role of the International Criminal Court. In order for the international community to move forward in combating future genocides and crimes against humanity, this paper concludes that it is necessary to re-evaluate the doctrine of state sovereignty.

A violation of rights in one part of the world is felt everywhere (70) Immanuel Kant

Introduction

The genocide in Rwanda acted as a significant determinant in forcing a re-evaluation of the principles of state sovereignty and non-interference. Since the Rwanda's genocide, key developments have emerged within the international community that demonstrate a shift in the classical, Westphalian understanding of state sovereignty and its impact on state behaviour. These developments have given hope to liberal cosmopolitans who argue that state borders cannot be an impediment to the protection of human rights. This paper analyses the question: how has the international community re-evaluated its responsibility towards citizens of any country, irrespective of borders, since the Rwanda's genocide, and what are the likely implications for international intervention if similar situations occur in the future?

For over three hundred years, the international community was expected to function on the basis of non-intervention (71) according to the Westphalian notion of state sovereignty and the inherent sacredness attached to national borders. (72) Even today, the principle of non-intervention remain enshrined in the Charter of the United Nations (UN)(73) which was founded after the Second World War to deal with issues of peace and security between sovereign nations (interstate), as opposed to within nations (intrastate).(74) Yet, it is widely believed that the end of the Cold War saw a significant rise in

⁷⁰ Hans Reiss, *Kant: Political Writings*, (Cambridge, Cambridge University Press, 1991), 107.

⁷¹ State sovereignty can be defined as a nation's right to apply its own law and practice over its territory.

⁷² Susan Atwood, "From Just War to Just Intervention," *New England Journal of Public Policy* 19 (2003): 58.

⁷³ J. L. Holzgrefe, "the humanitarian intervention debate," in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, ed. by J.L Holzgrefe and Robert Keohane (Cambridge: University Press, 2004), 37.

⁷⁴ This can be seen in the Charter of Chapter 1, Article 2 (4) that prohibits attacks on political independence and territorial integrity of any state, and in Chapter 1, Article 2 (7) that sharply restricts intervention.

intrastate conflict, including genocide, state failure, and crimes against humanity, which would have become more prominent than interstate conflict.⁽⁷⁵⁾ Many, therefore, contends that the role of state sovereignty in the post-Cold War era can no longer be understood in its Westphalian sense, if human rights are to be upheld. The international community, however, remains divided on this issue, at both the academic and political level.

This paper will first discuss the Rwanda's genocide, which was a clear case where the international community failed to respond and presumably state sovereignty reigned. Secondly, the liberal cosmopolitan framework will be briefly outlined and used to argue for the importance of individualism, or rather the dignity of the human person, over state borders. Thirdly, four key developments since the Rwanda's genocide will be discussed, that underscore the importance of re-defining state-sovereignty: the humanitarian intervention debate, the Responsibility to Protect doctrine, the International Criminal Tribunal for Rwanda, and the International Criminal Court. Finally, this paper will briefly conclude with recommendations aimed at enhancing the role of the international community in the protection of human rights.

Background and Case Study: the Rwandan Genocide

The 1994 Rwandan genocide was the clearest case since the Holocaust where state borders trumped human rights.⁽⁷⁶⁾ The events that followed April 6th 1994 and the assassination of Rwandan President Juvenal Habyarimana and Burundian President Cyprien Ntaryamira were an extraordinary human tragedy. The assassination of these two presidents acted as the catalyst for a genocide that "caused the violent death of 800,000 people, the movement of over two million Rwandese into neighbouring countries, and the temporary displacement of well over one million people inside Rwanda."⁽⁷⁷⁾

The exact moment when the conspirators first envisioned the genocide may never be known. Some trace it back to an agreement in December 1991, where president Habyarimana set up a commission to produce a report identifying the enemy and to advise on what had to be done to defeat it militarily, in the media, and politically.⁽⁷⁸⁾ The Tutsis were defined as the enemy, along with "anyone providing any kind of assistance to the main enemy."⁽⁷⁹⁾ The report was said to have been written by Colonel Theoneste Bagosora, the mastermind behind the genocide.⁽⁸⁰⁾

The fact remains that there were many clear warning signs before the killings began. As early as October 1990, lists and addresses of Rwandan Tutsis were drawn up.⁽⁸¹⁾ Significantly, arms had been

⁷⁵ Howard Adelman, "Theory and Humanitarian Intervention," in *International Intervention Sovereignty Versus Responsibility*, ed. by Michael Keren and Donald A Sylvan (Portland: Frank Cass & Co. Ltd, 2002), 3.

⁷⁶ Samantha Power, *A Problem for Hell: America and the age of Genocide* (New York: Basic Books, 2002), 361.

⁷⁷ John Borton, "Humanitarian Aid and Effects," in *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*. Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda. 1996. Retrieved: <http://www.reliefweb.int/library/nordic/>

⁷⁸ Linda Melvern, *A People Betrayed: the Role of the West in Rwanda's Genocide* (London: Zed Books, 2000), 61.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid.

stockpiled in secret locations in Kigali by senior figures from the Ministry of Defense.⁽⁸²⁾ These arms were sent from China and funded by Egypt and France, and much of the Western world (through Structural Adjustment Programs).⁽⁸³⁾ From 1990 until the genocide began in April 1994, Rwanda, one of the most impoverished countries in the world, spent an estimated US \$100 million on arms,⁽⁸⁴⁾ becoming the third largest importer of weapons in Africa, behind Nigeria and Angola. ⁽⁸⁵⁾

General Romeo Dallaire, the Canadian commandant of the United Nations Assistance Mission for Rwanda force (UNAMIR), was dispatched to oversee the Arusha Peace Accords.⁽⁸⁶⁾ He was informed by a credible source of the Rwandan government in January 1994 that the rapid arming and training of local militias was taking place in preparation for the elimination of the Tutsi.⁽⁸⁷⁾ In a fax, now known as 'the Dallaire fax,' Dallaire informed the UN that he had reason to believe that a genocide was being planned, and that he was preparing an arms raid on the Hutu cache of weapons.⁽⁸⁸⁾ Dallaire was directed by the UN not to carry out the raid.⁽⁸⁹⁾ As the crisis escalated, Dallaire became aware that what was labeled as a civil war by the international community was in fact ethnic cleansing being perpetrated by the Hutu against the Tutsi.⁽⁹⁰⁾

Throughout the genocide, Dallaire continuously requested both arms raids and UN reinforcements and received neither.⁽⁹¹⁾ Perversely, thousands were killed daily, while the UN mission operating under a Chapter VI peacekeeping mandate was carried out "successfully."⁽⁹²⁾ Under this mandate, peacekeepers were required to remain neutral, avoid combat and use force only if directly threatened.⁽⁹³⁾ Dallaire sought authority for the extension of the peacekeeping mandate to include the use of force, which he believed could have prevented most of the killings.⁽⁹⁴⁾ Evidently, Dallaire did not receive this authorization from the UN.

A number of factors worked to the detriment of halting or averting the genocide. Importantly, the Somali conflict occurred a year prior, where 18 US Rangers had been brutally killed during the battle of Mogadishu in early October 2003. ⁽⁹⁵⁾ The failure of the United States to halt the conflict in Somalia

⁸² Ibid., 65-66.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid., 32

⁸⁶ The Arusha Peace Accords were set up in Arusha, Tanzania and were meant to act as a power sharing deal between the Hutus and Tutsis.

⁸⁷ Samuel Totten, Paul R. Bartrop, "D", In *Dictionary of Genocide* (Westport: Greenwood Press, 2008), 96.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² A Chapter VI mandate only authorized UNAMIR to keep the peace in Rwanda. UNAMIR was unable to use force unless it received authorization from the UN to operate under a Chapter VII mandate, which would essentially escalate the operation to a military intervention.

⁹³ *Power, Hell*, 352.

⁹⁴ Ibid.

⁹⁵ Thomas Mahnken, "The American Way of War in the Twenty-first Century," in *Democracies and small wars*, ed. by Efraim Inbar, (London: Routledge, 2003): 76.

had a direct impact on the action taken throughout the Rwanda's genocide. Rwanda was seen by the international community as another Somalia waiting to happen.⁽⁹⁶⁾

The death of 10 Belgian soldiers in Rwanda was linked to the death of the US rangers. As Power argues, the news of these deaths was taken as proof "that the UN mission in Rwanda had gone from being a Somalia waiting to happen, to a Somalia that was happening."⁽⁹⁷⁾ Consequently, the United Nations Aid Mission in Rwanda (UNAMIR) withdrew many of its peacekeepers and was scaled down to a mere 2,100 soldiers on April 19th.⁽⁹⁸⁾ Two days later, amid press reports of some 100,000 deaths, the UN Security Council (UNSC) pulled out most of the peace-keeping force, ⁽⁹⁹⁾ leaving only 503 peacekeepers in support of Dallaire and the mission.⁽¹⁰⁰⁾ It became unmistakably clear that Rwanda was not high on the international community's list of priorities. Other considerations, in addition to the blatant lack of political will, included the fact that the UN was posting 70,000 peacekeepers in 17 different missions elsewhere.⁽¹⁰¹⁾

France, although hardly neutral in the conflict, eventually intervened on June 22nd under Operation Turquoise,⁽¹⁰²⁾ but continued to maintain friendly relations with the genocidal Hutu regime and to provide financial aid throughout the genocide for weapons purchases by the genocidaires.⁽¹⁰³⁾ In any case, Operation Turquoise was too little, too late, as most of the killings had already occurred. Ironically, it was not France that stopped the genocide, but the Rwandan Patriotic Front (RPF), the Tutsi rebel force led by Paul Kagame.⁽¹⁰⁴⁾ On July 19th, at the end of the genocide, Dallaire was commanding the same 503 soldiers as he had since late April; not a single additional UN soldier had been deployed.⁽¹⁰⁵⁾ What impeded action by the International Community?

Outside Rwanda, most state leaders found the decimation of Tutsi tolerable provided it did not encroach on narrowly defined national interests.⁽¹⁰⁶⁾ One US officer noted, "we are doing our calculations back here, and one American casualty is worth about 85,000 Rwandan dead."⁽¹⁰⁷⁾ However, the delusion that Rwanda did not amount to genocide created a nurturing, justified agenda for inaction.⁽¹⁰⁸⁾

⁹⁶ Astri Suhrke and Howard Adelman, "Early Warning and Conflict Management," in *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*. Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda. <http://www.reliefweb.int/library/nordic/book5/pb025d.html>

⁹⁷ Power, *Hell*, 332.

⁹⁸ *Ibid.*, 368.

⁹⁹ *Ibid.*, 369.

¹⁰⁰ *Ibid.*

¹⁰¹ Power, *Hell*, 341.

¹⁰² Borton, "Humanitarian."

¹⁰³ Power, *Hell*, 380.

¹⁰⁴ *Ibid.*, 380-381.

¹⁰⁵ *Ibid.*

¹⁰⁶ Allison Des Forges, "Justice and Responsibility", *Human Rights Watch*, 1999.

http://www.hrw.org/legacy/reports/1999/rwanda/Geno15-8-05.htm#P1089_339546

¹⁰⁷ Power, *Hell*, 381.

¹⁰⁸ *Ibid.*, 384.

Despite this, the fact remains that the Rwandan genocide was the most straight forward case of genocide since the Holocaust. (109) Specifically, the genocide met the terms of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) and presented the international community with options for diplomatic, economic, legal, or military intervention.(110) Yet, the international community avoided labelling the conflict as genocide and instead framed it as an ethnic civil war. By framing the genocide as a domestic conflict, the international community was able to use the principle of sovereignty, enshrined in international law, to justify inaction.(111) If Rwanda had been condemned as genocide by the international community, the Genocide Convention would have demanded action.(112)

Had the international community responded prior to April 6th, the assassination of the Rwandan president, or to Dallaire's calls for reinforcements, many, perhaps most, of those who died may have survived.(113) More fundamentally, the Rwandan conflict occurred during a period when the UN was acting in an expansive, yet highly biased fashion in its operations.(114) Though Rwanda was added to the peacekeeping list in 1993, apart from France, the major powers on the UNSC were uninterested in a small Central African country that was insignificant to their economic or political concerns.(115) Further, the United States was determined not to get involved with another African conflict after Somalia.(116)

Theoretical Framework: Liberal Cosmopolitanism

The role of the international community in instances of mass atrocity is contested, particularly when non-intervention remains a legal norm. However, recently we witness a shift in the interpretation of the principle of non-intervention and a widening of the concept of international security. As Georg Sorensen argues:

"For the first time since Westphalia, great power war is highly unlikely. The current major security threats are domestic conflict in weak states, mass-casualty terrorism and unstable regional security complexes. World order is now about realizing the good life for mankind as a whole."(117)

The incidents of genocide, state failure, and mass human rights violations at the end of the Cold War has forced a shift from a narrow understanding of state security to one that encompasses newer issues. Specifically, human rights have been traditionally thought of as low politics in the bipolar Cold War era.(118)

¹⁰⁹ Ibid., 361.

¹¹⁰ Power, *Hell*, 486.

¹¹¹ Ibid., 359.

¹¹² Ibid.

¹¹³ Suhrke and Adelman, "Warning."

¹¹⁴ Ibid.

¹¹⁵ Linda Melvern, "The West did intervene in Rwanda, on the Wrong Side," *The Guardian*, Monday April 5, 2004

¹¹⁶ Ibid.

¹¹⁷ Georg Sorensen "What Kind of World Order? The International System in the New Millennium," *Cooperation and Conflict* 41, no. 4 (2006): 359.

¹¹⁸ Buzan, "Rethinking Security after the Cold War," 7.

As Sikkink states, the rise of human rights as an international issue in the latter half of the 20th century presents a challenge for international relations theorists.⁽¹¹⁹⁾ Classical theories in international relations do not provide the tools to understand the emergence of human rights as a crucial international issue, nor the impact of human rights ideas and policies upon the state⁽¹²⁰⁾. The classical theories, such as realism, rational choice, and economic group interest theories, have difficulty recognizing the rise of human rights politics, except to dismiss them as insignificant or a political tool to pursue state interest.⁽¹²¹⁾

Liberal cosmopolitanism has evolved as a theoretical framework in international relations and can be traced back to the German Enlightenment philosopher Immanuel Kant. Liberal cosmopolitanism is an alternative to the dominant international relations theories; it aims to contend with global ethics. The theory deals directly with the universality of human rights, defined in the UN Universal Declaration of Human Rights and the contradictory claims of the sovereignty principle stated in the UN Charter.⁽¹²²⁾ Human rights issues offer significant challenges to a system of sovereign states. ⁽¹²³⁾ Thus, liberal cosmopolitanism looks to encompass international human rights norms that question national sovereignty and state rule over society.

Individualism and State Sovereignty

According to Charles Beitz, two essential elements of liberal cosmopolitanism are inclusiveness and impartiality.⁽¹²⁴⁾ Fabre includes individualism, egalitarianism, and universality.⁽¹²⁵⁾ It is understood that "all human beings, regardless of their political affiliation, do (or at least can) belong to a single community, and that this community should be cultivated."⁽¹²⁶⁾ As Held suggests, liberal cosmopolitanism is concerned with "the ethical, cultural, and legal basis of political order in a world where political communities and states matter, but not only and exclusively."⁽¹²⁷⁾

The crux of this normative framework is the moral concern for individuals, as opposed to communities or states,⁽¹²⁸⁾ with each person regarded as equally worthy of respect and

¹¹⁹ Sikkink, "Transnational," 517.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Daniele Archibugi, *Cosmopolitan Guidelines for Humanitarian Intervention, Alternatives. Global Local, Political* 29, no.1 (2004): 8.

¹²³ Sikkink, "Transnational," 517.

¹²⁴ Brian Barry, "International Society from a Cosmopolitan Perspective," in *International Society: Diverse Ethical Perspectives*, ed. by D. R. Mapel and T. Nardin (Princeton: Princeton University Press, 1998), 144.

¹²⁵ Cecile Fabre, *Cosmopolitanism, Just War theory and legitimate authority, International Affairs* 84, no. 5 (2008): 965.

¹²⁶ Kleingeld & Brown, "Cosmopolitanism" *Stanford Encyclopedia of Philosophy*. Stanford University, 2006, par 1. <http://plato.stanford.edu/entries/cosmopolitanism/>

¹²⁷ David Held, "Principles of Cosmopolitan order," In *The Political Philosophy of Cosmopolitanism* (Cambridge: Cambridge University Press, 2005), 10.

¹²⁸ William Smith, "Anticipating a Cosmopolitan Future: The Case of Humanitarian Military Intervention," *International Politics*, 44 (2007): 74.

consideration.⁽¹²⁹⁾ Liberal cosmopolitanism is increasingly concerned with its normative obligations to human rights and global governance, where each person should be guaranteed basic human rights irrespective of race, ethnicity, nationality, religion, and gender.⁽¹³⁰⁾ Each person is said to live in a local community to which they are born, and in a wider community of human ideals, aspirations, and arguments.⁽¹³¹⁾

A set of universal principles in liberal cosmopolitanism can be applied as a basis for upholding each person's protection and equality.⁽¹³²⁾ These principles include: dignity and equal worth; active agency; personal responsibility and accountability; consent; collective decision making about public matters through voting procedures; inclusiveness and subsidiary; avoidance of serious harm; and sustainability.⁽¹³³⁾ As mentioned, liberal cosmopolitanism is essentially a doctrine that is individualistic in that it focuses on how individuals fare.⁽¹³⁴⁾ This does not mean that it displaces the importance of families, communities, and countries.⁽¹³⁵⁾ However, the country is of value only to the extent that it contributes to the wellbeing of individuals.⁽¹³⁶⁾

Liberal cosmopolitanism, perhaps more clearly and forcefully than other theoretical perspectives, stresses the general and basic principle that the key purpose of states and governments is to protect the rights of their people, "rights that all persons have by virtue of personhood alone."⁽¹³⁷⁾ This principal is particularly evident in the Kantian ethical conception and justification of the state.⁽¹³⁸⁾ Based on this principle, liberal cosmopolitans tend to argue that states, which abuse the rights of civilians, undermine the very foundation of their political power; they should therefore not remain shielded by state sovereignty or international law.⁽¹³⁹⁾ Teson, for instance, considers that even sovereign states cannot limit individual freedom; each individual's autonomous freedom trumps state sovereignty.⁽¹⁴⁰⁾ Teson further legitimizes the use of force and intervention in extreme cases involving self-defence or defence of human rights, but only as a last resort.⁽¹⁴¹⁾ Whether such a use of military force, however, could be justified from a Kantian perspective, it remains highly debatable. The Kantian ethical perspective, in fact, emphasizes the importance of good example, not the use of military force.

Valls too, like Teson, argues that individuals have a moral worth that should be respected and protected.⁽¹⁴²⁾ Nation states only have value if they maintain citizens' moral interests and existence;

¹²⁹ Held, "Cosmopolitan," 12.

¹³⁰ Smith, "Cosmopolitan," 74.

¹³¹ Held, "Cosmopolitanism," 10.

¹³² *Ibid.*, 12.

¹³³ *Ibid.*

¹³⁴ Barry, "Cosmopolitanism," 153.

¹³⁵ *Ibid.*

¹³⁶ *Ibid.*

¹³⁷ Fernando Teson, "The Liberal Case for Humanitarian Intervention," in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, ed. J.L Holzgrefe and Robert Keohane (Cambridge: University Press, 2004), 93.

¹³⁸ *Ibid.*, 96.

¹³⁹ *Ibid.*

¹⁴⁰ Fernando Teson, "Kantian International Liberalism," in *International Society*, ed. David R. Mapel and Terry Nardin (Princeton University Press, 1998), 108.

¹⁴¹ *Ibid.*, 112.

¹⁴² Andrew Valls, *Ethics in International affairs: theories and cases* (Rowman & Littlefield Publishers: 2000): 121-122.

political regimes cannot have immunity when their citizens' wellbeing is not respected.⁽¹⁴³⁾ In other words, sovereignty depends on state behaviour.⁽¹⁴⁴⁾ What is more, the very concept of state sovereignty and national borders rests on the assumption that a social contract exists.⁽¹⁴⁵⁾ In other words, if social standing is not maintained by the state, its political and normative legitimacy is undermined.⁽¹⁴⁶⁾

Social Contract Theory

A contemporary account of the social contract theory is offered by Rawls, though the theory can be traced back to historical works of liberal philosophers such as Rousseau and Kant.⁽¹⁴⁷⁾ Rawls overtly points out in *Law of Peoples*, that there is a significant distinction between peoples and states⁽¹⁴⁸⁾ "just peoples are fully prepared to grant the very same proper respect and recognition to other peoples as equals."⁽¹⁴⁹⁾ Rawls overtly challenges the classical notion of sovereignty by identifying peoples rather than states.⁽¹⁵⁰⁾ Furthermore, Rawls argues that "we must reformulate the powers of sovereignty in light of a reasonable Law of Peoples and deny to states the traditional rights of war and to unrestricted internal autonomy."⁽¹⁵¹⁾

Developments since Rwanda: putting theory into practice

Humanitarian Intervention⁽¹⁵²⁾

As mentioned, the question of how to respond to situations of mass atrocity remains contested. Many scholars and policymakers would argue that humanitarian military intervention is a plausible option in halting or averting injustices. The argument rests that where situations are morally abhorrent, humanitarian military intervention is at least morally permissible to end or halt such situations.⁽¹⁵³⁾ Liberal cosmopolitans value the sanctity of national borders, but they argue that the absolutist notion of sovereignty developed by traditional realists, such as Hobbes, no longer holds such value in the modern era.⁽¹⁵⁴⁾ The value of national borders and sovereignty is a problematic concept unless it is understood as acquiescent to human ends.⁽¹⁵⁵⁾ If injustice occurs within state borders, the state's moral strength

¹⁴³ Tom Farer, "Roundtable: Humanitarian Intervention after 9/11," *International Relations* 9 (2005): 212.

¹⁴⁴ Samantha Power, forward to *Responsibility to Protect: the Global Moral Compact for the 21st Century*, ed. Richard H. Cooper and Juliette Voinov Kholer (New York: Palgrave Macmillan, 2008), vii.

¹⁴⁵ Teson, "Liberal," 93.

¹⁴⁶ Ibid.

¹⁴⁷ Grace Roosevelt, "Rousseau versus Rawls on International Relations," *European Journal on Political Theory* 5, no. 3 (2006): 302.

¹⁴⁸ Ibid., 303.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² This section was researched and constructed simultaneously with another paper, submitted on April 20, 2009 at York University.

¹⁵³ Teson, "Liberal," 96-97.

¹⁵⁴ Ibid., 137.

¹⁵⁵ Ibid., 120.

erodes.⁽¹⁵⁶⁾ Thus, sovereign states must earn the right to be left alone.⁽¹⁵⁷⁾ Hence, the violation of human rights is a betrayal of the sovereignty principle itself.⁽¹⁵⁸⁾

Situations of gross human rights violations include war crimes, ethnic cleansing, crimes against humanity, genocide, mass murder, widespread torture and state failure.⁽¹⁵⁹⁾ Respecting a state's sovereignty in such a situation is to be complicit in human rights violations to the most severe degree.⁽¹⁶⁰⁾ If individuals are denied their basic rights, "and are, for that reason, deprived of their capacity to pursue their autonomous projects, then others have a prima facie duty to help them."⁽¹⁶¹⁾

According to Smith, the liberal cosmopolitan's historical association to Kantian-inspired notions of 'perpetual peace' have encouraged many theorists to defend humanitarian military intervention on cosmopolitan grounds.⁽¹⁶²⁾ As such, liberal cosmopolitans believe that protecting human rights sometimes necessitates violating the principle of non-intervention in the affairs of formally sovereign states, thus violating international law.⁽¹⁶³⁾ Moreover, they support the idea that the classical interpretation of the norm of non-intervention appears to be on the decline, "welcoming the increasing saliency of humanitarian concerns as a legitimate basis for carrying out interventions."⁽¹⁶⁴⁾ However, humanitarian military intervention must be strictly limited to justifiable circumstances.

Justifiable Humanitarian Military Intervention

The use of force for humanitarian purposes rests on several conditions and assumptions for liberal cosmopolitans. Firstly, a moral will must exist within the international community to justify an intervention. The actor carrying out the military intervention, whether it is an individual country, a regional organization (NATO), or the UN, must be willing to sacrifice resources, including soldiers, to protect human beings everywhere, irrespective of borders.

It is necessary to note, secondly, that in certain instances, humanitarian military interventions can be falsely justified. These instances can blur the distinction between legitimate cases of military intervention and those that are pursued to fulfill less worthy foreign policy objectives. In theory, humanitarian military intervention is about a higher moral purpose. In practice, however, the politicization of humanitarian interventions is common and cannot be ignored.⁽¹⁶⁵⁾ For example, it has been argued that the interventions carried out since the 1990's under the 'humanitarian' label have been anything but humanitarian. These interventions have been selected according to the interveners'

¹⁵⁶ Ibid., 94.

¹⁵⁷ Samantha Power, forward to *Responsibility to Protect: the Global Moral Compact for the 21st Century*, ed. Richard H. Cooper and Juliette Voinov Kholer (New York: Palgrave Macmillan, 2008), xi.

¹⁵⁸ Ibid.

¹⁵⁹ Teson, "Liberal," 94-95.

¹⁶⁰ Aidan Hehir, *Humanitarian Intervention after Kosovo: Iraq, Darfur, and the Record of Global Civil Society* (Palgrave MacMillan: Hampshire, 2008), 4.

¹⁶¹ Teson, "Liberal," 97.

¹⁶² Smith, "Anticipating," 74.

¹⁶³ Ibid. 75.

¹⁶⁴ Ibid.

¹⁶⁵ Seybolt, *Success*, 6.

geopolitical interests, and rarely, if ever, mainly according to humanitarian or moral reasons. However, for the purposes of this essay, false legitimizations are not discussed. Rather, the focus is on humanitarian military interventions that are clearly justified on moral and cosmopolitan grounds.

Humanitarian military intervention is justified when it is in response to acts “that shock the moral conscience of mankind.”⁽¹⁶⁶⁾ Though some states may grapple with military intervention for purely altruistic reasons,⁽¹⁶⁷⁾ most liberal cosmopolitans agree that if military responses are to be justified, they should rely on the concept of just war and should remain strictly limited to suitable cases.⁽¹⁶⁸⁾

Just War Theory

The just war theory can be traced back, at least, sixteen centuries ago to Saint Augustine (354-430 c.e.), Thomas Aquinas (1225-1274 c.e.) and more recent writers such as Grotius (1583-1645) and Pufendorf. ⁽¹⁶⁹⁾ Its history may also be traced through the emergence of international law.⁽¹⁷⁰⁾

Liberal cosmopolitans rely on the just war theory and its acceptable conducts of war, known as *jus in bello*, as criterion for a just and legitimate use of military force.⁽¹⁷¹⁾ The theory’s criteria include: just cause, right intention, proportionality, right authority, last resort, and a reasonable prospect of success.⁽¹⁷²⁾ The International Commission on Intervention and State Sovereignty (ICISS), which developed the Responsibility to Protect (seen as the modern version of the just war theory among liberal cosmopolitans), endorses all the above six criteria.⁽¹⁷³⁾ The principles of the just war theory are suitable as a political and moral framework for analyzing the legitimacy of humanitarian military intervention.⁽¹⁷⁴⁾ However, as discussed below, the just war theory acts only as a framework and is not legally binding.

The UN Security Council (UNSC), with the concurrence of five permanent members, must authorize the intervening party under a Chapter 1, Article 2 (7) mandate. This authorization legally allows the intervener to use military force outside of its borders for humanitarian purposes. However, much criticism is directed towards the power of the five permanent members, where any single member can veto a resolution. Ultimately, many humanitarian situations and their outcome rest in the hands of the five permanent members of the UNSC, who no doubt bring various interests and motivations to the table.

¹⁶⁶ Michael Walzer, *Just and unjust wars: a moral argument with historical illustrations* (Basic Books: New York, 2000), 108.

¹⁶⁷ Archibugi, “Cosmopolitan Guidelines,” 2.

¹⁶⁸ Seybolt, *Success*, 6.

¹⁶⁹ Michael Walzer, “The Triumph of Just War Theory (and the Dangers of Success),” *Social Research* 69 (2002): 927.

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*, 931.

¹⁷² Seybolt, *Success*, 13

¹⁷³ International Commission on State Sovereignty, “The Responsibility to Protect,” *International Development Research Centre*, 4 (2001): 32. www.iciss-ciise.gc.ca.

¹⁷⁴ Seybolt, *Success*, 14.

Thus, the use of humanitarian military intervention goes to the heart of the legal matters of the sovereign state and remains strongly disputed. This debate became particularly relevant in 1999 after NATO intervened by force in Kosovo without UNSC authorization. It was this case that made clear, in the minds of liberal cosmopolitans, that human security trumped state sovereignty.⁽¹⁷⁵⁾ However, this unauthorized humanitarian military intervention brought about many questions in the foreign policy community about whether human rights and humanitarian concern could ever be a legitimate cause of war.⁽¹⁷⁶⁾

For many liberal cosmopolitans, even in cases unauthorized by the international community, humanitarian military interventions can be justified. Most liberal cosmopolitans agree that individual human rights have greater fundamental value than state sovereignty.⁽¹⁷⁷⁾ Acts that violate widely supported legal norms should not be tolerated simply because the UN Charter does not explicitly provide for military action in certain circumstances. From this point of view, requirement for UNSC authorization of humanitarian military interventions could, in fact, become an obstacle to protecting human rights, where veto power is dominant and powerful member states can choose to act in favour of domestic interests, instead of alleviating mass atrocities in other countries. These liberal cosmopolitans portray the Kosovo case as evidence of the wide gap that exists between what international law upholds and what morality requires.⁽¹⁷⁸⁾ They contend that, since Kosovo, there has been a growing acknowledgment of this gap. They also describe the Kosovo case as a landmark in the development and modernization of international law. In their view, NATO's "illegal" humanitarian military intervention was undertaken not only in response to a humanitarian and moral emergency, but also with the purpose of shaping a more modern and, "morally progressive rule of international law, according to which humanitarian military intervention without Security Council authorization is sometimes permissible."⁽¹⁷⁹⁾ Moreover, they claim that, in the Kosovo case, humanitarian military intervention was initiated to make a moral improvement in the international legal system and to protect human rights.⁽¹⁸⁰⁾ Prior to Kosovo, a proper legal framework addressing modern humanitarian emergencies did not exist, according to these liberal cosmopolitans. Yet, as we mentioned earlier, the Kosovo operation raised many questions, which cannot be ignored: questions of facts and questions of principles. As to facts, was NATO's intervention in Kosovo mainly a humanitarian operation or a most traditional, one could say "Westphalian", form of power-politics, meant to give NATO a strategic advantage in the Balkans? And if the principle of unauthorized humanitarian intervention is recognized and granted legal status, what restraints are there left to the legal interference by Great Powers in the affairs of weaker countries? On the other hand, as former UN Secretary-General Kofi Annan stated at the UN Millennium Assembly in 2000, "If humanitarian intervention is, indeed, an unacceptable assault

¹⁷⁵ Allen Buchanan, "Reforming the international law of humanitarian intervention," in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, ed. by J.L Holzgrefner and Robert Keohane (Cambridge: University Press, 2004), 132.

¹⁷⁶ Seybolt, *Success*, 13.

¹⁷⁷ *Ibid.*, 13.

¹⁷⁸ Buchanan, "Reforming," 131.

¹⁷⁹ *Ibid.*, 132.

¹⁸⁰ *Ibid.*

on sovereignty, how should we respond to another Rwanda, a Srebrenica, to gross and systemic violations of human rights that affect every precept of our common humanity?"(181)

Responsibility to Protect

The government of Canada established the International Commission on Intervention and State Sovereignty to respond to this question and formed the Responsibility to Protect doctrine in December of 2001.(182) Responding directly to the concerns of liberal cosmopolitans,(183) the International Commission on Intervention and State Sovereignty developed a new policy and legal framework based on the just war theory outlined above.(184) The Responsibility to Protect was a breakthrough for liberal cosmopolitans and pro-interventionists, and talked not of a right to intervene but of a responsibility to protect individuals,(185) reconceptualising the issue around the victims of the conflict instead of those wielding power.(186)

The Responsibility to Protect questions the sovereignty principle of the UN Charter, and instead outlines the duty of the state to protect the lives and livelihoods of its civilians.(187) If that duty is not upheld, the international community has not only a right but a duty to act, which may include the use of military force as a last resort.(188) The International Commission on Intervention and State Sovereignty supports the notion that there are cases where international security requires states to react, particularly in circumstances that involve the threat of genocide, ethnic cleansing, or other human rights violations.(189) The International Commission on Intervention and State Sovereignty states that:

"State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself....Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect."(190)

The Responsibility to Protect goes further in addressing the international community's responsibility to prevent, react, and rebuild.(191) The most important conclusion of the report is the principle that sovereignty implies a duty, as do most rights.(192) The report has been widely accepted.

¹⁸¹ Human Rights Centre, "The Responsibility to Protect: Moving the Campaign Forward," *University of California*, October 2007, 2. <http://hrc.berkeley.edu/pdfs/R2P-Final-Report.pdf>

¹⁸² Hehir, *Kosovo*, 49.

¹⁸³ Neil MacFarlane, Carolin Thielkling, and Thomas Weiss, "The Responsibility to Protect: is anyone interested in humanitarian intervention," *Third World Quarterly* 25 (2004): 981.

¹⁸⁴ Atwood, "Just," 60.

¹⁸⁵ ICISS, "Responsibility," 11.

¹⁸⁶ Human Rights Centre, "Responsibility," 2.

¹⁸⁷ Seybolt, *Success*, 2.

¹⁸⁸ *Ibid.*

¹⁸⁹ Seybolt, *Success*, 49.

¹⁹⁰ ICISS, "Responsibility," XI.

¹⁹¹ *Ibid.*

¹⁹² Ian Williams, "Righting the Wrongs of Past Interventions: A Review of the International Commission on Intervention and State Sovereignty," *The International Journal of Human Rights*, 6 (2002): 107.

Specifically, at the 2005 World Summit, 192 member states affirmed the Responsibility to Protect.⁽¹⁹³⁾ However, the doctrine has yet to be seriously tested, as some of the largest countries, including the United States, Russia, China, and India, refused to endorse this document.

iii. Duties of Justice: the International Criminal Tribunal for Rwanda and the International Criminal Court

As Brock and Brighouse suggest, liberal cosmopolitanism entails a thesis about identity and a thesis about responsibility.⁽¹⁹⁴⁾ The latter suggests that contrary to a parochial morality of loyalty, liberal cosmopolitanism highlights the obligations to those we do not know.⁽¹⁹⁵⁾ The central claim of liberal cosmopolitanism is that duties of justice are owed to all the persons of the world.⁽¹⁹⁶⁾ This notion has profound implications for the arrangement and power of sovereign states.⁽¹⁹⁷⁾ As Moellendorf suggests, duties of justice require action, not merely non-interference.⁽¹⁹⁸⁾ In other words, "a proper response to the violation of important liberties requires restraining and perhaps even prosecuting and punishing the violator."⁽¹⁹⁹⁾

Justice refers to the enforcement of rights, laws and norms aimed at holding perpetrators accountable and ending impunity. Duties of justice hold that all persons should be granted justice.⁽²⁰⁰⁾ The ultimate aim for liberal cosmopolitanism is to achieve a more just and humane international order where human rights norms are an integral part of the system.⁽²⁰¹⁾

In November 1994, the UN Security Council established an ad hoc tribunal in Arusha, Tanzania to prosecute Rwanda's perpetrators, known as the International Criminal Tribunal for Rwanda (ICTR). Similar tribunals have also been established for the former Yugoslavia, Sierra Leone, and more recently Cambodia.⁽²⁰²⁾ Remarkably, these ad hoc tribunals, including the one on Rwanda,⁽²⁰³⁾ were set up under the jurisdiction of the UNSC, thanks to a very broad interpretation of the concept of international security and the UN Charter's provisions.⁽²⁰⁴⁾ The creation of these tribunals, notably the one on

¹⁹³ Human Rights Centre, "Responsibility," 3.

¹⁹⁴ Gillian Brock and Barry Brighouse, *The Political Philosophy of Cosmopolitanism* (Cambridge: Cambridge University Press, 2005), 2.

¹⁹⁵ Ibid. 3

¹⁹⁶ Darrel Moellendorf, "Persons' interests, states' duties, and global governance," in *The Political Philosophy of Cosmopolitanism* (Cambridge: Cambridge University Press, 2005), 148.

¹⁹⁷ Ibid.

¹⁹⁸ Ibid., 149.

¹⁹⁹ Ibid.

²⁰⁰ Charles Beitz, Social and Cosmopolitan Liberalism, *International Affairs* 75, no.3 (1999): 515.

²⁰¹ Andrea Birdsall, "Creating a More 'Just' Order The Ad Hoc International War Crimes Tribunal for the Former Yugoslavia," *Cooperation and Conflict* 42, no.4 (2007): 399.

²⁰² Des Forges, "Justice."

²⁰³ Des Forges, "Justice."

²⁰⁴ The ICTR was established under a UN Article 2(7) mandate, which, as mentioned, means the overriding of state sovereignty.

Rwanda,⁽²⁰⁵⁾ demonstrates that here the primary emphasis was not placed on state interests, but on the protection of human rights and the interests of humanity as a whole. ⁽²⁰⁶⁾

The Genocide Convention was enforced for the first time on September 2nd, 1998, almost fifty years after its ratification in 1951.⁽²⁰⁷⁾ Though the Nuremberg Trials had been set up to try war criminals after the Second World War, the definition of genocide had not yet received consensus and was therefore excluded from the Nuremberg verdicts.⁽²⁰⁸⁾ Since then, the International Criminal Tribunal for Rwanda issued the world's first conviction for the crime of genocide. ⁽²⁰⁹⁾ Before the tribunal, Jean-Paul Akayesu was found guilty of genocide and crimes against humanity. The International Criminal Tribunal for Rwanda has tried 70 individuals as of 2008, including several high ranking officials of the Hutu government, among them Bagosora, the mastermind behind the genocide, the prime minister, the leader of Radio Mille Collines, and the leaders of various militias.⁽²¹⁰⁾ The International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia both signified that impunity would not be tolerated by the international community.⁽²¹¹⁾ However, because the tribunals were ad hoc and established to try crimes committed only within a specific time frame and during a specific conflict, a more permanent criminal court became necessary.

A permanent institution that would try individuals and state perpetrators was developed. The Rome Statute, the statute establishing the International Criminal Court (ICC), was signed by 120 countries in 1998.⁽²¹²⁾ The International Criminal Court entered into force when the Rome Statute was ratified on July 1, 2002 by 60 countries. ⁽²¹³⁾The International Criminal Court became the first permanent, treaty based, international criminal court to try perpetrators of the most serious crimes of concern to the international community, such as the crime of genocide.⁽²¹⁴⁾

The criminal, ad hoc tribunals and the International Criminal Court not only act as formal courts of law, but as deterrence to those who believe they are immune to international law and have free reign to kill as they please. This has been most recently proved by the International Criminal Court's arrest warrant of Omar Al-Bashir, the president of Sudan. In addition, Canada completed its first war crimes trial on May 22nd, 2009, convicting a Rwandan man of genocide, crimes against humanity, and war crimes carried out during the Rwandan genocide.⁽²¹⁵⁾ This is an unprecedented event for Canada, demonstrating that justice transcends state borders.

²⁰⁵ Birdsall, "ad hoc," 399.

²⁰⁶ Ibid., 405.

²⁰⁷ Power, *Hell*, 486.

²⁰⁸ Ibid., 479.

²⁰⁹ Ibid., 485.

²¹⁰ Ibid., 492.

²¹¹ The International Criminal Tribunal for the former Yugoslavia was established in 1993.

²¹² International Criminal Court, "About the Court," Retrieved: <http://www.icc-cpi.int/Menus/ICC/About+the+Court/>

²¹³ Ibid.

²¹⁴ Ibid.

²¹⁵ Les Perreux, "Munyaneza becomes Canada's first convicted war criminal," *The Globe and Mail*, 22 May 2009. <http://www.theglobeandmail.com/news/national/munyaneza-becomes-canadas-first-convicted-war-criminal/article1148631/>.

The establishment of the ad hoc tribunals and the International Criminal Court have proven to be a significant step forward in international justice. They have allowed the claims of survivors, journalists, and refugees to be heard and verified.”(216) As was true for war criminals during the Nuremberg Trials, the perpetrators of genocide are now being forced to appear before a court of law, where the claims of genocidaires including Serbia’s Slobodan Milosevic and Rwanda’s Theoneste Bagosora, can be formally challenged.(217) Moreover, perhaps most remarkably, state sovereignty no longer shields a perpetrator of genocide from military intervention or courtroom punishment.(218) The duties of justice that have been established and implemented by the international community suggest that individual justice is being taken increasingly seriously over principles of order, such as sovereignty.(219) What’s more, guilty perpetrators are being punished and debilitated, deterring future genocide.(220)

Re-defining sovereignty

Throughout the Rwanda’s genocide, international leaders sat idly by with full knowledge that crimes against humanity and genocide were taking place on a large scale. Inaction by the international community was defended, “on the grounds that state sovereignty trumped the international community’s responsibility to protect the victims.”(221) U.N. Secretary-General Boutros-Ghali admitted that the international community had failed the people of Rwanda by not halting the genocide; Bill Clinton, the archbishop of Canterbury, and the pope conceded.(222)

It is only recently that the international community has come to recognize that there is a role for morality in the international system and the foreign policy of every country.(223) It became evident with the establishment of the International Criminal Tribunal for Rwanda and the creation of the permanent International Criminal Court that the international community would take measures against individuals committing genocide and crimes against humanity.(224) As Gareth Evans, the co-chair of the Responsibility to Protect, and President and CEO of the International Crisis Group states “it is important to recognize not only how far we have yet to go [...] but how far we have actually come.”(225)

If the international community is committed to human rights norms, then it must establish a new way of theorizing and discussing state sovereignty. The theory of sovereignty should not be understood mostly as state control or state rule over society, as perhaps in the classical Westphalian

²¹⁶ Power, *Hell*, 500-501.

²¹⁷ Ibid.

²¹⁸ Ibid.

²¹⁹ Birdsall, “Ad Hoc,” 397.

²²⁰ Power, *Hell*, 480.

²²¹ Des Forges, “Justice.”

²²² Ibid.

²²³ Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington: Brookings Institution Press, 2008), 27.

²²⁴ Ibid., 17.

²²⁵ Ibid., 15.

sense, but mainly as state responsibility to its people.⁽²²⁶⁾ The rise of alternative theories in international relations, such as liberal cosmopolitanism, support this discourse. What's more, civilians and state leaders are not only more aware of international human rights violations, but are becoming increasingly critical of insufficient responses by governments.⁽²²⁷⁾

Sovereignty and human rights must not be mutually exclusive. National sovereignty can exist and be respected, on the condition that it promotes human wellbeing. Though states continue to be important actors in the international system, their actions should not be seen as guided by self-interest in an anarchical system, but as actions of members of an international society of states and non-state actors.⁽²²⁸⁾

Another issue that requires attention is that states remain mostly reactive towards genocide and human rights violations. If human rights are to be influential in foreign policy formulation, then the international community must first further re-evaluate the principle of state sovereignty and re-define its meaning, and second, establish a proactive and effective policy towards genocide prevention. This can involve democratic building, and policies of deterrence and pre-emption. This further necessitates a policy of targeted and effective sanctions involving political, legal, economic, and military measures.⁽²²⁹⁾

Generating the political will among state leaders will continue to be the most difficult hurdle in combating genocide and human rights violations.⁽²³⁰⁾ However, as Fernando Teson appropriately states: "rescuing others will always be onerous, but if we forego by law our right to do so, we deny not only the centrality of justice in political affairs, but also the common humanity that binds us all."⁽²³¹⁾

The increase in intrastate conflict requires the international community to implement these recommendations (among others) if it wishes to effectively respond to violations of human rights. Since these recommendations are cosmopolitan in nature, they will likely be dismissed by classical international relations theorists as utopian or irrelevant to state security. However, as Evans notes: "the problems of the world cannot possibly be solved by sceptics or cynics whose horizons are limited by the obvious realities. We need (wo)men who can dream of things that never were and ask, why not?"⁽²³²⁾

Conclusion

This paper has attempted to find out how, since Rwanda's genocide, the international community has re-evaluated its responsibility to protect human rights, irrespective of national borders, and what the likely implications are for international intervention if similar situations occur in the future. In attempting to answer this question, this paper has analyzed the principle of state sovereignty and its

²²⁶ Ibid., 19.

²²⁷ Kathryn Sikkink, "Transnational Politics, International Relations Theory, and Human Rights," *Political Science and Politics* 31, no. 3 (1998): 520.

²²⁸ Birdsall, "Ad hoc," 399.

²²⁹ Neal Riemer, "Scholars against Genocide," in *International Intervention Sovereignty versus Responsibility*, ed. by Michael Keren and Donald Sylvan (Portland: Frank Cass & Co. Ltd, 2002): 169.

²³⁰ Evans, *Protect*, 25.

²³¹ Teson, "Liberal," 54.

²³² Ibid.

role in intrastate conflicts. Rwanda's genocide has been used as a guide for this analysis, since it is a clear example where the classical understanding of state sovereignty ruled. Liberal cosmopolitanism was used as the theoretical and analytical framework because of the value it places on individualism. This paper argued that, since Rwanda's genocide, key cosmopolitan developments have emerged in support of a new perspective on state sovereignty. These include: the humanitarian military intervention debate, the Responsibility to Protect doctrine, the roles of the International Criminal Tribunal for Rwanda and the International Criminal Court.

In our view, the international community has made significant progress in considering human rights norms since the Rwanda's genocide. Yet, with recent world events, such as the cases of Sudan, the Democratic Republic of the Congo, Sri Lanka, and the threat of further intrastate conflict and failed states in other parts of the world, the need to re-define state sovereignty and non-interference is more urgent than ever if, in such situations, state borders and political priorities should no longer be allowed to trump human rights.

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PHYSICIAN BRAIN DRAIN: EXPLOITATION OR HUMAN RIGHT?

UNDERSTANDING THE MULTIDIMENSIONAL PROBLEM

Polly Ford-Jones

Abstract

The 'brain drain of physicians from the global South to the global North is having detrimental effects on the health care systems in the South and is leading to the vastly unequal distribution of physicians worldwide. Physician migration is here analyzed from the perspective of neo-neo-colonialism at the historical-structural level and from the perspective of cosmopolitanism at the level of individual human rights and agency of physicians. Both perspectives are crucial for a full understanding of the phenomenon of physician brain drain and the eventual search for effective and multidimensional solutions to this problem.

Introduction

Medical 'brain drain' refers to the migration of health professionals from one country to another, ultimately resulting in a decreased number of physicians available in the countries of origin (Martineau, Decker, & Bundred, 2004, p. 1), many of which are poor and with higher rates of disease than the receiving countries (Arah, Ogbu, & Okeke, 2008, p. 148). The term 'brain drain' expresses the negative effects of the loss of highly trained individuals from the source country (Marchal & Kegels, 2003, p. 90). Numerous low-income or developing countries are facing crises in the health systems, largely due to a shortage of staff (Martineau & Willets, 2006, p. 358.). Medical brain drain aggravates the concentration of health care professionals in developed countries and prevents the realization of public health goals for developing countries. This has very detrimental impacts on the overall development effort of the poor countries experiencing the 'brain drain' (Kuehn, 2007, p. 1853). These developing countries also lose the huge sums of money that they had already invested in the education of health professionals, who ultimately end up benefiting another, more developed, country (Ahmad, 2005, p. 43).

Brain drain could thus be considered as yet another act of exploitation of the global South by the global North, in which the North appropriates the human resources of developing countries for its own benefit, further strengthening its own healthcare systems at the expense of the South. To analyze the question of the medical brain drain, this essay will apply two theoretical perspectives: post-colonialism and cosmopolitanism. In order to understand the structural causes of the brain drain of medical professionals and its human and financial cost to developing countries, post-colonialism will here be used as an appropriate conceptual framework. Post-colonialism argues that, even after the formal independence of developing countries, North-South inequalities persist and the domination of the South by the North continues through various means and forms of power. From the perspective of post-colonialism, the North still uses its power to control the resources of the South, including human resources, in our case by the recruitment of physicians. While post-colonialism highlights the structural level and causes of physician migration, cosmopolitanism offers a better understanding of the individual

level. Cosmopolitanism, in fact, addresses the equal status of individuals and the human rights of both the migrating physicians and the people in the countries of the South. Physicians are considered active agents and brought into the equation with a degree of personal responsibility in the process of brain drain. Post-colonialism and cosmopolitanism in combination offer a well-rounded framework for understanding medical brain drain on the historical and structural level as well as the individual, human rights level and therefore an understanding of what solutions are feasible and appropriate. This understanding will seek to move away from simplistic explanations or blame in the process and will explore the multifaceted aspects of the issue.

The Postcolonial Perspective

Post-colonialism suggests that colonialism did not end with official independence for colonies, but that colonialism persists in many of the structures created at the time of colonization and continues to strongly affect the domestic and foreign policy of developing countries (Chowdry & Nair, 2002, p. 11). Post-colonialism is relatively new to the study of international relations, but its relevance is already well recognized. Many of the original postcolonial thinkers, such as Said, Mohanty, and Spivak focused on Western representation of the Third World as seen mainly through the literature (Chowdry & Nair, 2002, p. 15). Since the early 1980s, post-colonialism has attempted to reinterpret the ways in which western and non-western relations and peoples are understood (Young, 2003, p. 2). A principle concern of post-colonialism is to examine the complicated shifts that occurred after the end of official decolonization (Shome 1998, p. 206).

According to post-colonialism, the shifts that arose after decolonization are numerous and are studied through culture, identity, race, gender, representation and many other aspects. However, the central idea in all of this is that largely the same previously colonizing countries continue to be dominant over the previous colonies (Young, 2003, p. 3). Whether these were directly colonized countries, or countries affected by colonialism (Childs & Williams, 1997, p. 10), the division in general is between the dominant global North and the global South. Colonialism brought wealth and resources to the countries of the global North, primarily through the economic exploitation of the South. Forms of imperialism today can be seen in the same manner, when countries of the North like the U. S. A. secure their wealth and power through economic exploitation of nations of the South (McLeod, 2000, p. 7-8). In brief, post-colonialism reflects on how colonization had the power to shape events and attitudes in the past and continues to do so in the present at the local, national and international levels (Chowdry & Nair, 2002, p. 12). Power in this context will be understood as the persisting influence of the North over countries in the South, as a result of colonization. This influence originates in the so-called 'right' of some nations to conquer and civilize other nations and their people, which created a lasting connection between a supposedly superior North and a South subject or victim of the North (Doty, 1996, p. 35). The enduring effects of this power relationship occur in a variety of ways and manifest themselves also in the process of medical brain drain.

It is a clear pattern that the majority of physician migration occurs from the South to the North (Astor et al., 2005, p. 2492), and the postcolonial power of the North has a significant role to play in what it has to offer, and also the pressures it imposes on countries and people of the South. It is also

clear physician migration movements are often based on colonial ties (Dodani & LaPorte, 2005, p. 487). The primary argumentation of post-colonialism, as it relates to physician migration, is that it is the continued domination by the North over the South that leads to physician migration. This becomes evident when we look at physicians as a resource and explore the issues of recruitment and the concepts of racism and 'the other.'

Physicians as Resources

A significant aspect of colonial practice was the exploitation of the resources of the colonies in the interest of the metropolis. From a postcolonial perspective, the process of 'brain drain' is part of the same process of exploitation. Professionals are considered to be the most expensive resources a country can have, given the time and effort that goes into their training. Their loss has proven to be extremely costly to developing countries (Dodani & LaPorte, 2005, p. 487). When one considers physicians as a resource, one can easily see that they are indeed being "extracted" from the South and are benefiting the healthcare systems of the North, with little or no regard for the effects on the countries of the South. The continued removal of physicians from their countries of origin in the South is proving to have detrimental effects on the healthcare systems of these countries. In many cases, this leads to heightened maternal and infant mortality rates (Kuehn, 2007, p. 1853). The fact that the North can still exploit to such an extent and with impunity, for its own self-interest, the highly qualified human resources of the South is evidence of the continued colonial domination of the South by the North.

Recruitment

As during the period of official colonization, when the metropolis could actually force labour migration (Childs & Williams, 1997, p. 6), countries of the North still have the power to maintain a significant labour flow of professionals to their advantage. The irony of all this is that a significant proportion of their power and wealth was obtained through colonization, namely through the exploitation of the resources of the South, which allowed them to create stronger economies and healthcare systems. The countries of the North can now entice physicians from developing countries to work in a 'superior' setting to that of the country of origin, with higher standards of living and quality of life, increased salaries, more available technology and a more stable political climate (Dodani & LaPorte, 2005, p. 487). Thanks to these enticing circumstances, the countries of the North are now in a position to draw away many physicians from the health systems of the country of origin of those physicians. In fact, developed countries not only provide appealing opportunities, but actively recruit medical personnel from the South and arguably pillage the health care systems of developing countries (Bundred & Levitt, 2000, p. 246).

Despite the negative outcomes and the strain on their health care systems, developing countries cannot control the outflow of medical personnel or skilled labour in general (Ahmad, 2005, p. 43). Countries of origin lack the power to tackle the poaching of their physicians by more powerful countries, as they may have other types of dependencies on the more powerful countries. Developed countries, therefore, even if they have the ability to increase their own supply of physicians, they use their

supremacy to benefit from the physicians of developing countries (Dovlo, 2005, p. 378). Post-colonialism also notes that implicit in the flow of physicians from the South to the North is the assumption of the superiority of the North over the South, an idea that is reinforced again and again through political discourse, literature and the overall dominant role of the North in the media and other sources.

Race and 'The Other'

Essential to the discussion of North-South hierarchies are the concepts of race and 'the other.' The concept of race, which was constructed during the time of official colonization, has played a key role in the dominance of the North over the South (Chowdry & Nair, 2002, p. 18). 'The other' can be studied from at least two different perspectives. One is to see 'the other' as both similar to and different from one's self. For instance, Bhabha, a key postcolonial thinker, addressed the perception of 'the other' in the context of 'colonial mimicry', where there is the desire to recognize the other as different but yet partly the same as us. A second understanding of 'other' is one of complete difference, which breeds a sense of superiority over what is different (Doty, 1996, p. 40). The argument here is that the concepts of race and 'the other' helped to legitimize colonization. Post-colonialism presumes that the concepts of race and 'otherness' continue to contribute to the North-South division and to the power and sense of superiority of the North, who in fact developed these ideas. Persaud (as cited in Chowdry & Nair, 2002, p.18) noted that it is through these concepts that the U.S. A. legitimized aspects of its immigration policies and also arguably its right to 'use' the others from the South, as they may be needed today. These concepts were essential in the legitimization of colonization and, while perhaps less explicitly, they are still very dominant in the contemporary North-South discourse.

In this postcolonial period, the power of the North over the South appears to be strong in several forms, which confirm the notion that colonialism in many ways is not over yet, and that this power is still used to exploit developing countries. The dominant power of many developed countries is also evident in the migration flow of physicians from the South to the North. The medical brain drain, therefore, is just another instance of the exercise of that power and the persistence of a North-South imbalance, which further exasperate North-South inequalities, even in the health sector.

Persistent Inequality After Decolonization

Post-colonialism seeks to address the wide-ranging inequalities existent today. It emphasizes the fact that the unequal relations present in colonial times continue today between developing and developed nations. Such inequalities can be seen in the disproportionate concentration of healthcare workers in the North compared to the South as well as in the economic losses of developing nations when their physicians migrate.

Physician Concentration

The United States, Canada, the United Kingdom, and Australia are the four countries receiving the highest number of foreign-trained physicians. Some 23-28% of physicians in these countries are international medical graduates, the majority of whom coming from low- to middle-income countries (Arah et al., 2008, p. 148). With the aging of the baby-boomer generation, countries in the North are experiencing an increase in demand for physicians, particularly in North America (Dodani, 2005, p. 489). While countries in the North feel that they have a significant need for more physicians, fact remains the regions with the greatest health care needs, located in the South, have proportionally many fewer professionals.

According to the 2006 World Health Report, regions that constitute "the South" have health workforce densities ranging from 2.3-5.8 per 1000 population, whereas regions of "the North" have densities ranging from 18.9-24.8 per 1000 population (WHO, 2006, p. 5). It is also essential to consider that not only do developing countries have proportionally fewer healthcare workers, but they also have a significantly greater disease burden. While 37% of health workers live in the Americas where there is 10% of the global disease burden, Africa has 24% of the global disease burden and only 3% of the health workers in the world (Kuehn, 2007, p. 1854). It is particularly distressing to look at the shortages in distinct regions and the behaviour of graduates of particular medical schools in developing countries. In Zambia, for example, the medical school in Lusaka has trained over 600 physicians throughout its existence, while currently only 50 of its graduates work in the Zambian health care service (Bundred & Levit, 2000, p. 245). This represents not only a loss of physicians but also of the resources put into the training of these professionals.

Economic Loss

In order to train a physician for practice, a country has to invest not only considerable time and training expertise, but also economic resources (Dodani & LaPorte, 2005, p. 487). India, for example, since 1951, has lost up to US\$5 billion in training doctors, who have left the country, while Ghana has lost approximately US\$60 million in training of health care professionals, who have migrated to other countries (Martineau, 2004, p. 4). The United Nations Conference on Trade and Development (UNCTAD) estimates that the migration of each African professional signifies a loss of \$184 000 to Africa (Pang, Lansang, & Haines 2002, p. 500). These losses of healthcare workers as well as investments tend to strongly and negatively affect the health system in the source country (Ahmad, 2005, p. 43), ultimately increasing the health equity gap worldwide (Pang et al., 2002, p. 499). The WHO estimates that developing nations spend some \$500 million each year on the education of health workers, who then leave their countries to work in the West (Kuehn, 2007, p. 1854). This essentially means that developing countries are subsidizing the cost of training a large portion of professionals for developed countries: something reminiscent of comparable forms of resource exploitation of colonial times.

The postcolonial argumentation, and understanding of the North's dominant role in medical brain drain offers an important insight into understanding physician migration historically and through postcolonial structure. It aids in understanding the power that the North has in the process of brain drain and the limited ability of the South to change this. This argumentation also designates a significant

degree of responsibility for this problem to the North for the damage it has caused. While this is a critical perspective to comprehend the historical-structural causes of the brain drain, additional argumentation is necessary in order to understand the issue at the level of the individual.

The Cosmopolitan Perspective

To develop a more complete understanding of physician migration from the South to North, a liberal cosmopolitan perspective will be used to appreciate the importance of the role and responsibility of the individual in the physician migration process. This perspective will identify the importance of human rights and the physician's right to choose to migrate, as well as the right of individuals in the South to a standard of healthcare, the role of various push and pull factors for migration, and the fact that physicians have at least some degree of agency in choosing to migrate and therefore some degree of responsibility for the status of the healthcare systems in their country of origin. In combination with the postcolonial explanation of the structural causes of the migration of physicians, the cosmopolitan perspective will offer a fuller understanding of the physician migration process at the level of the individual and provides insights into what types of policies will be beneficial in addressing the problem of the medical brain drain.

The primary assumption of cosmopolitanism is that each individual is a 'citizen of the world' with a duty to the global community of human beings (Held, 2002, p. 309). Amongst the different strands of cosmopolitanism exist three key elements shared by all positions. These include (1) individualism: humans as the fundamental unit of concern; (2) universality: this level of ultimate concern attaches to all humans equally, (3) generality: humans are the fundamental unit of concern for all, not only within specific communities (Pogge, 1992, p. 49-50). In other words, the full focus here is on the individual and the idea that this concern is global. At the forefront of this notion is human security, and therefore universal human rights (Vertovec & Cohen, 2002, p. 17). Critics of cosmopolitanism suggest that these human rights standards and values are Western in origin and imposing them universally is another form of colonialism. However, proponents of cosmopolitanism, like Held, argue that there is no reason to dismiss these notions of the importance of the individual and equality, simply because of their Western historical association (Held, 2002, p. 319).

Human Rights and the Individual

Whether understood in moral, institutional or political terms, cosmopolitanism always proclaims the need to endorse standards of justice for the well being of every human being, regardless of their place in the world (Brock, 2009, p. 45). Such a perspective should thus facilitate the understanding of the physician migration through an emphasis on human rights and the role of the individual physicians as agents in the process of medical brain drain. A primary focus in considering the equal importance of all individuals is human rights. Cosmopolitanism puts the importance of the individual above that of the state, and human rights can be considered the point against which states can be judged (Held, 2002, p. 315). Human rights are the main way in which the global importance of individuals is acknowledged and protected (Cheah, 2006, p. 3). Cosmopolitan philosophers have put forth what they believe ought to be

universal human rights, but practically speaking, human rights at this point are essentially defined by the United Nations' Universal Declaration of Human Rights. The Declaration provides the main cosmopolitan orientation to politics and is considered necessary for human dignity and autonomy (Held, 2002, p. 315). In relation to physician brain drain, two key individual human rights need to be taken into consideration.. First, is the physician's right to migrate, and second is the right to a certain standard of health for the people in developing countries, both of which raise concern for a cosmopolitan understanding of medical brain drain.

Physicians' Right to Migrate

Included in Article 13 (2) of the Declaration is the assertion that, "Everyone has the right to leave any country, including his own, and to return to his country." (United Nations) While it may be damaging to the country of origin, it must be recognized that as individual, physicians from countries of the South have the right to choose to migrate. The reasons to migrate vary from physician to physician, and some may be more compelling than others, but regardless it is their right as the cosmopolitan perspective puts forth. It is crucial to consider this factor in understanding the issue of physician migration, given that the issue, while based in the domination of the North, also involves a human right on the part of the physician. Some physicians may feel driven to remain in their country to benefit their healthcare system or may not have the financial means to leave, but others may not feel this drive or experience financial constraints, and may have other more pressing factors that lead them to make use of their right to migrate.

The most common factors amongst physicians who choose to migrate include the quest for higher standards of living, better quality of life, significantly higher salaries, more available technology, the stability of the political climate (Dodani & LaPorte, 2005, p. 487), thus escaping poor working conditions and limited economic prospects in the country of origin (Kuehn, 2007, p. 1854). Astor et al., (2005, p. 2494) found that almost all physicians interviewed considered higher income and increased buying power to be a considerably motivating reason for migration. Also, reasons for physicians not to return to their country of origin after training and to remain permanently in the host country include a lack of good education for their children in the home country, little research funding, poor facilities, lack of intellectual stimulation, and violence in the country of origin (Dodani & LaPorte, 2005, p. 489).

By focusing on the individual, cosmopolitanism ultimately stresses the critical role of human rights and the physician's right to migrate. In fact, the reality is that even if great efforts were deployed to improve conditions in developing countries, many physicians would still wish to migrate and indeed have the right to do so. Cosmopolitanism recognizes that individuals are active members of a political community, which may or may not be beneficial to them (Held, 2002, p. 314) and, if it is not beneficial, they will exercise their right to migrate. Unless this is recognized and it is acknowledged that this flow is unlikely to be fully stopped, in part due to the physician's desire to migrate, an appropriate solution to the problem of the migration of physicians is unlikely to be reached.

The Right to a Standard of Health

Within Article 25 (1) of the Declaration it is stated that, "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control." (United Nations) Therefore in considering cosmopolitanism's contribution to understanding the issue of physician brain drain it is important to consider those individuals who remain in countries of the South as equal human beings with equal rights to health. Without an adequate number of healthcare professionals in developing countries, it is impossible for nationals of those countries to enjoy the level of health and well-being prescribed by the Declaration. While it is arguable that there are physician shortages in both the North and South, as previously noted, the lack of physicians in the South is drastically greater. Therefore, concern for people in the South must come into play in dealing with physician brain drain and its effects on countries of the South.

Cosmopolitanism calls for efforts to diminish the economic vulnerability of developing countries (Held, 2002, p. 320), and in addressing aspects of this vulnerability, physician brain drain must certainly be considered. Therefore, while respecting the right of physicians to migrate, the vulnerability of the people lacking adequate healthcare in the South must also be addressed. The vulnerability of those needing healthcare in developing countries is, in fact, a common concern of both post-colonialism and cosmopolitanism, although from different perspectives: from an historical-structural point of view in the case of post-colonialism; from an individual agency and universal human rights point of view in the case of cosmopolitanism.

Combining the need to endorse principles of justice (Brock, 2009, p. 45) with the notion of the individual as the equal and ultimate moral unit of concern (Pogge, 1992, p. 49) it is undeniable that cosmopolitanism calls for concern for the damaging effects of physician migration in countries of the South, and specifically for the individuals of those countries. The focus is not on the need for physicians for countries of the North or the South, but on the impacts on the individuals affected, and which of their human rights and needs are or are not being met (Held, 2002, p. 315). The detrimental effects of physician migration for the people in countries with few remaining doctors manifest themselves in multiple ways, notably in the increased maternal and infant mortality rates (Kuehn, 2007, p. 1853), and in the great number of patients whose medical needs cannot be met. It is thus imperative to try to struck a balance between the right of physicians to migrate and the right of patients in developing countries to a decent standard of health care. The conflict between the two human rights shows the complexity of the problem, but also emphasizes the importance of understanding all aspects of the situation in order to search for feasible and positive solutions, that address the rights of both sets of individuals.

Individuals as Agents: The Responsibility of Physicians

Cosmopolitanism recognizes that every individual has the dignity of reason and moral choice (Held, 2003, p. 470), namely that every human has the ability to make decisions, and therefore has some degree of agency and responsibility for the decisions made and the actions taken. As agents and

decision-makers, actively involved in the process of migration, physicians cannot escape their share of responsibility for the impact of their decisions and actions on their countries of origin. This is not to discount the role of the postcolonial situation and the force that it may have on the physician's desire or reason to migrate, however it acknowledges the importance of considering the role and responsibility of the individual physician in the equation.

Migration cannot always be assumed to be a 'choice' for physicians to migrate and the pressures leading to such an action may well be immense. However, if we are to consider individuals as agents, they do play at least some role in perpetuating physician migration. Up to this point, it appears for many physicians that the feeling of responsibility to assist in the development of the healthcare system in their country of origin is outweighed by other factors driving them to migrate, and this must be considered in understanding the problem and considering solutions.

From the postcolonial perspective, the main responsibility for the negative impacts of physician migration on countries in the South is put on the countries of the North, as a result of colonialism and the persistent postcolonial domination of the South by the North. It is reasonable that a significant degree of responsibility should lie there, but it is also critical to acknowledge that the vast majority of physicians migrate willingly and, having the ability to reason, they are likely aware of the impact this will have on their country of origin. The purpose of recognizing this agency and degree of responsibility is not to assign blame, but to better understand the situation and the complexity of the process. Cosmopolitanism focuses on individuals that have multiple loyalties, and they are encouraged to do so (Vertovec & Cohen, 2002, p. 12). This is a highly relevant idea in the context of migrating physicians, who are connected to their country of origin, the country to which they migrate, as well as professional associations in both countries. Consideration of physicians' multiple loyalties and memberships of various communities may be relevant when looking for successful solutions to the medical brain drain problem.

Application of the two Perspectives: Solutions to the Brain Drain

Post-colonialism and cosmopolitanism offer two distinct contributions to the understanding of physician migration. The first emphasize the structural and historical level of analysis, the second the agency or individual level. Neither understanding is adequate without the other, and both are crucial in understanding what solutions, policies or programs might truly improve the situation and address the concerns of all parties involved. Structural solutions addressing solely the economic situation of the countries involved is unlikely to address the immediate reality that physicians will continue to wish to migrate to countries with more stable political climates, higher salaries or better technology. On the other hand, individually focused solutions that simply insist on the right of physicians to migrate or blame them for choosing to migrate are unlikely to address the broader issues at stake. If both aspects can be understood, it may be possible to see what kind of multidimensional solutions will be beneficial and begin to tackle all aspects of the problem. Three of the solutions addressed in the literature will be mentioned here: improved data collection regarding migrating physicians, specific initiatives undertaken by individual countries or organizations, and the larger initiative promoted by the WHO.

Data Collection

One of the primary difficulties in arriving at solutions is the lack of standardized data collection regarding migrating physicians. Countries are currently not obliged to record the migration of their physicians, therefore making it difficult to distinguish if physicians have gone abroad for training, remained abroad, moved to other sectors of the economy. It is therefore difficult to accurately monitor and assess which regions are experiencing a lack of skilled medical workers and where specifically they are going (Ahmad, 2005, p. 44). Interest in measuring and managing flows of health workers is now on the rise, which should help to identify the specific needs of different healthcare systems and eventually determining possible repayments of education costs to the countries of origin of migrating physicians (Dolvo, 2005, p. 376). Within the last several years, the need for the WHO to manage data regarding physician migration has been increasingly discussed. Ideally, the WHO should be able to keep track of all information globally and not simply of information kept by individual member countries (Ahmad, 2005, p. 44). While collection and monitoring of data is not a solution in and by itself, it is a necessary starting point in assessing where specific problems lie and how they must best be addressed.

Country-Specific Initiatives and Organizations

A number of countries that have long experienced brain drain have put in place policies or launched organizations to deal specifically with this issue. Certain countries have made it possible for other health workers to take on additional responsibilities and perform the asks of physicians, nurses and pharmacists, so that increased medical services could be provided (Dolvo, 2005, p. 376). A number of individual organizations working to implement health policies in different countries have also promoted a more ethical and equitable spread of healthcare workers across the national territories (Kuehn, 2007, p. 1854). Thus far, South Africa is the prime example of a country who has developed policies and proposed some long-term solutions to limit the permanent emigration of doctors. South Africa is a country that has long experienced high rates of physician emigration to other countries within and outside of Africa. In response to this, the government of South Africa increased the time for graduates to become fully recognized as doctors and made at least one year of community service mandatory, largely in remote, rural areas (Bundred & Levitt, 2000, p. 245). To limit the loss of medical personnel, South Africa has also been successful in banning the recruitment of South African physicians by other countries (Dolvo, 2005, p. 378). The U.K. and South Africa have an agreement allowing for worker exchanges on a time-limit, offering those in South Africa foreign experience and facilitating sharing best practices (Kuehn, 2007, p. 1854). These practices have been quite successful for South Africa and are positive models, that could be implemented by other countries. These solutions recognize the colonial link of South Africa to the U.K. as well as the reality that physicians will continue to migrate, therefore offering programs to make such a migration either temporary or at least more beneficial to South Africa itself.

Malawi is another country that, having experienced an immense loss of physicians and a severe AIDS epidemics, finally launched an emergency program to decrease emigration of health workers. The program included financial incentives for recruitment and retention, improved living conditions for staff, as well as management of health workers and an expansion of training within the country. The idea

being that the improved conditions will be the main deciding factor in physicians' desire to remain (Kuehn, 2007, p. 1855). While dictated by an emergency situation, this solution too acknowledges the reality of the reasons why many physicians migrate as well as the critical need for healthcare for the people of the country.

The WHO Initiative

Much of the brain drain literature called for the help of the WHO in data collecting (Ahmad, 2005, p. 44). As this issue has become more prominent, the WHO launched the Health Worker Migration Policy Initiative (HWMI). The initiative proposes to create international guidelines and formalize existing national guidelines dealing with physician migration. The idea was that these guidelines would be voluntary and could facilitate agreements between countries. The initiative brings together professional organizations and other groups to develop a roadmap for managing health worker migration (Kuehn, 2007, p. 1854) and is linked with Global Health Workforce Alliance, as part of the WHO initiative to manage migrating health workers. It works toward the establishment of bilateral, regional and multilateral agreements and policies aimed at minimizing the costs and increasing the benefits of health worker migration for all the countries concerned. The initiative also intent to develop, through a multilateral approach, a draft code of practice, which is still under consideration (WHO, 2009). As the different parts of the code are assessed and reassessed, it is probable that the issue will become increasingly well understood in all its aspects and more effective policies will be put in place.

Conclusion

The effects of the brain drain of physicians have put a drastic strain on many countries and peoples of the global South. The roots of this problem are embedded in inequalities and power structures, derived from the colonial era and still persisting today, as argued by post-colonialism. A significant degree of responsibility lies in the North as physicians are being exploited as resources and the South is losing not only skill but also huge sums of money. In addition to this explanation, however, the problem must also be understood at the individual level through the principle of universal human rights and the recognition that physicians as individuals are active agents in the world, as addressed by cosmopolitanism. The full understanding of all aspects of this issue is critical in arriving at acceptable resolutions.

The post-colonial and cosmopolitan perspectives are both useful not only to understand better the causes of the problem of medical migration, but also to look for more appropriate solutions. Given its historical-structural view of the origin of the problem, the post-colonial perspective advocates for radical and long-term solutions: a systemic change that overcomes the North-South inequalities or the general domination of the South by the North. By focusing on individual agency and rights, the rights of physicians and patients, the cosmopolitan perspective has a greater ability to propose more short-term and workable solutions, likely to meet the immediate expectations of both physicians and patients.

Recommendations and solutions that have been put forward include improved methods for data collection and management, programs catering to the specific needs of individual countries, as well as a WHO initiative to gain a better global grasp of the issue and develop a common policy. Ahmad (2005, p. 44) notes physician migration is a global problem, which will require a global solution, and adequate solutions must consider the diversity of affected countries and call for multilateral agreements. Solutions to the physician brain drain problem are evidently a work in progress. They will require a balancing act between the interests of all concerned. Appropriate solutions, however, can be achieved only if all aspects of the issue are properly understood.

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THE CONTRADICTIONS OF WATER PRIVATIZATION

Andrea Hiebert

Abstract

The purpose of this paper is to attempt to understand the issue of water privatization, which is presented as a form of foreign aid, that theoretically should benefit all those involved. This includes private investors, water companies, the World Bank and of course the poor. However, once these water privatization projects take shape, it becomes clear that the only people who emerge with any sort of gain are the investors. The purpose of this paper is to understand why this is the case. This will be accomplished by first examining how water privatization entered the international scene, how it is related to international development, and what are the arguments in its favor. Two case studies will then be reviewed, so that it will be possible to juxtapose what was supposed to have happened with what actually did happen. A postcolonial and Marxist theoretical framework will be applied to assist in the understanding of why these changes occurred and what are their consequences. Our findings support the argument that water privatization is not actually helping the poor. In reality, water conglomerates are promoting water privatization under the guise of foreign aid in order to establish imperial domination over the poor.

Introduction

The topic of water privatization has become increasingly complex and controversial over the past couple of decades. There have been numerous publications surrounding this issue, for the purpose of reporting what is supposed to be happening in contrast to what is actually happening. It is the main goal of this paper to understand whether, why and when water privatization helps to alleviate poverty or, in fact, makes things worse for the poor. To that effect, the issue of water privatization will be examined through the Marxist and postcolonial theoretical lens. The argument, that this essay will make, is that water privatization is being used as a tool by water conglomerates as a way to establish imperial rule. These water conglomerates are using water privatization, under the guise of foreign aid to be able to enter developing countries legitimately, where, in a short amount of time they establish imperial control. This paper is divided into three parts, the first being concerned strictly with water privatization as an issue. It looks at the history of water privatization, how the international community came to accept it as a form of foreign aid, and why the World Bank began to promote it. The second section looks at two case studies, Argentina and Bolivia. This is done so that one can see the contradiction between what the water conglomerates said they were committed to do and what they actually did. The third part of the essay examines David Harvey's theory of accumulation by dispossession, and Sankaran Krishna's work which ties post-colonialism with globalization. Following the explanation of these theories, they will be directly linked to the empirical evidence identified in the case studies, so that one can understand why water privatization is not relieving poverty. As indicated earlier, it will then become clear as a central argument that there is an underlying factor involved in water privatization, which is that the water conglomerates are not actually attempting to provide foreign aid. They are pursuing their own agenda of establishing imperial control. However, in order for one to understand this, it is necessary to review the history of water privatization.

Part One: The History of Water Privatization

Throughout the past century, the international community has developed a variety of conceptions and practices concerning foreign aid. Whether one refers to questions of import-substitution-industrialization or privatization, international institutions act according to the dominant ideas of the time. The dominant trend at present is the privatization of state-owned enterprises. Privatization can be defined as "the transfer of productive public assets from the state to private companies" (Harvey 161). To expand further on Harvey's definition, essentially what privatization entails is taking what was formerly publicly funded and selling it to a privately owned company, who will then take over the industry and collect any profits. This could include any industry, whether it be utilities such as gas, electricity, or water, or other government services such as railroads or postal services. However, this movement toward privatization came about as a result of a major shift in the development field, including the role of the World Bank. Between the 1950s and the 1970s, foreign aid was directed to the 'repatriation' and 'nationalization' of natural-resource-based sectors (Goldman 787). As further explained by Baer and Montes Rojas, "The considerable participation of the state in Latin America is a consequence of import-substitution-industrialization (ISI), which was the major development strategy from the 1950s to the end of the 1980s. In this context, the state not only encouraged investments, but it also participated directly in economic activities" (Baer and Montes-Rojas 323).

Prior to 1968, the World Bank did not play such a prominent role in the field of development assistance. It was not until the McNamara era, that the World Bank started turning its multi-million dollar budget into a multi-billion dollar one (Goldman 788). In order to provide the investment necessary for industrial expansion in the South, McNamara proposed a portfolio with both economic and political guarantees that would attract the owners of capital in the North to invest in development projects in the South, that had a low level of risk and allowed a high level of control over the projects (Goldman 789). This shift in focus is important because it led to Latin America's debt crisis in the 1980s, as the borrowing countries were not able to repay the large loans they were receiving from the North. "... Back in the 1980s, the McNamara era's massive increase in capital loans hit a wall. As Western firms and investors profited from this new expansive development regime, borrowing governments could not possibly manage the large dollar-based loans with their local-currency-based economies" (Goldman 789).

Due to this rising debt crisis, the countries of the North and the international economic institutions under their control, notably the IMF and the World Bank and their executives, including McNamara,, devised new lending strategies and conditionality, which imposed on borrowing countries many structural adjustment plans that were based heavily on neo-liberal ideas. These neo-liberal ideas involved selling off all public enterprises, regardless of whether or not they had been successfully producing national wealth, widespread employment, or social stability (Goldman 787). It was becoming common belief by the World Bank that privatization was the successful way to alleviate the debt crisis, and raise Latin American countries from former levels of poverty. "At the beginning of the 1990s, a strong consensus emerged regarding the benefits of privatization. In particular, privatization was perceived to promote enterprise efficiency, to reduce fiscal deficits, to increase consumer surplus and to create a competitive environment where there was a monopoly structure" (Baer and Montes-Rojas

324). Overall, privatization seemed not only to solve Latin America's debt crisis, but to provide a better service to consumers, and also incorporate the South into the international market.

Throughout the 1980s and 1990s the Government of the United States of America, the World Bank, and the International Monetary Fund endorsed a development model known as the "Washington Consensus," which was built on the pillars of market liberalization, fiscal austerity and privatization. The Washington Consensus contended that the free market, unimpeded by government interference and corruption, could transform underdeveloped economies. (Mulreany et al 24) By the 1990s, this trend had spread to even the most essential public-sector services such as education, electricity, transport, public health, and water sanitation (Goldman 787).

How Water Privatization Differs from other Forms of Privatization

It is important to note the difference in privatizing a commodity such as electricity, telephone services, the railway, or gas, versus the privatization of something that is so essential to life such as water. The United Nations has indicated the 'special necessity' of water for life in its World Water Development Report:

Water is essential for life. We are all aware of its necessity, for drinking, for producing food, for washing - in essence for maintaining our health and dignity. Water is also required for producing many industrial products, for generating power, and for moving people and goods - all of which are important for the functioning of a modern, developed society. In addition, water is essential for ensuring the integrity and sustainability of the Earth's ecosystems. (United Nations 5)

This is precisely what sets the privatization of water apart from other privatized commodities. First of all, as demonstrated in the World Water Development Report, the world needs water to sustain itself. People cannot survive without water, however they can survive without gas or electricity. It is also worth pointing out that gas and electricity are clearly defined commodities, whereas water is a life-sustaining natural resource. This is where the fundamental controversy over water privatization lies. "A mighty contest has grown between those (usually powerful) forces and institutions that see water as a commodity, to be put on the open market and sold to the highest bidder, and those who see water as a public trust, a common heritage of people and nature, and a fundamental human right" (Barlow 18). This is also where a clash of cultures can take place. Neo-liberalism, a predominantly Western ideal, regards water as a business opportunity. According to this view, it is perfectly appropriate to take ownership of water and then sell it back to the surrounding populations. This is actually seen as a viable solution to the world wide-water shortage:

One solution to this crisis [water shortage] is to call in the private sector. The idea is that more actors (not just governments) would enter the sector and deliver the services. In an environment of relatively free markets, the private sector can deliver not only investments, but also the reforms and efficiencies that are urgently needed in water and sanitation service delivery. (Goldman 792)

The United Nations as a whole, regards water as a commodity as opposed to a right. "Water has an economic value in all its competing uses and should be recognized as an economic good" (United

Nations 18). This is in sharp contrast to the general cultural and religious beliefs that surround water. Many different cultures regard water as a gift from God, for everyone to enjoy. Therefore, for someone to claim ownership, and then attempt to sell it to anyone is a preposterous notion. In this view, privatization is a highly inappropriate method for managing water (Shiva 88-94). Therefore, taking into account these two general arguments, it is clear that water privatization differs from the privatization of other sectors. First of all, it is a necessity to life, whereas other state-owned services are not. There is also a cultural and religious aspect connected with water that is not present in other sectors. This is why water privatization has become a matter of increasing importance and this is precisely why it is the topic of this essay.

Water Privatization as Foreign Aid

Now that an account of the process of privatization of state owned enterprises has been given and the reasons that set water privatization in particular aside from the privatization of other sectors have been explained, it is imperative that we discuss the reasons surrounding water privatization as a form of foreign aid. As stated by the World Business Council for Sustainable Development, a coalition of 160 transnational corporations, including some of the largest involved in water, energy, and waste management:

Providing water services to the poor presents a business opportunity. New pipes, pumps, measurement and monitoring devices, and billing and record keeping systems will be required to modernize and expand water infrastructure. Industry not directly related to the provision of water services will be able to enter new markets because water for production, and to sustain a productive workforce, will be available. Thus this program has the possibility of creating huge employment and sales opportunities for large and small businesses alike. (Goldman 792)

As is explained in this quote, the general idea surrounding water privatization in relation to foreign aid is that it will be beneficial to both the investors in the North, and the consumers in the South. Not only will the water sector as a whole improve, but it will help lift countries out of poverty through their incorporation into the global market and through the creation of more jobs. This inclusion will then promote the further development of other industries in developing countries, which will over time, in turn become more industrialized and more developed. In summary, water privatization is portrayed as being a solution to world poverty that can benefit everyone. The water companies earn a profit from their customers in the developing country, while the citizens of the developing country have increased access to cleaner water. This is in direct relation to the water supply and sanitation targets outlined by the Water Supply and Sanitation Collaborative Council (WSSCC), "to reduce by one-half the proportion of people without sustainable access to adequate quantities of affordable and safe water" (United Nations 8). This target can then be related to the Millennium Goal of 'reducing by one half the world's people living on less than one dollar a day'. Investment in water infrastructure and services to promote regional development is a direct contribution to this goal, (United Nations 9).

The World Bank's Promotion of Water Privatization

As has become evident in the preceding sections, the World Bank and private water companies are the primary actors in water privatization. The two subsidiary members of the World Bank, which have a direct role in water privatization are the International Finance Corporation (IFC), and the International Center for the Settlement of Investment Disputes (ICSID). The IFC's role is to promote the growth of private enterprise in developing countries by becoming a shareholder of the enterprise, together with other private national and international investors (Karnsand Mingst 364). The ICSID was formed to arbitrate investment disputes between foreign investors and governments (Vilas 40). The IFC states "that privatization can deliver a wide range of material economic benefits is now a view so widely held that it scarcely needs elaboration" (Baer and Montes-Rojas 325). This statement is based on the following six premises, as outlined by Baer and Montes-Rojas. The first is that privatization provides resources for the state's fiscal needs and reduces the fiscal burden of state-owned enterprises. The second is that privatization improves efficiency and quality of services in the infrastructure sector. Privatization is also supposed to extend coverage and access in the case of public utilities. Next, it is supposed to increase domestic stock ownership, and lastly privatization is supposed to attract foreign and domestic investment (Baer and Montes-Rojas 325). In addition, as indicated in Goldman's article, water privatization is supposed to create more jobs for the local people (Goldman 792). All in all, these premises appear to be in the correct line of thinking for decreasing poverty levels in the developing world, and although they are discussed in the context of privatization in general, they can still be applied to the privatization of water in particular. To link this directly to water privatization, the private water companies take the burden of the state-owned water system away from the state, relieving it of the prior fiscal burden and allowing it to focus on other issues in the country. Water privatization can become more efficient in that its citizens can access it for longer periods of time than previously, and the quality of the water should also improve. In short, citizens should receive cleaner water and more of it. Private ownership should also provide this water service to more people, thus increasing the access to parts of cities that previously did not have connections to the water supply. Water privatization should also lead to more citizens being able to purchase shares in the water company and, as the value of the stocks of the water company rise, increase their earnings. As the company grows, thanks to more local and foreign investment, it will continue to pull the developing country out of poverty. Lastly, water privatization should also increase employment opportunities. Therefore, more people will be able to work, thus contributing to the local economy, which in turn will create more jobs and thus continue to build economic prosperity. Based on these premises, water privatization appears to be an efficient and highly appropriate method to relieve poverty in the developing world. But do results meet expectations?

Part Two: Case Studies

Argentina

Now that the reasons for water privatization have been outlined, it is appropriate at this point, to examine two case studies of water privatization to see how these premises have played out. The two case studies to be examined are those of Argentina and Bolivia. Argentina began its privatization regime

in the 1990's. In 1993, Aguas Argentinas S.A. (AASA) won the monopolistic concession of Buenos Aires' water. The AASA is a multinational consortium, comprised of Suez and Viola, the Argentine group Solatie and other minority shareholders (Vilas 35). The ownership is as following: Suez is the leading shareholder at 39.93%; Aguas de Barcelona (which Suez partly owns) at 25.01%; the Program of Shared Ownership at 10%; Banco de Galicia y Buenos Aires, 8.26%; Viola, 7.55%; the IFC 5% and Anglican Water, 4.25% (Vilas 35). The way in which the AASA was able to take possession of Buenos Aires' water was through a bidding process. This stipulated that the bidder offering the lowest base rate coupled with an investment plan that included improved and expanded services would take ownership (Vilas 35). It is also important to note exactly how the AASA was able to bid so favorably. As Argentina's state-owned enterprises were slowly being sold off to private companies, the Menem government, in anticipation of the privatization of the water sector began to raise water rates. In February 1991, the rates rose by 25%, and two months later, they rose by another 29% (Vilas 35). By April 1992, the rates were elevated again by 18%, and then again by 21% shortly thereafter. This was done to make it easier for water companies to be able to make substantial bidding offers (Vilas 35). It was due to this considerable increase in water rates that the AASA was able to make a highly acceptable bid and thus win the rights to the water industry of Buenos Aires. "In principle, the \$4.1 billion investment plan would span the 30 years of the concession. The stated objective of privatization was to universalize the delivery of quality service by renovating existing, and constructing new, infrastructure" (Vilas 35). In other words, the AASA made a promise to provide more readily accessible, safe, clean, drinking water to a larger part of the population.

Referring back to the seven promises outlined earlier, the AASA broke nearly every one of them. In terms of reducing the fiscal burden of the water industry on Argentina, the AASA did accomplish this. However this was only a short term relief: due to the uprising of angry consumers who were dissatisfied with the water quality and rate increases, the Argentine government was forced to take back the burden of the water sector (Vilas 40). The government was then presented with the fiscal burden of the legal action that was brought by the AASA to the ICSID. "The AASA wanted to hold the government responsible for the company's losses due to the devaluation and the end of convertibility" (Vilas 40).

The Second commitment was that water privatization would improve the efficiency and quality of the water. Unfortunately this did not happen in Buenos Aires. "...Several important areas of the concession are rife with persistent problems, including with regard to water pressure and quality..." (Vilas 39). In connection with improved efficiency, temporary cuts of water due to preventable technical failure were a common occurrence (Vilas 39). This echoes the unfit quality of the water, which was reported to have high levels of nitrates (Vilas 39). According to Barlow, "water in seven districts [of Buenos Aires] had nitrate levels so high it was unfit for human consumption" (Barlow, 20). Therefore this commitment was not kept by the AASA.

The third promise, that water privatization made, was to extend coverage and access to clean drinking water. In terms of extending coverage, there is no evidence of the AASA building additional pipelines to reach the slums on the outskirts of Buenos Aires. ...because the contract stipulates that financing for expansions will come exclusively from rates paid by new users. In societies with high levels of income this scenario might work quite well, but it proves dreadfully inadequate in countries like Argentina where severe poverty is widespread. Those who lack access to potable water and sewage

services are precisely society's poorest, for whom pay is low and unemployment high, making them the least able to afford the services. (Vilas 36)

In addition to not fulfilling the extended coverage aspect of their promise, the AASA also did not increase access to potable drinking water. Shortly after taking over the water of Buenos Aires, the AASA began to raise numerous rates: the general rate rose by 13.5%, basic connection fees rose by 83.7%, sewage by 42%, and other charges increased by anywhere from 38% to 45% (Vilas 36). This resulted in many citizens becoming unable to afford their water bills, and thus the AASA cut their access.

In terms of increasing domestic stock ownership, at first, the AASA seemed to fulfill this. As per the terms of the contract, the workers' union, through the program of Shared Ownership, allowed them to hold a 10% share of the AASA (Vilas 36). Unfortunately, "one immediate effect of privatization was the slashing of the workforce by 40%" (Vilas 36). Therefore it is clear that the AASA did not increase domestic stock ownership or employment opportunities. In fact it did the opposite. In terms of increasing domestic and foreign investment the AASA did meet this promise halfway. As previously indicated, there was a large amount of foreign investment in the AASA, however the only domestic investment is the Banco de Galicia y Buenos Aires at 8.26% and the Program of Shared Ownership with its 10% that was greatly reduced through labour cuts. Overall, upon looking at the evidence presented by this case study of Buenos Aires, it is clear that the only promise made by privatization that was kept was the attraction of foreign investment.

Bolivia

The next case study to investigate is the water privatization projects in Bolivia, where such projects took place in three major cities: Cochabamba, La Paz and El Alto. Aguas del Tunari took ownership of Cochabamba's water in 1999, under a 30 year contract (Cohen 16). Aguas del Tunari is a consortium comprised of various shareholders. They include: International Water Limited of the United Kingdom (a partnership between Bechtel of the United States and the Edison spA company of Italy) with a 55% stake; the Spanish company Abengoa S.A., with a 25% stake; and four private Bolivian investors each with a 5% stake (Mulreany et al 28). La Paz and El Alto were managed by the administration of Aguas de Illimani, a subsidiary of Suez, the World Bank, which held an 8% share, and other private investors (Grant and Shiffler 22). In terms of the promises made by water privatization, these two companies, like the AASA, did not follow through. In terms of relieving the state of the fiscal burden of the water industry, at first both companies accomplished this. However, as in Argentina, once these two companies were removed from Bolivia, they sought monetary compensation through the ICSID. "Aguas del Tunari is seeking as much as US\$50 million in compensation for the concession's termination" (Mulreany et al 26). This clearly puts more fiscal burden on Bolivia than the previous water sector ever did. Next comes the efficiency and quality of the services. In El Alto, approximately 200,000 people (out of a total population of 800,000) still had no water hook-up. Over the term that Aguas de Illimani was in charge of El Alto's water supply, it failed by 33% to meet the requirements for new connections as outlined in its contract (Cohen 17).

The following set of issues surround the coverage and access to safe drinking water. Like in Argentina, Bolivians were faced with rising water rates that they could not afford. In Cochabamba, water rates immediately rose threefold to \$20 a month. This, taking place in a country where the minimum wage is less than \$60 a month (Barlow 20). In addition to the rising rates, Aguas Illimani also charged hook up fees of about \$450, this being the equivalent to the food budget of a family for two years (Barlow 20). Similar issues occurred in El Alto. The price of water increased by 35%, and the connection cost for new families exceeded \$445. This amount exceeds more than six months income at the level of the national minimum wage (Grant and Shiffler 22).

As it is clear from the records of Aguas de Illimani and Aguas del Tunari, they have attracted large amounts of foreign investment, in essence, from international water companies and the World Bank. They have also attracted domestic investors, but on a much smaller scale. But it is doubtful whether either company created additional employment. According to Shiva, in fact, water privatization generally reduces employment: "Public systems worldwide employ five to ten employees per 1,000 water connections, while private companies employ two to three employees per 1,000 water connections"(Shiva 91). Taking this into account, it is most likely that in Bolivia too, as was the case in Argentina, employment rates were actually reduced as a result of water privatization. Overall, like in Argentina, the only fulfilled promise is that of the foreign investment opportunities offered.

Part Three: THEORETICAL APPROACHES

The Marxist Theoretical Approach: Accumulation by Dispossession

Marxism, in relation to international studies, has changed drastically over the past decades. The main focus of this examination of the Marxist approach will be on David Harvey's account of accumulation by dispossession. Harvey begins by discussing the fact that there are two different aspects of the accumulation of capital. The first one is strictly an economical process, involving the capitalist and the wage laborer. The other aspect of the accumulation of capital involves the relationship between capitalism and non-capitalist modes of production, that are making their way into the international arena (Harvey 137). As indicated in *The New Imperialist*, "its [the relationship between capitalist and non-capitalist modes of production] predominant methods are colonial policy, an international loan system- a policy of interest - and war. Force, fraud, oppression, looting are openly displayed without any attempt at concealment..." (Harvey 137). What is argued in this chapter, is that in order for capitalism to sustain itself, it must rely on non-capitalist societies to stabilize its overaccumulation. Overaccumulation occurs because the wage laborer produces more than than he is able to afford to purchase due to his poor wage earnings (Harvey 138). This results in a surplus of capital being produced, which must be reinvested somewhere so that capitalism can continue to prosper. This is where non-capitalist societies come into play, because capitalists can invest in them, and thus reduce their problem of overaccumulation. "As we have seen in the case of the spatio-temporal fixes, the geographical expansion of capitalism which underlies a lot of imperialist activity is very helpful to the stabilization of the system precisely because it opens up demand for both investment goods and consumer goods elsewhere" (Harvey 139). This is precisely how capitalism is inter-connected with imperialism. It is just as important to have access to cheaper inputs (land, raw materials, intermediate inputs or labour power)

as it is to have access to widening markets. This is the case because it keeps profitable opportunities open (Harvey 139). Therefore, if necessary, non-capitalist territories should be forced to open up to investors who can profit from the cheaper materials, labour, or land (Harvey 139).

Harvey uses house 'flipping' in the United States as an example of how accumulation by dispossession works. The process is as follows: a house in poor condition is bought at a low price, renovated, and sold at a much higher price. This is done through a mortgage package arranged by the seller, who typically targets low-income families. If this low-income family should have difficulties in meeting any sort of payment then the house is repossessed. The fundamental effect of this ordeal is to prey on the low-income family and obtain whatever small savings they had (Harvey 152-153). This, on a basic scale, is exactly what Harvey's accumulation by dispossession theory is.

Accumulation by dispossession can be applied on the international scale, as a way to solve the problem of over-accumulation. "What accumulation by dispossession does is to release a set of assets at a very low cost. Over-accumulated capital can seize hold of such assets and immediately turn them to profitable use" (Harvey 149). This can be accomplished by capitalists, entering new territories and taking at little to no cost either labour, natural resources or manufactured goods, so that their over-accumulation (as earlier defined as a surplus of capital) can be reinvested, which will result in the stabilization of their own capitalist system.

Accumulation by Dispossession and the Rise of Neo-liberalism

Harvey attributes the rise of neo-liberalism to the work of Margaret Thatcher in the 1970's. As a way of attacking the economic problems of Britain at this time, she, along with Reagan, transformed the welfare state into an active supporter of the supply side of capital accumulation (Harvey 157). This prompted the IMF and the World Bank to change their policy frameworks in favor of those of neo-liberalism. As this was taking shape, Europe and the rest of the Anglo-American world also began to follow suit (Harvey 158). It is this rise of neo-liberalism that enabled accumulation by dispossession to become ever more predominant after the 1970s :

The primary vehicle for this development was financialization and the orchestration, largely at the behest of the United States, of an international financial system that could, from time to time visit anything from mild bouts of devaluation and accumulations by dispossession on certain sectors or even whole territories...For all this to occur required not only financialization and freer trade, but a radically different approach to how state power, always a major player in accumulation by dispossession, should be deployed. The rise of neo-liberal theory and its associated politics of privatization symbolized much of what this shift was about. (Harvey 156)

Therefore, it is easy to see how accumulation by dispossession at the state level was then transferred to the international scene through neo-liberalism. In fact, Harvey also makes the connection that since capitalism had been suffering from chronic overaccumulation since the 1970s, then the neo-liberal project of privatization, is an excellent way to combat this problem (Harvey 149). Next we will explain how accumulation by dispossession, through neo-liberalism, created this contemporary trend of privatization throughout the developing world, and how this is a form of imperialism.

The Rise of Privatization and Imperialism

As the powerful countries and international institutions of the world become more and more involved with neo-liberal ideology, a rise in privatization takes place all over the world, even in the area of global environmental 'commons'. With new mechanisms of accumulation by dispossession opening up, this has led to an increased depletion of global environmental commons (land, air and water). As a result, these natural resources are being used as capital investments, for the production of capital goods, and this is creating an overall degradation of these environments (Harvey 148). Harvey defines these trends as a new wave of the enclosing of the commons. In previous times, the state was able to combat these problems by exerting control over its own territory. However, privatization has made it significantly harder for states to be able to accomplish this and find internal solutions to their problems, including that of capital accumulation.

Harvey believes that the inability of countries to find internal solutions to the issue of accumulation of capital is particularly dangerous, because it tends to breed imperialism or at least to exasperate the imperialist logic, as countries try to acquire cheap capital elsewhere. In his view, this was the case of Britain in the past (Harvey 180). It seems to be the case of the USA today:

"As occurred in Britain at the end of the preceding century, the blockage of internal reform and infrastructural investment by the configuration of class interests during these years has also played a crucial role in the conversion of US politics towards a more and more overt embrace of imperialism" (Harvey 180-181).

Being the present day hegemon, the United States generally employs its power to ensure that international institutional arrangements work for its own benefit (Harvey 181). Harvey makes the argument that free trade and open markets are the ways through which monopolized enterprises, which are part of advanced capitalist states, are able to dominate trade, production, services and finances (Harvey 181).

The primary vehicle for accumulation by dispossession, therefore, has been the forcing open of markets throughout the world by institutional pressures exercised through the IMF and the WTO, backed by the power of the United States (and to a lesser extent Europe) to deny access to its own vast market to those countries that refuse to dismantle their protections. (Harvey 181)

In summary, David Harvey's thesis addresses the general problem of over accumulation in capitalist systems. In order to solve this problem, and increase the level of stability in their own capitalist system, reinvestment must occur, preferably in countries with low capital intensity. This is how neo-liberalism became so predominant in the international arena, and how privatization became such a widespread trend. It also explains how imperialism has risen as a way for hegemonic powers to maintain their dominance in the world. Having reviewed the Marxist theoretical perspective, let us now examine the postcolonial theory, so that a fuller understanding of water privatization can be reached.

The Postcolonial Theoretical Approach

Postcolonialism, as an international theory is difficult to define. Different authors focus on different aspects of postcolonialism in addition to another theory. For example, feminists tend to focus on the role of women in relation to postcolonialism, whereas cultural studies would focus more on the cultural aspects involved in postcolonialism. Taking into account the topic at hand and its interconnectedness with the world market and neo-liberalism, Sankaran Krishna's explanations of postcolonialism are the best suited to define this theory. Krishna's book focuses on the relationship among globalization, neo-liberalism, and postcolonialism. According to the author, "postcolonialism can be provisionally defined as the perspective or worldview of those who believe that it is possible to understand today's world only by foregrounding the history of colonialism - defined in a very preliminary way as the domination of certain societies and peoples by others - over the past five centuries" (Krishna 3). Included in this history of colonialism is the fact that capitalist development and colonial conquest are intimately related. In building on this, postcolonialism contests the neo-liberal claim that the free-market produces prosperity for all or improves living conditions (Krishna 4). Postcolonialism also makes the argument that both historically and at present, unregulated capitalist growth has been and still is highly unequal thus producing prosperity for a select few and misery for the remaining majority (Krishna 4).

According to Krishna, what sets postcolonialism apart from Marxism is that, in addition to focusing on the world market as a form of domination, it also looks at the fact that the West exerts cultural domination over the world :

An important aspect of postcolonialism is its sensitivity to issues of cultural domination: economically-developed and dominant nations invariably set the standards and constitute the model against which others are evaluated or evaluate themselves. This domination of the West over the world in the realms of knowledge production and culture, or Eurocentrism, is an enduring legacy of colonialism...(Krishna 4)

In summary, it is clear that postcolonialism regards neo-liberalism and the world market in the same way as marxism: a way for the select few rich capitalists to dominate the non-capitalist poor majority and to keep them trapped in this capitalist system. However, postcolonialists also realize that imperial rule is not accomplished by means of the free-market alone. The West also uses cultural domination in addition to their capitalist rule. They evaluate other cultures by comparing them to their own culture, and this is used as their tool for asserting cultural superiority.

The Connections Between Water Privatization and Postcolonialism and Marxism

As is evident from the case studies in both Argentina and Bolivia, the results of what happened were no accident, they were a deliberately contrived strategy. As indicated in the previous sections, the only promise that was fulfilled through water privatization was an increase in foreign direct investment. This puts into sharp focus where the priorities of the AASA, Aguas de Illimani and Aguas del Tunari really lie: in making profits. Both case studies illustrate that these three water conglomerates did not make any improvements to the water systems in the developing countries. What they actually did was continue to maintain the basic operations of the water infrastructure that was already in place while continuously

raising rates so that their own profits would increase. In Cochabamba, rates were increased by 200%, to allow for Aguas del Tunari to increase its planned profits to \$58 million (Barlow and Clarke 17). The AASA also hiked rates so astronomically that they went from deficit to a \$350 million profit within their second year of operation (Vilas 36). The way that they were able to accomplish this was that they held the monopoly over the water industry in each of their cities. "Water systems, which are traditionally run as monopolies, are unlike most industries. While there may be competition among providers to acquire a water contract, the municipality awards the contract to only one provider" (Mulreany et al 30). Therefore, in essence, once these water conglomerates win control over their respective municipality, they begin their process of imperial domination. Having the monopoly of the industry gives them the security necessary not to have competitive prices. They have complete control over the quantity, the quality and the price of the water, and, as was clearly laid out, the prices of this essential service grow to the point that it is impossible for the vast majority of the citizens to afford it. As argued in Harvey's book, "productive assets include natural resources. Earth, forest, water, air. These are the assets that the state holds in trust for the people it represents...To snatch these away and sell them as stock to private companies is a process of barbaric dispossession on a scale that has no parallel in history" (Harvey 161). Therefore, it is clear that the AASA, Aguas de Illimani and Aguas del Tunari were not providing any form of aid to Argentina or Bolivia. They were there to establish imperial control so that they could then obtain as high a profit as possible in order to increase their own market share.

These cases also illustrate the blatant double standard that is present in water privatization cases: the fact that governments should be obliged to adhere to the contract pertaining to the privatization project while the water conglomerates do not. Eight months into its contract, the AASA raised its rates, which was not permitted in its contract (Vilas 36). It also postponed the building of its sewage treatment system, which was to be built within the first five years of the concession (Vilas 37). However, once the general population became incapable of paying the large rate hikes, and the ETOSS forced them to leave before the contract was finished, they sought legal action from the ICSID. It was the company's intention to sue the Argentinian government for the loss of future profits. This is all in spite of the fact that the contract had been broken previously by the water conglomerates, as mentioned above.

This double standard also occurred in Bolivia. Aguas de Illimani and Aguas del Tunari broke similar promises to the AASA. Rates were raised when their respective contracts stipulated that they should not be. They also did not invest in infrastructure or wastewater treatment (Barlow 20). With rates that rose by more than 200%, \$58 million of profit was made from Cochabamba alone (Barlow and Clarke 17). Upon being forced to leave, Aguas del Tunari then turned to the ICSID in an attempt to sue the Bolivian government for approximately \$50 million, as compensation for lost future profits (Mulreany et al 28).

In addition to this double standard surrounding contracts, there was also a double standard in terms of the environmental degradation caused by the AASA and the two water conglomerates in Bolivia. Due to the fact that the AASA did not fulfill its promise to construct the much needed water sewage treatment facilities, over 95% of Buenos Aires' sewage was being dumped directly into the Rio de la Plata. This river, as noted by Barlow, had such high levels of pollution already, that it can be seen from space (Barlow 20). The AASA did nothing to alleviate this health hazard. There was also a similar issue in La Paz. Aguas de Illimani, instead of building a wastewater treatment system built a series of

ditches and canals through the poor parts of La Paz, which were used to transport raw sewage and garbage from the city into Lake Titicaca, which is considered by UNESCO to be a world heritage site (Barlow 20). It is also worth mentioning that the Aguas de Illimani company strategically located its headquarters under Mount Illimani. This was done so that in the spring, it would be able to capture the snowmelt from the mountain and then reroute it to the homes of those who could afford to pay for it (Barlow 20). This in turn cut off the water supply to the nearby slum community Solidaridad. Due to this lack of water, the school and clinic that were built with foreign aid money were unable to operate (Barlow 20). Therefore, taking into account Harvey's theory of accumulation by dispossession and Krishna's explanation of postcolonialism, it is clear to see that these two theories apply directly to the issue of water privatization. Water privatization is quite obviously a deliberately contrived strategy for powerful water companies and international institutions to establish imperial rule over developing countries. This is evident through their blatant disregard for the promises they made and the contracts they signed. The only achievement these water conglomerates make is to increase their capital gain through the exploitation of the citizens in developing countries, and also through the exploitation of their environments. This is a matter involving both capital domination as well as cultural domination, which is why both postcolonialism and marxism are vital to understanding its complexities.

Conclusion

In conclusion, it is clear to see that water privatization is a multi-faceted issue filled with false assumptions and many broken promises. However, once Marxism and postcolonialism are applied to this issue for the purpose of understanding why this occur, it becomes apparent that the large water conglomerates are simply establishing imperial rule, under the guise of foreign aid. This became evident once the case studies in Argentina and Bolivia were investigated. It was through this investigation that one can see that the only promise kept by the water conglomerates was that of an increase of foreign investment. The only members involved who moved ahead were the water conglomerates, and when they lost control of the water supply they attempted to obtain financial compensation through the ICSID. The case studies enabled the reader to see what was really happening, so that marxism and postcolonialism could then be applied to assist in understanding why these contradictions were occurring. One of the gaps of this paper is that it does not explain how these water conglomerates, legally speaking, were able to get away with their abuses. In terms of future research, it would be interesting to also look at water privatization from a legal stand point to complement the understanding gained from Marxism and Postcolonialism. This could further expose and highlight the elements of corruption and immorality involved in water privatization, as already suggested by Harvey's and Krishna's theories.

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**TURKEY'S BID FOR E.U. MEMBERSHIP AND THE GLOBAL BALANCE OF POWER:
A CONSTRUCTIVE-REALIST ACCOUNT OF TURKEY'S ACCESSION PROCESS TO THE EU**

ROMAN DENIS

ABSTRACT

The question of Turkey's accession to the European Union has been vastly under-theorized. This study uses a constructivist form of realism in order to explain the positions taken by France, Germany, and Great Britain on the question of Turkey's membership in the EU. So far Turkey's accession process has mainly been described in terms of human rights violations, the Kurdish question, and in terms of satisfying the Copenhagen criteria. This study makes an attempt to explain the issue at hand in terms of the balance of power theory. It will be the core of my argument that the question of Turkish membership to the EU deals with a broader question of power politics. Although European integration remains a theoretically challenging subject for realists, and neo-realists alike, this paper suggests a more ideational approach to the study of European integration in general.

INTRODUCTION

It was Mustafa Kemal Atatürk, the founder of the Turkish Republic and its first President, whose vision of a secular, Westernized state, established modern Turkey in 1923. Ever since, Turkey has long sought ever-closer ties with Europe and the United States. —Successive Turkish governments have looked into Western organizations and institutions to form alliances and realize foreign policy objectives.(Yildiz and Muller 2008, p. 21) Turkey's accession process to the European Union (EU) has given rise to considerable debate among existing Member States and their populace. The EU, throughout its history, has gone through five waves of enlargement, resulting in the current 27 Member States. And although Turkey has been and still continues to be closely tied with Western Europe, it has not been generally considered an appropriate member of the EU. In turn, Turkey's accession process has been an unusually long one, relative to other states. The question of Turkey's membership in the European Union has been mainly characterized by a persistent opposition to its accession, owing to the divergent interests of various EU Member States as well as the United States. This has resulted in a very strenuous negotiation process and Turkey's questioning of EU's real intentions and interest. Opposition has been based mainly on the following grounds : Turkey's grave human rights violations, its inability to satisfy the Copenhagen Criteria, the unresolved Kurdish and Cyprus questions, claims that Turkey is not European enough politically and that geographically it is not in continental Europe and thus does not qualify as a potential member state (see, for example, Murphy 2004; Walker2007-08; Yildiz and Muller 2008). However, these issues alone do not capture the scope of apprehension over Turkish accession, for they do not take into consideration a greater global conception of the European Union in the geopolitical context. Thus, there exists another dimension to understanding the question of Turkish accession process to the EU. This dimension deals with two separate ideas of the European Union and consequently about its role in global politics: the more political or Franco-German conception and the predominantly economic or British-US vision of Europe. Turkish membership of the EU could well tip the balance in favour of one or the other of these two visions. This may provide a deeper explanation of

why Turkey membership has become so controversial. Thus, the main purpose of this paper will be to describe and explain this process from a realist perspective. Having examined several theoretical approaches, I have come to a conclusion that a neo-realist account works best in explaining the assertively sought support of and aggressively-heated opposition to Turkey's accession to the EU. However, an exclusively neo-realist approach will not be sufficient on its own. A constructivist form of realism will be necessary in order to explain conflicting ideas about European Union, its role in the global politics, as well as its future. For this sole purpose, I have chosen Kenneth N. Waltz's Theory of International Politics as a theoretical book for my analysis of Turkey's accession process to the EU. Primarily because balance of power theory, as presented by Waltz, possesses considerable capacity to explain the balancing behavior of states. The author's main concern in Theory of International Politics regards the distribution of power in the international system and how it influences states' behaviour.

In short, this study set out to explain the stances of various European Union Member States on the question of Turkey's membership of the EU from a realist point of view. However, moving beyond the scope of hard-core neo-realism, we explicitly suggest in this essay that Turkey's accession to the European Union in particular, and the process of European integration in general, can better be explained in constructive realist terms. Primarily because such an approach takes into account core realist assumptions about power' and emphasizes core constructivist assumptions about the role of ideas' in international relations. Thus it is suggested that constructivist form of realism is helpful in explaining central feature of European politics in the light of Franco-German opposition to and British-American support of Turkish accession to the European Union. The theoretical part of this paper outlines major constructive realist and realist concepts which might be helpful in understanding the behaviour of key states in relation to the process of regional integration, alliance formation, and the balance of power. The empirical part of the study seeks to apply and illustrate the relevance of this conceptual framework. The empirical part of this essay tries to explain positions taken by various EU Member States regarding Turkey's membership in the European Union.

THE HISTORY

Turkey's path towards institutional integration into Western Europe began in the late 1940s, when it became an original member of the Council of Europe, and the early 1950s, when it joined the North Atlantic Treaty Organization (NATO) in 1952. As Turkey pursued closer relations with Europe, it applied, in 1957, for associate membership of the then nascent European Common Market (ECM), later known as the European Economic Community (EEC) and finally the European Union (EU). In 1963, Turkey entered into an Association Agreement with the EEC. The Association Agreement offered Turkey a possibility of a future membership within the Union. It covered a broad spectrum of trade-related issues and various other areas of cooperation, and was intended as a step towards an eventual customs union. (Yildiz and Muller 2008, p. 21) In November of 1970 an Additional Protocol was signed, in which rules for a customs union were outlined between the EEC and Turkey. (Grigoriadis 2006, p. 148) The fact that Turkey participated as a full member in the Conference on Security and Cooperation in Europe (CSCE) in 1973-75 and became a founding member of the issuing Organization for Security and Cooperation in Europe (OSCE), further symbolized Turkey's pro-Western orientation. These promising developments, however, were short-lived. For nearly a decade thereafter relations between the

Community and Turkey stifled, partly due to the question of Cyprus. It was not until the late 1980s that the relationship between the European Community (EC) and Turkey began to improve again. Turkey's filed a formal application for full membership of the EC in 1987. But the application was rejected in 1989 as the Community concluded that it would be inappropriate for the Community ... to become involved in accession negotiations at this stage. (Yildiz and Muller 2008, p. 21) However despite such a disappointment close ties continued to grow. In 1995, Turkey and the EU signed a Customs Union agreement, which came into effect in 1996. As the critical EU-Copenhagen Summit of December 2002 approached, Turkey's political liberalization seemed to proceed at a surprising pace. (Grigoriadis 2006, p. 148) Yet, Turkey's application was once again shelved, as the Copenhagen Summit decided to defer its decision until the Summit in 2004. Finally, as expected, on October 6th, 2004, the recommendations issued by the European Commission concluded that Turkey had sufficiently fulfilled the criteria necessary to open accession negotiations. (Yildiz and Muller 2008, p. 24) Starting date for Turkey's accession negotiations to the European Union were set for October 3rd, 2005.

THEORETICAL FOUNDATIONS

In order to construct a theory of international politics Waltz makes a necessary distinction between domestic and international politics. He defines both domestic and international political structure first by the principle by which it is ordered or organized, then by the differentiation and specification of its units, and lastly by the distribution of capabilities across these units. (Waltz, 88) However, the aforementioned distinction between the domestic and the international is necessary in order to explicitly portray the rationale behind the behaviour of units, namely the alliance formation. For "it is not possible to understand world politics simply by looking inside of states" (Waltz 1979, p. 65) since the structure of the domestic system (hierarchy) is different from the structure of the international system (anarchy). A structural approach, on the other hand, allows for the parsimonious explanation of the similar behaviour among diverse units. Since we are concerned with international relations, I will not focus deeply on domestic political structures of the units although it is immeasurably important for constructive form of realism. Lack of central authority within international system is the fundamental basis of Waltz theoretical framework. Such international-political systems are formed by coactions of self-regarding units. (Waltz 1979, p. 91) Because there is no overarching government or governance that rules over such units their motivation has to be assumed rather than described in realistic terms. Thus, Waltz assumes that all states seek to ensure their own survival. In comparison to domestic system, security under anarchy is not guaranteed. Because of the self-help system and the uncertainty of other units, states' focus shifts from absolute gains towards relative gains. Since all of the units under anarchy are in a self-help system, there is no functional differentiation among them, all are legally equal. However, Waltz further applies his analogy of economic thinking of domestic system to the international structure in order to point out that we, the students of international politics, ought to focus mostly upon 'large firms', namely relatively powerful states. This is due to the fact that the difference between those units that matter and those that don't are the differences of capability, not of function. (Waltz 1979, p. 96) Similarly, although it is acknowledged by Waltz that there are non-state actors that exist in the international system, their relevance is miniscule comparing to a state actor. The two explicitly stated, relevant characteristics of the international system, therefore, are anarchy and relative capability of states. Furthermore, Waltz explores the question of anarchy and the balance of power. He explicitly

states that cooperation among states is possible, and indeed often desired. However, such cooperation is possible "only in ways strongly conditioned by the anarchy of the larger system." (Waltz 1979, p. 116) Continuing on the point, he further states that anarchy of that system strongly affects the likelihood of cooperation. Such cooperation is primarily driven by the balance-of-power theory, where states are unitary actors who seek, at a minimum, their own preservation and, at a maximum, universal domination. (Waltz 1979, p. 118) States are determined to achieve their ends by, internally, increasing economic capabilities and military strength and, externally, by strengthening and enlarging their alliances or weakening the opposing ones.

Although indispensable to this essay, a purely neo-realist approach will not suffice on its own. For, the thrust of argumentation presented within this paper will be inadequately portrayed, and could possibly be rendered as flawed. Thus, in order to fully understand the absolute vigour of the argument at hand, a more ideational approach is needed. One such theoretical approach bridging the (neo-)realist and ideational spheres has been referred to as constructive realism. In this fusion of approaches the end product may be summarized as a constructive form of realism that takes ideas seriously as objects of analysis. Constructive-realism is a hybrid-theoretical approach that bridges the power-idea gap. It takes into account core realist assumptions about power and emphasizes core constructivist assumptions about the role of ideas in international relations. (Barkin 2003, Sørensen 2008) In this sense, both realism and constructivism complement each other to a certain degree. Alexander Wendt, a prominent social constructivist, concluded, for example, that the power and interest have the effects they do in virtue of the ideas that make them up. (Wendt 1999, p. 135) The rationale behind such thinking is that the distribution of power in international relations is primarily constituted by distribution of interests among states, and the essence of states' interests is in turn constituted by ideas. (Wendt 1999, p. 135) For this particular reason this theoretical approach of the study of...ideas, is integral to a full understanding of international politics. (Barkin 2003, p. 336)

Ideas give meaning to the material forces and states' actions. As such the role of power and interest in state's foreign policy is reinforced by the state's ideational beliefs. Indeed, the central thesis in Wendt's argument is that the meaning of power and the content of interests are largely a function of ideas. (Wendt 1999, p. 96) In other words, how states act in the international relations, and what interests they hold, as well as the structure within which they operate are defined by states' ideas. This is consistent with Morgenthau suggestion that a nation-state's foreign policy ought to be rational in view of its own moral and practical purposes. (Morgenthau 1985, p. 10) Thus, a state ought to act in accordance with its ideas and perception of itself and its role in the international system. This ideational or constructive form of realism, as such, grants considerable explanatory weight to both material and ideational forces in international relations. Material forces matter in that states actions depend upon relative distribution of power among states. Ideational forces (ideas) matter in that ideas too explain aspects of state behaviour. States actions are constituted by the role of belief systems and perceptions in foreign policy decision-making. In Sørensen's words quoting Max Weber, this constructive form of realism offers students of international relations an "interpretive understanding of social action" combined with "causal explanation of its course and effects" (qtd. in Sørensen 2008, p. 13).

On the final note, one of the most essential arguments that needs to be explicitly stated is that there are no compelling ontological or epistemological obstacles to the ambition of supporting an approach that considers both material and ideational forces. (Sørensen 2008, p. 13; Wendt 1999, p. 92-

138; Barkin 2003, p. 338) Indeed, in explaining Waltz's systematic conceptualization of international material structure, Wendt argues that Waltz's model can only explain what it purports to explain by relying on an implicit model of the distribution of interests, and insofar as interests are themselves material (defined in terms of power) Wendt's argument does not violate the spirit of Neorealism, and can be seen as a friendly amendment to the theory. (Wendt 199, p. 97) There are, in other words, strategic and ideational forces that determine states' actions. All in all, "material power matters, but so do ideas". (Sørensen 2008, 14)

EMPIRICAL CONTEXT

Two Visions of Europe

Since the idea of the European Union was conceived, its Member States as well as the European citizens in general have been preoccupied with the question of what is to become of Europe, and what role the European Union is to play on the international arena. Jose Cutileiro, in *Duas Visões da Europa*, comments that since the early 1970s the debate on the European project has been primarily dominated by two divergent visions of Europe. On one side of the debate is the French vision of a European Union which emphasizes the idea that Europe is to converge into a single political entity that should speak with one voice. In this vision, individual Member States submit their sovereignty to a supranational EU government. Europe's global role in such a context is that of an international power player. Contrary to this European ideal, on the other side of the debate, is the English vision of Europe as a mainly economic, trade, and financial power. British European ideal envisions European Union as an instrument of global stability, but anchored within the transatlantic alliance. (Cutileiro, 2005) Whether Turkey successfully accedes to the EU or finds itself abandoned, may largely depend upon which vision of Europe triumphs. It is therefore essential to establish a clear understanding of these two divergent visions of Europe and what do they mean for Turkey.

Paris-Bonn European Ideal

The advocates of the French vision of Europe, would like to see the EU evolve into a novel political/judicial entity one encompassing a close-knit federation of states, nations, and regions, with linked approaches to economic, social and environmental matters and an independent foreign policy. (Murphy 2004, p. 584) (italics added) Germany and France, since the days of Chancellor Adenauer and General Charles de Gaulle, have been strong proponents of such a Europe. In fact, the discourse on European enlargement and integration and a dissection of the role European Union ought to play in the world, has a Gaullist origin. As a former president of the French Republic, General Charles de Gaulle sought a policy which would bring France back to its former state of "grandeur" and in doing so he was compelled to challenge those whom he referred to as les Anglo-Saxons, namely the British and the Americans. (Ellison 2007, p. 1) Critical to France's initiative was the exercise of influence and control over Western Europe, the development of a war-broken and divided Germany, as well as European integration over all. De Gaulle built on these foundations by making the European Economic Community (EEC) the institutional foundation of his policy of a European Europe free from American influence.

(Ellison 2007, p. 3) Within the new French-led Europe, de Gaulle saw France's interests converge with European interests to produce a European détente. For both the French and the Germans, European integration would serve as a security guarantee of the post-war era. Thus, on January 22nd of 1963, a Franco-German Treaty of Friendship was signed between de Gaulle and Konrad Adenauer, Chancellor of the Federal Republic of Germany. Ostensibly, the Germans had signalled their allegiance to de Gaulle's vision of Europe. (Horber, 224) To counterbalance the British-American dominance in Europe, successive French and German governments throughout the "1970s, 1980s, and 1990s strove to galvanize the European Community's political, economic, and defense capabilities in order to create a 'third force' in global affairs..." (Pagedas 2001, 111).

The primary objective of de Gaulle's vision of Europe and the Franco-German alliance was to build a European Europe, a Europe outside of American influence and transatlantic strings. Britain had to be kept out of the Franco-German European ideal for the fear of turning Europe into an Atlantic system. (Hendriks and Morgan, 23) The grand strategy was a creation of a concert of European states that would serve as a means to prevent certain others, in particular Great Britain, from dragging the West into an Atlantic system which would be totally incompatible with a 'European Europe' (Ellison 2007, p. 3) De Gaulle challenged American influence in Europe via drastic actions, however symbolic of its general trajectory was France's dual rejection of British application to the European Economic Community in 1963 and 1967, and France's intent to liberate itself from subordination to military integration in the North Atlantic Treaty Organization (NATO) (Ellison, 1). As such, France clearly outlined its vision of the European Union and France's role within it: an independent France within an independent Europe. (Hendriks and Morgan, 24) European integration, while satisfying the needs of the French, would work to benefit all of Europe.

De Gaulle's legacy outlived the Cold War and seems still influential at the beginning of the new millennium. Today, Franco-German European ideal is seen through somewhat the same lenses. The idea that Europe should be free of American influence remains strong. For example, after the end of Cold War, Franco-German pursuit of European autonomy and rise to a global power moved forward with enhanced military cooperation through the creation of the Eurocorps and the revitalization of the Western European Union (WEU). This resulted in the typical US response of trying to strengthen the influence and role of NATO in Europe. "The Maastricht meeting was preceded by a clash between the Bush administration, which wanted the WEU to be an integral part of NATO, and the Mitterrand government, that adopted the Gaullist view of a Europe able to defend itself and, hence, saw the WEU as the military arm of the EC". (McCarthy, 115) Furthermore, Franco-German coalition once again rose to challenge the United States in January of 2003 in their opposition to the war in Iraq. In essence such a position could be interpreted as an attack on the transatlantic partnership, a stance against U.S. influence and intentions. It remains, however, to be seen what might happen to the de Gaulle's legacy under Nicolas Sarkozy, the current president of France.

The Anglo-American 'Special' European Ideal

On the other side of the European integration debate is the aforementioned 'British vision'. Murphy refers to it as a "loose association of states" cooperation among which is facilitated by economic, trade and financial links. (Murphy 2004, p. 584) (italics added) Emphasis here is put upon the extent to which Europe ought to be embedded in the Atlantic Alliance with United States. Indeed, the relationship between Britain and the USA is so close and beneficial that it has become customary to refer to it as 'special'. Indeed, the Anglo-American idea of Europe was born out of this 'special relationship'. The close and natural collaboration between these two powers derives from long-shared political and legal traditions, close cooperative and lucrative ties in trade and investment, and last, but not least, from common cultural heritage. (Pagedas 2001, p. 108) The United States and Britain, since the days of President Franklin D. Roosevelt and Prime Minister Winston Churchill, and currently under President Barak Obama and Prime Minister Gordon Brown, are the advocates of such a Europe. They are also two of the most vocal advocates of Turkish membership in the European Union.

The idea of a special relationship' has been enthusiastically endorsed by London, while Washington perceived it through the spectacles of British support of U.S. interests, first in World War II, then throughout the Cold War, and more importantly in the post-9/11 era, particularly in the ongoing Iraq War and the War on Terror. "Throughout this time, British statesmen and historians have represented the Special Relationship as the anchor of foreign policy: the means by which Britain has ensured American support of its national and international interests, and maintained an effective front against Communism and other threats to the world order" (Boyce 2003, pg 67). However, as Boyce further argues, "the two powers have enjoyed a close working relationship only when the United States has perceived a particular need for Britain's support" (2003, pg 67).

In the Spring of 1964, the Foreign Office in London began to take diplomatic initiative to counter de Gaulle and his European ideal. On March 12, Sir Person Dixon, Britain's Ambassador in Paris, cautioned that France's European trajectory and policies were aimed in an opposite direction to that which her Western Allies [Britain and the United States] wish to take..(Ellison 2007a, pg 21) It could thus be inferred that Britain's Foreign Office advocated closer Atlantic-European policies, stronghold of which was the United States.

Indeed, "in American expectations, the British could be relied upon to act as a stabilizing influence, countering the actual and potential ill-effects of the Gaullist challenge and leading Western Europe in a direction that was sympathetic to US policies".(Ellison 2007b, 105) Hence, the role that United States awarded to Great Britain in the 1966 NATO crisis. At the same time, the U.S. encouraged Britain to play a more prominent role in Europe by submitting a membership application to the European Economic Community (EEC). Washington's aim was to amplify London's influence in Europe. British application and subsequent membership in the EEC did not weaken the 'special' Anglo-American relationship, but rather acted as a catalyst for strengthening it. "The position of leadership in Europe that Britain desired ... was not intended to succeed relations with the US, but reinforce and supplement them (Ellison 2007, p. 117). The conviction in Britain was that Europe needed British leadership, and the Americans needed British leadership in Europe, if the 'right sort of Europe', one set within an Atlantic framework, should finally prevail. (Ellison 2007, p. 29)

In 2003, at a House of Representatives hearing before the Subcommittee on Europe of the Committee on International Relations, it was underlined that "the partnership between the United States and Europe not only remains relevant but is more necessary than ever in a world as uncertain as ours is today. Thus, the transatlantic relationship must be preserved and strengthened". (p. 1) As it is the case with the French idea of Europe, the English vision of Europe too is still on the British agenda today. This is evident from the British support of the United States in the Iraq War. Today, Britain's conception of itself is that of a power in its own right, American strongest and most powerful ally. The moral of the Anglo-American 'Special' Vision of Europe suggests that there has been and continues to be an Anglo-American position as to role of the European Union in the global context. Throughout the Cold War, Washington looked to Great Britain to defend the principles of the Atlantic partnership and the Anglo-Saxon vision of European integration. London responded readily and effectively. The controversy between the Franco-German and the British-American vision of Europe persists and the question of Turkish accession to the EU may well depend on which of these two visions of Europe finally prevails.

U.S.-Turkey Strategic Relations

In the light on the British-American 'special' relationship, it would be beneficial to examine the U.S.-Turkey relations and point to the Turkey-U.S.-British triangle. Turkey's relations with Europe and the United States have been most active since World War II, relations dictated mainly by the Cold War policy of containment of Communism. For half a century, Turkey earned a reputation of a loyal NATO ally. Leaders of both the United States and Turkey sought ever closer bilateral ties within a multilateral security framework. Strategically, Turkey identified itself with the transatlantic alliance and served as a stronghold against the expansion of communism, protecting the interests of the United States and the West in general (Flanagan and Brannen., 2008, p. 2). Although Turkey's relevance and significance diminished after the end of Cold War, a turning point of the Ankara-Washington relationship was the Gulf War of 1991. The war gave Turkey "new purpose" as it "played a key role in the U.S.-led campaign" against Iraq's invasion of Kuwait. (Flanagan and Brannen., 2008, p. 2) Turkey's role, in terms of strategic value for the United States' interests, expanded. It was not only seen as a loyal NATO ally, but came to be seen more along the lines of a stabilizing factor in the greater Middle East or even Central Asia. "Turkey increasingly was regarded as an anchor of stability in a region of growing volatility and was expected to project that stability.(Heinz 2000, p. 225)

Furthermore, Turkey's importance for U.S. regional strategic interests expanded to include non-security issues. In terms of "energy cooperation" Turkey was regarded as "crucial link within the east-west energy corridor, which is promoted by the United States as the best solution for bringing Caspian and Central Asian energy resources to market" (Heinz 2000, p. 225) Following the tragic events of 9/11, Turkey's relevance once again became a priority for Washington. In 2004, at a hearing before the Subcommittee on Europe of the Committee on International Relations, it was underlined that "there is no greater priority for the United States in Europe than to assist the world's only Muslim-majority democracy, Turkey, in its effort to join the European Union" (Committee on International Relations 2004, p. 7). Flanagan and Brannen conclude that Turkey is "instrumental" in any U.S. strategy in the region (2008, p. 3), notably concerning the situations in Iraq and Iran. Thanks to its geopolitical position in the Middle East, Turkey remains a major U.S. ally in the War on Terror and the Iraq War.

The E. U. Council of Ministers and the (re-)Distribution of Power

Power, whether absolute or relative, is one of the main components of realism. It is therefore improbable to discuss an issue, any issue for that matter, in realist terms without reference to it. With respect to the European Union enlargement, states are often concerned with new challenges that new Member States may pose. The primary concern is whether admission of the new members is relatively beneficial or detrimental to existing members. Such analysis of enlargement is correlated directly with realist emphasis upon relative power. Accordingly, Baldwin et al. claim that "one of the most sensitive issues surrounding expanding membership is that of power in EU institutions." (qtd. in Aleskerov et al., 2002, p. 380) Within the context of the European Union, in fact, states' abilities to affect decision-making and therefore defend their interests are primarily based upon the distribution of voting power within the various EU institutions. The analysis here will be confined to the most significant and inter-governmental of such institutions: the Council of Ministers of the European Union.

To assess the past and emerging relative voting power of any single member and thus the distribution of such power among EU Member States, the Sharpley-Shubik Power Index is used most commonly. (Hosli 1996; Aleskerov et al., 2002; Baldwin et al., 2005) At a very basic level, the Shapley-Shubik Power Index can be explained in terms of a three-member voting body. Assume, for example, that members A, B, and C of the voting body hold five (5), three (3), and two (2) votes respectively, resulting in a total number of votes of ten (10), with a qualified majority vote (QMV) of six (6). As such, there are, as Hosli points out, 6 ways in which coalitions can be formed: {5,3,2}, {5,2,3}, {3,5,2}, {3,2,5}, {2,5,3}, {2,3,5} (Hosli 1996, p. 261). (The expression '!' represents 'faculty' and requires multiplication by every lower integer. Thus, 3! equals $3 \times 2 \times 1 = 6$). The given members in bold shrift are the "critical ones...that...give the marginal contribution that renders the coalition winning" (Hosli 1996, p. 261). In the above example, member A is critical four out of six times, thus holding $4/6=2/3$ of total voting power, whereas members B and C each hold $1/6$ of total voting power.

Madeleine O. Hosti in her article, titled Coalitions and Power: Effects of Qualified Majority Voting in the Council of the European Union, focuses upon "particular aspect of the power of Member States and of coalitions between members holding close policy preferences with respect to decision-making in the Union, namely their (quantitative) influence in the framework of qualified majority votes." (Hosti 1996, p. 256). Throughout the course of its evolution, the European Union has evolved and developed largely due to divergent interests of Member States. Prominent amongst them were France and Germany. So much so that it has been observed and argued that rarely were decisions made against the Franco-German coalition. (Hosti 1996, 259) Hosti observes that "in relative terms, the shares of individual members in the vote total decreased with an increase in the number of members" (1996, p. 263). Thus, with each additional wave of EU enlargement, the relative power of individual member states decreased. Hosti conveniently concludes that Franco-German alliance, from the establishment of the European Community, held nearly one-half or 46.66 per cent of the total voting power. That figure, however, decreased drastically to 26.84 per cent between 1986 and 1994, and by 1996, when her article was published, had gone down to 23.34 per cent. (Hosti 1996, p. 263) Currently, with the power reconfiguration of EU-27, their combined Shapley-Shubik power index is only 13.11 per cent. (Aleskerov et al., 2002)

The voting rules of the Council of the European Union were radically transformed under the Treaty of Nice in 2001 and the Constitutional Treaty in 2004. Although traditional qualified majority voting is still maintained within the Nice framework, additional qualification were introduced concerning the required number of votes and voters and the percentage of the population represented. According to the Nice Treaty, "the vote threshold is 72.2 percent of Council votes (232 of 321 votes); the member threshold is 50 percent of members (13 members); and the population threshold is 62 percent of the EU population" (Baldwin 2005, p. 331). In the context of this essay, therefore, the relevant question is: what will be, under present rules, the impact of Turkey's EU membership on the redistribution of seats, voting power and power indices within the EU Council of Ministers or EU institutions generally?

Aleskerov et al. focused primarily upon the Council of Ministers, however, in order to better evaluate the power distribution within EU, they broadened their research and analysis to include the European Parliament. In line with such an assessment, vote distribution in the Council of Ministers would give Turkey an equal amount of votes to that of France, Germany, and Great Britain. Furthermore, Turkey would seize the second largest amount of seats within European Parliament, second to that of Germany. (see Appendix C: Vote Distribution In The Case Of Enlargement in Aleskerov et al., 2002, p. 391)

How, then, does this translate in terms of power re-distribution? According to Baldwin and Widgrén, Turkey's relative power within the EU framework, in term of decision-making capabilities, would be quite substantial. They explicitly point out that "under either the Nice Treaty or the Constitutional Treaty, Turkey would be second most powerful member of the EU...Under the Constitutional Treaty rules, Turkey would be substantially more powerful than France, Italy and Britain..." (Baldwin 2005, 337). Indeed, power indices under the Constitutional Treaty rules in a EU-29 show that Germany's power index would be 0.10203 and Turkey's 0.09960, followed by Great Britain at 0.07644 and France at 0.07611. Under the Nice Treaty rules, Turkey's power index would be equivalent to 0.07189, again second only to that of Germany. (see table 13.1 and 13.2 in Baldwin 2005, p. 335) Furthermore, gain of power by one state is a loss of power by another. As pointed out earlier, relative power of states decreases as the number of Member States in the European Union increases. As Baldwin indicates, "countries relative power losses are proportional to their sizes" (Baldwin 2005, p. 336). From such a perspective, Germany and France, currently the most populous members of the European Union, would suffer the most since they would lose the most voting power.

To appreciate more fully the impact of Turkey's membership on the power redistribution within the EU, it is necessary to keep in mind that when states form a coalition, this results in an increase of their relative power, as demonstrated by Hosli's analysis of the Paris-Bonn axis. The author points out that, when in coalition, France and Germany have benefited from an increase of relative power, compared to the sum of their individual power indices. Specifically, "their collective Shapley-Shubik index was 66.67 per cent as compared to 46.66 per cent when summed over their individual shares". As a country with relatively large population, Turkey would play a relatively larger role than any other country with less population. As a result, it could be a very important, strategic partner for any large state, especially if forming an alliance. And, although a state's preferences cannot be pinpointed with absolute certainty, in time or space, it would be safe to presume that Turkey's alliance formation would not be with the Franco-German power boat, but rather with Atlanticist Great Britain. If Hosli's logic of coalition formation and its consequences in regards to increase of relative power are applied to a

probable U.K.-Turkey alliance, the increase of relative power could be estimated to be either equal to or greater than the Franco-German alliance. However, further analysis of this issue is surely required. For instance, the long term effects of the substantive and close human and economic ties between Germany and Turkey cannot be easily ignored and should be brought into the equation. But whatever Turkey's alliance preferences may turn out to be, there is no denying that its accession would certainly have a drastic impact upon the power re-distribution within the European Union.

THEORETICAL APPLICATION

How, then, does Waltz's balance-of-power theory, enriched with ideational or constructivist elements, help to explain the issue of Turkey's EU membership? According to Waltz, in order for one to understand the relationship between units (actors) in the international political space, it is absolutely necessary to define international political structure in terms of the principle by which it is ordered or organized. The current structure of the international political arena is that of anarchy. For, there is no supra-national entity which regulates the relations among all units in the international political arena. No overarching authority exists to which one state can turn for justice or protection in its interaction with other states. The distribution of power in the anarchical system, Waltz claims, is the key independent variable to understanding important international outcomes such as war and peace, alliance politics, and the balance of power. Thus, it is imperative to analyze the existing distribution of power, and the re-distribution of power that would take place within the EU, if Turkey were to be granted a membership status, and the consequences that this would have.

At the political level, Turkey's membership within the European Union is seen by many as strengthening the anti-federalist and the Atlanticist blocks. "Steps towards the empowerment of European political institutions would become more difficult...while the deployment of a European security structure independent of NATO and U.S. influence would be shelved, and a common foreign policy would be harder to achieve." (Grigoriadis 2006, p. 151) Indeed, this would undermine the vision of Europe as a counter-weight to the U.S. and would play into Washington's security doctrine. As the Committee on International Relations points out:

The more important issue [for the United States] is the one of the security doctrine, and is...to a large extent going to depend on the United States. Because, who is capable of deciding which security doctrine will prevail? The United States is the only one. And therefore, the doctrine will depend on the world vision of the United States. Right now, there clearly is a difference between the American and European concepts. The document which was published in September last year on the security strategy of the United States is based on the concept of balance of power between the major countries of the world under the guidance of the United States. As such, there is no room for Europe. There is only room for individual member states as good allies of NATO. Right now there is no European doctrine, and there are no separate European resources for collective security. (p. 43-44)

The above quotation, that basically reflects the Anglo-American vision of Europe and the world, leaves no room for any meaningful role for the European Union in world politics. However, Germany's and France's vision of the European Union - a political entity based on the rule of law - stands in clear contrast to the Anglo-Saxon project. This alternative vision of the European Union, as a power player on

the international arena, should serve as a counter balance to the US hegemony and unilateralism. Germany and France have formed an alliance which, with the possible help of the Eastern European states, could counter the United States, Great Britain, and eventually Turkey. The role of these contrasting visions of the European Union is thus of huge importance here, because of their potential impact on Turkey's membership of the EU. These divergent visions of Europe are also important because they confirm that the behaviour of the EU member states too could be understood in terms of Waltz's conception of the anarchical system, which "strongly affects the likelihood of cooperation" (Waltz 1979, p. 118). EU member states too are concerned with the question of relative power or the balance of power, and seek alliances that better promotes their national interests and objectives, at home and abroad. This has also been the case of the Franco-German alliance since the end of World War II.

It is important to understand that state actors are constantly presented with daily choices, knowing that such choices and the outcomes of their decisions will have unpredictable consequences beyond the near future. Such conditions have clear relevance to the Turkish accession question. For, if its accession to the EU is successful, such a membership will have a dramatic impact on the European Union as a whole and will shift the balance of power between EU member states and their conflicting visions of Europe. Thus, the bigger question concerning Turkish accession to the EU goes beyond the Kurdish question, the human rights issues, or the political and economic standards of the Copenhagen criteria. Explicitly, it deals with the global balance of power and the two visions of Europe. Primarily, the issue concerns the position of Turkey in a form of US, and thus British, ally and a tool as a regional power, especially in the wake of the War on Terror, Iraq War, and Turkey's geopolitical position in the Middle East. This is an important issue, given that US-Turkish relations are focused upon the strategic dimension of regional and functional interests, vital to the US. (Abramowitz 2004; U.S. Committee on International Relations 2003) The question of Turkey's membership in the European Union is therefore a matter of high priority for Washington: "Anchoring Turkey in Europe has always been a U.S. priority because of its global role and strategic vision. In Washington, having Turkey be part of Europe and the transatlantic community more broadly has always been preferential to a Turkey that operates more as a regional counterweight with regard to Iran or Russia." (Walker 2007-08, p. 101)

Furthermore, as long as the secular elite are in the position of power and decision-making, the United States will remain influential in Turkey. Thus, it would be strategically and practically important for Turkey to remain anchored in the West, under the US control. The most efficient and direct means of achieving such a close-knit alliance with the West is via EU membership. Grigoriadis, for example, explicitly points out that "Turkey's membership in the European Union is seen as the best guarantee for the consolidation of Turkey's secular, pro-Western political system and globalized economy" (2006, p. 151). In addition, if Turkey is to join the EU, the British-American idea of the European Union may be strengthened, while the Franco-German vision will probably be weakened. The idea of relative gains and power, as outlined by Waltz, clearly explains British, German, and French positions on Turkish membership.

CONCLUSION

There are a number of realist assumptions that justify and provide a solid foundation for Waltz's balance of power theory, which in turn enlightens the analysis of Turkey's accession to the European Union. One core realist assumption holds that the structure of international system is that of anarchy. Furthermore, it is assumed that the key units of the international system are nation states. Great significance is given to relative power and to the role of the relatively more powerful states. Lastly, the primary goal of all units is the pursuit of power and security, and such units act rationally in order to achieve those goals. Another assumption that needs to be mentioned, although not a purely realist one, is that states' ideas and perceptions matter. The fusion of constructivist and realist approaches has here been examined and presented in terms of a constructive form of realism, that takes ideas seriously both as objects of analysis and determinants of human and state behaviour. As such, Waltz's balance of power theory has not been undermined; but rather supplemented and strengthened.

From this perspective, the balance of power theory provides an explanation for the balancing behaviour of states that has been observed. Indeed, among three of the most influential and powerful decision-makers and role players in European Union, two are against Turkish membership, and one is in favour. Both Germany and France have stated publicly their opposition to Turkey's full membership of the European Union, in the short run. Great Britain, on the other hand, is very much in support of Turkish membership. France and Germany, due to their perception of relative gains or losses as a result of Turkey's accession to the EU, have expressed their opposition to its membership. The realist account also explains British and US stand on the issue. Turkish accession to the European Union will/would likely strengthen US and British power, influence and role in European and global politics. Such a shift in the balance of power would be favourable to one side and unfavourable to the other. As stated earlier, the primary aim of all states is their own survival, whether it is defined in terms of power, security or territorial integrity. Contrary to the liberal theorists, who believe that international organizations, presumably by imposing overarching restraints, compel states to adjust their goals, it is quite evident that even in the context of NATO and the EU the most important goals for the state is security, survival and pursuit of power. As realists contend, cooperation among nation states is possible, but only under certain conditions.

Finally, it should be emphasized that the position of existing member countries on the question of Turkey's accession to the European Union is mainly influenced by two interrelated factors: their particular vision of the European Union and their policy vis-à-vis the United States. As it has been illustrated, there are two divergent visions of the European Union and its relation to the United States. The Franco-German political vision of the European Union as a world power, that could counterbalance the United States. The British vision of the European Union places instead great emphasis upon economic and financial matters and fully anchors the European Union within the Atlantic alliance, subservient to the United States. Presumably, Turkey's perception of the EU could be more in line with the British vision of a European Union with close transatlantic ties. In any case, the balance of power theory, infused with the ideational and constructivist concerns about the importance of ideas, appears to successfully explain the behaviour of all the states discussed in this paper.

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THE AFTERMATH: LOOKING AT WOMEN'S ROLES IN POST-CONFLICT TRANSFORMATION AND FORMAL PEACE PROCESSES

Dina Meghdadi

Abstract

The first part of this paper will argue that women of post-conflict Aceh are not benefiting from the peace agreement due to their systematic exclusion, as women, from all aspects of the peace process on behalf of Acehnese society as well as most international agencies involved. There are several factors which contribute to this systematic exclusion of women which will be discussed in this paper. These factors include: cultural traditions and customs, the role of religion (Islam), the way in which women's contributions to and progress made during the conflict are acknowledged/perceived by society and Indonesian national institutions, and most importantly the absence of Acehnese women at the negotiation table during the peace talks. The second part of the paper will explore what is or rather what should be the role of women in formal peace processes in all situations of conflict. Observing that women are generally absent from negotiation tables, the paper will highlight the importance and benefits of having all stakeholders participate in formal peace processes. Then it will look at the obstacles impeding women from playing a larger role in peace processes. Finally, it will discuss possibilities for overcoming these obstacles by giving greater consideration to issues of gender balance and gender mainstreaming.

Introduction

When a country is hit by years of conflict, there is no doubt that every person's life in that country is, in one way or another, changed forever. Whether it is the man who lost a limb fighting at the front lines, the woman who was raped by enemy soldiers or the child who lost his parents in a surprise attack on his village, no peace agreement can take away the pain and suffering they have experienced. Eventually, the international community may get involved and after some time of negotiations, a ceasefire may be ordered, and a peace agreement signed. That being said, by no means does a peace agreement mean that social order is restored immediately or that, for some societies, it will ever be restored. The aftermath of a conflict is often just as traumatic, if not more so, than the conflict itself. If proper recovery and reintegration programs are not implemented for ex-combatants, their families and everyone else affected by the conflict, the after-effects can be extremely severe, leaving thousands of people homeless, in extreme poverty, terribly ill, and with acute post-traumatic psychological disorders (Mazurana and Parpart 2005, 33).

A great deal of feminist literature on peace research argues that, among the many actors involved in a conflict, women are often the group whose role in society is greatly enhanced during a conflict, yet almost always this advantage is almost completely lost during the reconstruction period (Baksh 2005, 61). "Conflict opens up intended and unintended spaces for empowering women, effecting structural social transformations and producing new social, economic and political realities that redefine gender and class hierarchies" (Turshen 2002, 7). In other words, when men leave the community to fight

at the frontlines, women learn to take on not only their own role in society, but also to fulfill the tasks of the absent men. Many will even take an active part in the conflict either as combatants, or by carrying out supportive roles such as espionage or logistical aid. The majority of women come to realize the potential of their own strength and this awareness leads them to transform the way they perceive themselves from the traditional identity as wives and mothers, to that of fighters and liberators of their country. Unfortunately, the acceptance of this new identity and its place during the process of reconstruction is what proves to be particularly challenging for women in the post-conflict period. It proves often very difficult for women to consolidate the gains made during war-time, as argued also by feminist Meredith Turshen. Furthermore, as Bouta and Bannon put it, "the return to peace is invariably conceptualized as a return to the gender status quo, irrespective of the nontraditional roles assumed by women during conflict." (Bouta and Bannon 2005, 9).

The Case of Aceh

The first portion/half of this paper will look specifically at the case of women in Aceh, a province found on the northern tip of the Indonesian island of Sumatra, and their role in the thirty year conflict that took place in this region. The Acehese conflict stemmed from several major issue areas. The first being the national Indonesian government's complete disregard for Aceh as a province and for its repeated requests for autonomy throughout history. The second being the people's will to convert Aceh into an Islamic state in which Sunni Sharia law would be a part of their legal system, particularly since 98.6% of the Acehese population is Muslim, and finally the last major reason being the unfair distribution of Aceh's natural resource (The Aceh Reintegration Board). These issues together gave rise to the Free Aceh Movement (in Bahasa Indonesia: Gerakan Aceh Merdeka-GAM) in 1976, a separatist group seeking independence for the Aceh region from the rest of Indonesia. GAM fought against Indonesian government forces for almost thirty years between 1976 and 2005, at a cost of over 15,000 civilian lives (The Aceh Reintegration Board). After several unsuccessful rounds of peace talks between the two parties, it wasn't until after the devastation of the Tsunami, with the help of former Finnish president Martti Ahtisaari as mediator, that the two sides were able to reach a Memorandum of Understanding (MoU) on August 15, 2005. Aside from the promise to cease all hostilities immediately, the peace agreement was a pledge on behalf of the government of Indonesia to withdraw all non-local military and police from Aceh by the end of 2005, grant amnesty to approximately 500 former GAM members who were in exile, and release over 1400 members who were imprisoned by the government. In addition, the national government agreed to facilitate the establishment of Aceh-based political parties for the first time in history, came to an agreement on the distribution of income from Aceh's natural resources in which 70% of the income would remain in Aceh's possession, and granted the province of Aceh a special independent status allowing the implementation of Islamic Sunni Sharia law and Islamic Adaat customary law. Finally, the Indonesian government gave a guarantee that, in order to ease their reintegration into society, all former combatants and their families would receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security (Memorandum of Understanding 2005, 1).

The Issue

Although today peace in Aceh continues to hold, there is no doubt that when it comes to the reintegration of former combatants, the peace agreement has certainly not proven to be successful. Particularly, with regards to the women of Aceh. The Acehese conflict left thousands of women in the region facing the loss of a husband, brother or son. In other words for Acehese society, facing life without a provider. The majority of these women never received an education and so are illiterate with little chance of finding a job or having the economic means to provide for themselves. In addition, they are dealing with severe health and psychological problems having witnessed the torture and/or deaths of their loved ones or from having been tortured themselves. Often, these women have no access to health services, are unaware of the social programs that are available to them, or simply fear that they will be shamed by their communities (Anderlini 2007, 56). For several of the women who were fortunate enough to have their husbands, sons, brothers, fathers come back alive, the clash between many women's new-found identity during conflict, and the threat this posed for men's status in the family, led to a significant increase in physical and sexual abuse in the home (Anderlini 2007, 58). While the majority of these women are unaware of their legal rights with regards to domestic violence or where to go for help, the issue only continues to worsen. This reality left these women living in complete and utter poverty and with fear for their lives, and reveals the profound level of disregard for the importance of women's reintegration into this patriarchal society.

Theoretical Perspective

This paper will adopt a liberal-feminist perspective in approaching the issue of patriarchal power structures and female socialization as the source of gender inequality in Aceh's post-conflict reconstruction. According to Sandra Whitworth, liberal feminists argue that women have been excluded from many of the most important public spheres of modern social, political and economic life as is the case for the women of Aceh, particularly the ex-combatant women who have been segregated by their communities, have no economic means to support themselves and are politically unaware of their legal rights as women, to social services (Whitworth 2004, 79). This paper will use the liberal-feminist argument that women are systematically discriminated against by men in authority through patriarchal culture and the state as complimentary systems of oppression (i.e. men in government, in the legal system, in religious institutions etc.), a system that renders women's activities invisible and demonstrates an absolute disregard for Acehese women's contribution and progress made during the conflict. The paper will also look at Ann Cudd's concept of the assurance of social, political and economic equality between women and men as a responsibility of the state not because women have a right to be treated the same as men but rather, because all people are entitled to the same rights, women being just as much a part of this people as men (Donovan 1985, 191). A point which correlates directly with the absence of women in the formal peace process. Finally, in line with the liberal-feminist perspective, this paper calls not only for the inclusion of women in areas previously denied to them, but for a complete change in societal attitudes, leading to the socialization of women, a fair division of labour inside and outside the home, as well as educational and economic opportunities for women. In brief, whether in Aceh or other post-conflict countries, it highlights the need for a change in their patriarchal regime (Whitworth 1994, 49).

The reversion to old cultural traditions and customs:

There is no doubt that cultural traditions and customs play a key role in the lives of the Acehnese. With the significant influence coming from the conservative/conventional ideas of Sunni Islam, which the majority of Acehnese adhere to, comes a certain mentality with respect to gender roles, societal structure, as well as political priorities. It is during times of conflict and complete societal disorder, that these ideas are challenged and have the opportunity to undergo important changes. Whether or why these changes stick or not, is what matters most for the reconstruction of the country.

During the absence of men in a conflict, is more often than not, when women tend to take some significant/considerable steps forward. The fact that the men, who in Acehnese society act as the decision-makers of each household, were gone for long periods of time, provided women with the opportunity to transform traditional gender roles by assuming men's former tasks (Turshen 2002, 80). As a result, most women gained access to public spaces previously denied to them, many achieved a certain level of economic independence, and some even emerged as leaders in their societies. Why is it then that once the war ends and the peace process begins, women's expectations for acceptance of their new identity/roles in society are refused, and women are once again forced to revert to the old status quo? Meredith Turshen, as a liberal feminist, argues that "not only expectations determine participation in the aftermath of a conflict, but also rules about who can speak with authority" (Turshen 2002, 81). According to Acehnese customs and traditions, these individuals with the authority are always men. When the conflict ended in 2005, ex-combatant men came home expecting everything to go back to what they knew, to what they were comfortable with, to what they identified with, which was the traditional society in which women were not looked at as equals. Back to "normal". The problem is, this normality would not favour women, since it had always been the male leaders who defined what "normal" was (Turshen 2002, 72). According to the liberal-feminist perspective, this systematic discrimination against women in society occurs because institutions holding authority and power are overwhelmingly controlled by men. On the other hand, there is also an alarming percentage of women who prefer to go right back to the way things were before the conflict began (Turshen 2005, 63). Although they may have indeed made significant steps forward in terms of their position in society, these are women who feel as if their new roles were never to be something permanent, they are unnatural and by demanding the acknowledgement and continuity of these new roles, they would disrespect not only their husbands, but also the religion they live by. Others prefer to return immediately to their old life-style, even if they may feel trapped between, on the one hand, the pressure and approval of their families, and, on the other, the solidarity formed between women during the conflict, hence a sense of betrayal in case they revert to the old traditional way of life. The fact that the conflict questioned some of the more conservative ideas regarding women does not mean that the fundamentally male-dominated structure/mentality of the society was entirely eliminated. As mentioned earlier, when the husbands, sons and fathers of these women return from the front lines, they are expecting to find a very similar society to the one they left behind. One in which they hold a great deal of decision-making power. If instead, they come home to a wife who is now demanding to work outside of the home and no longer has time to always cook and clean for him; this will undoubtedly trigger a sense of rebelliousness and disrespect. Hence, the significant increase in domestic violence during the post-conflict period. It is the prevalence of these restrictive-type customs and the

continued view of women as commodities, which make the post-conflict transition so challenging for women. Yet, however difficult it may prove to be, the aftermath of a conflict is the ideal time for a transition not only socially, but legally and politically as well. The new social environment after a war makes this period a key time to review and incorporate into constitutions and laws international instruments, such as CEDAW and Resolution 1325, which prohibit discrimination and abuse against women. Only the respect and implementation of those guidelines in all aspects of day to day life can ensure equal participation/representation and equal benefit of men and women in all national services/programs and institutions (Turshen 2002, 84). Most importantly, once all laws and policies have been reviewed, the need for strengthened national institutions to ensure the enforcement of these laws is also pivotal to women's success in the post-conflict transformation period.

The role of religion (Islam) in the Aceh peace process

Aceh has been influenced by Islam for centuries. It comes therefore as no surprise that this religion, particularly Sunni Islam, plays such an overwhelming role in the day to day lives of the Acehnese. Although the majority of the Acehnese population has always followed and lived according to Islam's Sharia law, at the family level, it wasn't until the signing of the MoU in 2005 that it was no longer only followed within the household, but by the entire region as part of its legal system. The question here is, what is the role of this religion and society's religious institutions in the peace process for this society? Does the way religious leaders treated women before and during the conflict have an impact on women's ability to transform their status in the aftermath? Religion, in this society, is one of the most important institutions that decide whether the old patriarchal ways will be reintegrated or whether new ideas will prevail. This decision is ultimately in the hands of those who control at the local level, in Aceh's case; these are the male religious leaders (mollahs) in the Sharia courts (Awde 2005, 12).

Since the peace agreement was signed in 2005 and Sunni Sharia law was implemented in almost every aspect of Acehnese life, the lives of women of the region, as those who are most vulnerable in their society, were affected in every possible way. The religion of Islam is one that is most often interpreted by Muslim societies as supporting very distinct, and strict gender roles in which the woman's place is usually thought to be in the home as a care-giver for her husband and children, while the man is the decision-maker, provider and therefore the one with a superior status in society (Awde 2005, 31). Aceh is no exception to this tendency. Following the transformation of most women's 'identities' during the conflict period in Aceh, there were several obstacles to women's involvement in the peace process which were rooted in Sunni Sharia law. The first one being, the acknowledgement and treatment of women who were raped or sexually abused during the conflict. "The majority of the time, when women admit to being raped by the 'enemy', they lose the respect and protection of their family and community" (Turshen 2002, 12). The rape is often looked at as the woman's fault and she is from then on considered to be impure under Islamic law. Not to mention the fact that this law does not take into account the severity of the crime but instead, usually lets the rapist off with very little punishment (Awde 2005, 34). This, in turn, plays a significant role in a woman's decision of whether or not to bring up the fact that she's been raped or whether they will fight for justice in the peace process. The way by which Sharia law is interpreted in Aceh also left the majority of women without rights regarding domestic violence in the courts. Under Sunni Sharia law, men have every right to physically discipline

their wives, if they believe that there is a legitimate reason (Awde 2005, 36). According to Meredith Turshen's writing, "a wife's subordination is a sign of respect for her husband's manhood. (Turshen 2002, 14). If this manhood is challenged, she will pay the consequences. Finally, the increased level of importance given to Sharia law in Acehese society since the peace agreement, has also restricted women in the peace process in terms of land rights, legal rights, economic rights as well as the right to education, all of which most often go to the males in the family (Aceh Reintegration Board). Since the majority of men who were in the conflict did not come home, this leaves most women alone and in a situation where they are often uneducated, unable to support themselves financially and unaware of the legal rights they are entitled to. Again, the new implementation of conservative and often discriminatory practices based on Sharia law has only re-created patriarchal dominance throughout society, in new forms which affect every aspect of each Acehese person's life, from their relations with family in the home, to their role in society, to the way they are judged in the court room. This makes it very difficult for a woman who has never gone to school and is therefore illiterate, to find a job that will allow her to support herself, to read and educate herself on the social services available to her, what she is and isn't entitled to, and the ability to charge her husband, or any other male, with sexual or physical abuse in a court where those, who make the ultimate decision, are those who live by the religion that labels them as inferior to men. This is a main reason why women are not taken seriously by men in the peace process. This seems to confirm the views of those liberal-feminist theorists, who see religion as hopelessly patriarchal and gender oppressive (Whitworth 1994, 73). As long as women continue to be forced into the society's poorest and least-educated bracket by those implementing the religion and its law, they will only continue to be overlooked in the peace reconstruction period, and their opinions dismissed.

Women's contributions to the conflict in the eyes of Acehese society

As mentioned earlier in the paper, Meredith Turshen argues in her book that it is during conflict that women have the opportunity to make the most amount of progress in terms of their involvement and status in society. However, she also makes a point to argue that it is the progress and contributions of women that almost always fail to be acknowledged in the aftermath, making it very difficult for them to be looked at as equals in the peace process. "In the aftermath of a war and armed conflict, many women are inspired to reopen the question of their place in society and may have high expectations of improving their condition" (Turshen 2002, 78). However, at least two legal regimes control women's lives simultaneously, acting as obstacles to these expectations: the statutory regime of the nation-state, and the customary regime of their households. Unfortunately, more often than not, it is men's interests who dominate both statutory and customary systems, which are both patriarchal (Bouta and Bannon 2005, 17). It is because of these two legal regimes, which most often fall back into play in the aftermath of a conflict, that there exists a complete disregard for women's role and transformation during a conflict. Although it is often overlooked in Aceh's case, women have participated in all aspects of the conflict as actors. Whether it was as female combatants, by providing logistical support, or by using survival strategies to keep their families alive, every woman in Aceh was involved in the war (Turshen 2002, 41). However, "men disparage women's peace activities as only a natural extension of their nurturing and caring domestic roles as wives and mothers" (Olsson 2001, 87). In the majority of cases, men coming home from the conflict with hatred for the enemy and a certain expectation that nothing

has changed, tend to clash with women who have gained a new understanding of their community and a wish for reconciliation. Because public recognition almost always goes to those who died in the conflict (mostly men), women's progress is often erased from the historical record (Turshen 2002, 17). Again, making it very challenging for women to be heard and accepted by others with their new transformed identity as 'agents of change'. Instead the tendency, not only for Aceh's case, but for the majority of women in post-conflict situations, is to be continuously and solely portrayed as the hopeless victims and losers in war. The media repeatedly provide information that describes the tough conditions women endure to survive the conflict yet, they constantly ignore the actions women take as principal actors (Turshen 2002, 19). This conveys a certain image to the rest of the population as well as to the global public, of women as weak, hopeless subjects who are unable to protect themselves from the by-products of war. "Such an image has serious consequences for a true awareness of the differential impact of conflicts on women and men and impedes the recognition of viable solutions that women propose" (Turshen 2002, 19). It is no wonder that these women's own family members, friends, colleagues, fellow citizens, can't look at them as having something valuable to contribute to the peace process. These stereotypes about women in wars are responsible for the widely-accepted notion that "women lose in wars" which results in further marginalization of women whose contributions researchers still largely ignore, and whose influence official policies do not recognize (Turshen 2002, 19), as was so clearly demonstrated by the under-representation of women in the Helsinki peace talks of 2005. It is thus important for women to move from being perceived solely as victims of conflict to instead be seen as agents for transformation and empowerment (Baksh 2005, 42).

Women's absence at the negotiation table

The final and certainly the most influential factor involved in the reason why women are not reaping the benefits of Aceh's 2005 Helsinki peace agreement, was the lack of women's participation in the negotiations themselves. The simple fact that practically no women were invited to participate in the peace talks, or asked to contribute to the rewriting/adjustment of policies and laws, acts as a clear demonstration of the disregard for how the peace process would affect women of the region (Aceh Reintegration Board). As Meredith Turshen puts it, "Aceh's formal peace negotiations in Helsinki served to define basic power relations and to identify priorities for immediate post-war political activity" (Turshen 2002, 89). In most negotiations, women were excluded as it was thought to be a male's domain in which women had neither expertise nor interest, a common belief which liberal feminists strongly critique by arguing that women are oppressed by the injustices fostered through gender roles which favour men over women. Consequently, women had no direct influence in identifying the priorities for reconstruction which are typically a significant part of a peace agreement. Essentially this meant that gender relations were entirely overlooked for those who were considered to be most vulnerable, and furthermore that there was no one at the negotiation tables looking out for the needs and interests of the thousands of Acehnese women affected by the conflict.

The necessity of identifying all stakeholders and naming what each stands to gain from peace is essential if women are to participate effectively in the peace process. If women are to be heard, and their specific interests and views to be integrated into the peace plan, each negotiation table in Helsinki should have been gendered and should have involved women, an idea consistent with liberal feminists'

argument for assurance of social, political and economic equality between men and women as a responsibility of the state not because women have a right to be treated the same as men but rather, because all people are entitled to the same rights, women being just as much a part of this people as men (Donovan 1985, 191). It was not only the Acehese officials who were at fault. Several third-party international organizations and governments were involved in the Aceh peace process, Finland being the most significant one, acting as moderator to the negotiations. As actors who supposedly stand for "western" values of impartiality and equal representation, why is it that women in post-conflict countries in general continue to be excluded from decisions on the shape of the peace and from the planning of activities to reconstruct society after the signing of a peace agreement? (Turshen 2002, 89). How effective and gender-balanced are most of these countries when it comes to their administration of peace talks? Do they usually have something in place for the women complainants or victims? The following portion of this paper will aim to answer some of the above-mentioned questions. It is also important to mention here that this is not an issue which has been labeled a problem by outside foreign/western international institutions or governmental bodies, but rather by the Acehese civilians themselves (primarily women), a serious problem that has been ignored by the provincial and federal governments long enough, and requires immediate attention. Dozens of women's NGOs have been formed in the region since the 2005 peace agreement, all with the same general mission statement which is to improve all aspects of Acehese women's day to day lives. Two in particular, the PPKPI and MISPI, have become fairly well-known at a national level for their work towards the assistance of women in dealing with domestic violence and other family issues, providing basic education for illiterate women and professional education for women going into the workforce, as well as legal aid (Aceh Reintegration Board). As undoubtedly helpful as these organizations have been, they continue to be limited by the lack of acknowledgement from society and the government, and by the very little say they have in official decision and policy-making. Unfortunately, the majority of the time their activities are "still looked at as 'volunteer', 'charitable' or 'social' even when they have a political impact" (Turshen 2002, 89). It is for this reason that most NGOs have only been able to open offices near the urban centres such as the region's capital Banda Aceh, and the city of Medan, since they receive the majority of their funding from local businesses and the municipal government who believe they "need to keep a close eye on their activities." Unfortunately, it is not the women living in urban centers that require their help the most, but those who live in rural villages, where religious traditions are strongest, and where they have little or no access to education, jobs, and social/health services. Thus, it is the municipal, provincial, and federal governments, along with a lack of help from international institutions, which are impeding these organizations from being able to do what they do best, and from helping those who need them most.

A closer look at the importance of gender in formal peace processes

While women in all post-conflict countries are often said to be active in informal peace processes, they are largely absent from the formal peace processes. As defined by the UN, "formal peace processes include early warning, preventive diplomacy, conflict prevention, peacemaking, peacebuilding, and global disarmament; they involve activities such as conflict resolution, peace negotiations, reconciliation, infrastructure reconstruction, and provision of humanitarian aid" (Bouta and Bannon 2005, 50). The UN also argues that women need to be included in all of these aspects of the formal

peace process in order to build greater post-conflict gender balance and a more inclusive peace. An argument that is consistent with the liberal feminist perspective on ensuring equal representation of women in politics through the eradication of institutional bias and the implementation of fairer laws towards women (Eblen 2002, 59). Meanwhile, some may argue that it was the men who held the guns and fought in the conflict, therefore it should be them who have a say in the peace talks. Others may argue that according to local customs and traditions, women have no place in the public sphere. Why is it then that it is still argued by so many peace researchers that it is better for everyone if women are included in the formal peace process? Peace literature argues that the inclusion of all social groups fosters the pluralism that is necessary to develop a more inclusive, stable, and participatory post-conflict polity. It is said that women are likely to make a different contribution to the peace process. When compared to men, women are more likely to put gender issues on the agenda, introduce other conflict experiences, and set different priorities for peace-building and rehabilitation (Bouta and Bannon 2005, 49). As mentioned earlier in the paper, the period during the conflict may increase opportunities for more gender-balanced political participation, but support is needed to sustain these changes. This is why it is believed that political processes during conflict and post-conflict may offer possibilities for greater gender balance and that through women's involvement in peace talks, democratization processes, and elections they can help sustain these positive changes (Baksh 2005, 44). Most importantly, because it is at the peace talks where the foundations for a future society are often set, this is where important gender issues should be addressed and where a gender perspective on peace should be incorporated, if there is to ever be any hope for equality in terms of benefiting from the peace process. Unfortunately, as compelling as these reasons may be, the reality still holds that women, for the most part, are excluded from all formal steps of a peace process as was earlier discussed in this paper, for the case of Aceh, Indonesia. The important question to ask is: why?

Why women are excluded from the formal peace process

There are many obstacles standing in the way of women's access and participation in high-level peace talks and the formation of an official peace agreement. The most prominent being; political institutions' tendency to perpetuate an exclusionary attitude and culture toward women. As a result, many women choose to work outside formal politics, with several civil society organizations whose work is seen as charitable or social, rather than political. This helps to demonstrate why liberal feminists believe that women's secondary status in society is based on unequal opportunities and segregation from men, a situation according to them caused by the patriarchal culture and the state as complementary systems of oppression (Whitworth 2004, 33). Furthermore, it is not surprising that, compared to men, relatively few women become involved in formal peace processes, from negotiations that begin in the midst of the conflict through all the phases of the transition to peace. Politics, the state, nationalism, and the army are fundamentally masculine notions that are characterized by patriarchal practices and values that are not easily changed (Bouta and Bannon 2005, 51). This acts as an excuse why women should not even bother to try and transcend these "difficult-to-change" barriers. Other obstacles include: women being excluded from public life by local custom and tradition, the assumption that what men want is also what women want from the peace process, the fact that women's contributions to the conflict are not seen as political and relevant to organization and leadership in the post-conflict society, the fact that negotiating teams are usually drawn from

government, diplomatic or military ranks of which women are largely absent and therefore are not considered, and finally logistical and security issues in terms of where peace negotiations are usually held (Baksh 2005, 38). On the other hand, even when women are allowed to participate in the peace process, their role often remains marginal or is co-opted by political players in the name of supporting the war effort. Women's activities are usually pushed aside to special women's wings of political parties, or side-lined in independent women's and feminist groups that fail to have a significant impact on mainstream politics and decision-making (Anderlini 2007, 67). Due to the above-mentioned obstacles and the complete disregard for women as equal actors with their own separate concerns and contributions, the peace process remains male-dominated and women continue to be underrepresented at all levels, including in international organizations supporting peace negotiations, like the UN.

Hope for future potential solutions

Although this issue is one that is deeply rooted in the patriarchal structures of these cultures, and cannot be fixed overnight, there still remain a variety of solutions which can take us one step closer to a more equally representative peace process. The majority of states have adopted the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) as well as the UNSCR 1325 which clearly calls for women's involvement at the peace table in decision-making bodies involved in the formulation of peace agreements, post-conflict reconstruction and in the drafting of new laws (Baksh 2005, 38). However, several instances of nation-building during post-conflict periods in different countries have failed to adhere to these commitments. This is why it is essential to establish gender equality in the peace process through the achievement of gender balance and gender mainstreaming, as the liberal feminists propose. Before looking at the ways in which a country can go about accomplishing this, it is important to define both terms first. Gender balance requires the inclusion of both women and men at all stages, and in all roles within peace processes and social reconstruction (Olsson 2001, 99). Again, this is one of the principal liberal feminist arguments for achieving gender equality. This does not mean the inclusion of a few highly placed international women, but listening and responding to the diverse experiences of women who have lived through the conflict. The participation of more women in a peace process, however, does not alone ensure the inclusion of women's concerns in the outcome of any agreement reached. Gender balance, in practice, must be accompanied by gender mainstreaming. Gender mainstreaming is defined by the UN as the process of assessing the implications for women and men in any planned action including legislation, policies or programs, in all areas and at all levels (Olsson 2001, 98). In other words, ensuring that women and men benefit equally from all aspects of the agreement. Once the objective of gender equality has been agreed, it is then important to incorporate this gender equality into the peace agreement and into future policy and legal constitutions in the following ways. Firstly, by organizing training and information-sharing events for politicians already in office or those involved in the peace talks. Also, through the development of wider processes of political consultation or representation, particularly with women's organizations. Another possibility is by increasing the number of female politicians by training women to run for political office, from the village to the parliamentary level. Furthermore, encouraging discussion within public and political bodies about women's involvement. An additional option would be to set legislative or party quotas to ensure a minimum number of female candidates, and finally by establishing indicators to test the difference

between the influence of female and male politicians on the political process and its outcomes. It is important to also acknowledge the pivotal role of global institutions and foreign governments, in formal peace processes. As demonstrated by the earlier case study on Aceh, Indonesia, the value of their involvement either as mediators, facilitators, financial aids, etc. cannot be overstated. On the other hand, it is also vital to be aware of the 'western bias' that they hold and the dominant/outsider lens through which they analyze the situation of these countries' situations. Although many times the intensity and nature of these conflicts call for a more neutral, third party perspective, there remains a fine line between providing effective assistance or counsel that benefits all parties involved, and the implementation of a transformation process that imposes irrelevant and futile western values the population cannot relate to. A line which can cause the difference between a strong reconstruction process that will prove successful for years to come, versus a temporary band-aid effect that will never be fully integrated and will only brew resentment amongst locals. All in all, the assurance of gender balance and gender mainstreaming, as well as the implementation of the above-mentioned practices, will not only lead to higher representation of women in peace talks at a global level, but will also "widen the popular mandate for peace and lead to concrete measures such as: ministries for gender equality and women's affairs, separate units within ministries to address gender issues, and changed attitudes towards women's leadership and decision-making capacities" (Anderlini 2007, 51).

Conclusion

In conclusion, although considerable progress has been made regarding women's role in post-conflict reconstruction and peace during the last 25 years, we still have a long way to go. The majority of countries facing conflict situations today are made up of the developing part of the world in which the mass of women still form the world's lowest poverty bracket, as is the case for Aceh discussed earlier in this paper. This phenomenon can be explained by a number of factors, such as: cultural traditions and customs, the role of religion, the way in which women's contributions to and progress made during the conflict are acknowledged by society and international institutions, and most importantly the absence of women at the negotiation table during the peace talks (Anderlini 2007, 66). Although these are all factors which are common to the majority of post-conflict situations, regardless of their source, they all remain too often overlooked by all. As noted earlier, almost all states have adopted the CEDAW convention, as well as the UN Security Council's Resolution 1325. Perhaps it's about time these states began to adhere to their articles.

When it comes to the most significant aspect of this issue, women's participation in formal peace processes, the current reality of peace processes is that the most attention is paid to the demands of those responsible for violence and bloodshed (the men), and far less is given to alternative perspectives for peaceful reconstruction that might be offered by citizens who were caught up in the conflict (the women) (Baksh 2005, 34). This is why it is key that "those responsible for the organization of peace talks should ensure that women leaders and peace-builders are identified, that visible and effective security arrangements for women are put in place, and that provision is made for their needs" (Bouta and Bannon 2005, 71). Having said this, it should not be assumed that women's presence in the peace process will guarantee that gender equality issues will be on the agenda. However, as demonstrated by Eblen in the cases of Burundi and Liberia, women's participation does make a

difference and although women may not always support opportunities for other women, research does show that they are still the main advocates of political agendas that include gender issues (Eblen 2002, 31). Therefore through the implementation of gender balance and gender-mainstreaming, the participation of women at all levels and in all functions is ensured. This is particularly vital amongst the international agencies present in the post-conflict zone, since it is extremely difficult to urge gender equality in national institution-building, if the international bodies executing the peace agreement do not provide themselves the good example of respect for gender equality (Baksh 2005, 48).

Finally, another significant point to remember in all this is that men and boys too can and should play an important role in promoting women's empowerment in the home, the community, the government, the labour market and the workplace. But only if they have a proper understanding of gender roles and relations, in all these aspects of society, will men be able to challenge unequal power relationships and support programs to achieve greater gender equality (Baksh 2005, 77). Above all, it is with careful consideration of the above-mentioned aspects of the post-conflict period and the formal peace process, that women will gradually be perceived not solely as victims of war, but as agents of transformation and empowerment.

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BUILDING ARAB-ISRAELI REGIONALISM ON JERUSALEM'S FOUNDATIONS

Uri Marantz

Introduction

Why is it that the Middle East should remain an anomaly for political scientists seeking to understand its myriad contradictions? On the one hand, it is by majority an ethnically and religiously Arab-Islamic region. On the other, the infusion of Western influences, colonial legacies, religious and ethnic minorities, resource disputes, fratricidal rivalry and the Jewish-Israeli dilemma throw the region into a tailspin of disorder and insecurity. The region has its problems like any other, but unlike many other regions that have managed to overcome their interstate squabbles, the countries of the Middle East lag far behind the rest of the world in peace, prosperity, security and stability.

Although many reasons have been given for the debilitating state of affairs in the Middle East, it is arguably the Arab-Israeli conflict which has been the most prominent issue. This paper attempts to explain the lack of regional integration in the Middle East with a specific focus on the Arab-Israeli (and the more narrow Palestinian-Israeli) rivalry that has dominated the region for over 60 years. This will be done by first taking into account destabilizing aspects of the Middle Eastern conundrum in a historical context and comparative perspective to better understand why regional integration has been achieved in many other parts of the world, but not in the Middle East. Once this is done, the use of realist and regionalist theoretical frameworks will help to better explain the cynical presumptions and pessimistic patterns of thinking that run rampant among leaders in the region and inhibit mutually beneficial relations.

In order to break out of the deadlock that the determinacy of realist theories force upon the theoretical analyst, theories of conflict resolution will be explored. By combining liberal-informed and optimistic conflict mediation and negotiation theories with realism's explanatory power, it is argued that a more multi-dimensional picture of Middle East's predicaments will emerge, more susceptible to conflict resolution and thus to increased regional integration. Finally, perhaps the most pressing issue in the Arab-Palestinian-Israeli conflict is the division in the holy city of Jerusalem. The inability to find a workable solution to the city means that it is continuously relegated to final status talks; in other words, the primacy and visibility of the Jerusalem problem translates into the ongoing polarization and radicalization of would-be moderates in the region, stifling peace and security in the region for all actors involved. This paper argues that a Middle Eastern regionalization process is possible only if the core concern, Jerusalem, is tackled head-on and finally resolved.

THE STATUS OF REGIONALISM

How deeply or widely a regional system is integrated is often a matter of dispute. Absolute figures in terms of immigration and trade flows are useful in the economic sense while confidence-building-measures such as transparency in troop movements and disarmament campaigns are helpful in the military-security sense, but these figures are meaningless without some meaningful context within which to place them. For that reason, a comparative historical perspective is the most commonsensical

approach to take when measuring levels of positive or negative regional integration and development, whether concerning Europe and East Asia (Beeson 2005) or competitive US- European strategies in Latin America (Grugel 2004). In a comparative spirit, a brief overview of regionalism or regional integration in diverse parts of the world will first be undertaken, followed by a closer look at the lack of regionalism between the states of the Middle East.

Regional Integration Worldwide

In all corners of the globe, processes of regional integration are giving birth to regional organizations that bring together many different states with a shared purpose. Most times, that purpose is ostensibly economic; witness, for instance, the similarities between the North American Free Trade Agreement (NAFTA) and the Southern Common Market (MERCOSUR). These regional associations both aim to promote free trade and the fluid movement of goods, services, people and capital according to neoliberal theories of mutual benefit and absolute advantages (Duina and Buxbaum 2008). It is often neoliberal theories expounding the benefits of the increased trade flows and mutual interdependence that accompany globalization that are most accepted in these types of regional institutions. There is one big difference between the two Americas, however: security concerns were made irrelevant in the creation of NAFTA, which merely added Mexico to the already existing Canadian-American free trade agreement of the 1980s (Baggs and Brander 2006). In the case of MERCOSUR, the two founding members, Brazil and Argentina, used the inauguration of the Southern Common Market to help them overcome their mutual hostilities, incorporating other regional members, Uruguay and Paraguay, to help balance out the institution (Amayo 2007). In both cases, nevertheless, the incentive of mutual economic rewards encouraged member-states to join and profit from regional integration.

For other organizations, however, like the Association of Southeast Asian Nations (ASEAN) and the Shanghai Cooperation Organization (SCO), the uniting factor can be geopolitical in nature. In essence, the strategic rationale behind the decision of the member-states to join these regional groupings was the achievement of national security through the maintenance of international peace and stability (Chung 2008). It was essentially the border disputes between the Central Asian republics that came to the forefront in the years following the Soviet Union's collapse that provided the impetus for a regional security organization. With regional giants Russia and China sandwiching the region, it was only natural for both to take an active interest in the stability and peaceful resolution of disputes between their energy-rich and potentially quarrelsome neighbors (Haas 2007). Due to the difficulty of any regional power establishing its hegemony in Southeast Asia, like Indonesia's, ASEAN was formed in 1967 to provide a forum for discussion and transparency between states. At the height of the Cold War, the autocratic rulers decided that instead of fighting one another, they would focus instead on a policy of nonintervention and for the most part nonalignment in the Cold War (Wanandi 2005). By infusing their security concerns with realist prescriptions, conflict was minimized between states that had little to gain from it in any case.

Finally, there are others who have already graduated to the point where the economic and the political benefits are considered inseparable. The obvious example here is the hallmark of regional integration upon which much of the literature is based, the European Union (EU), but the members of

the Gulf Cooperation Council (GCC) have also evolved from a collective defense organization to take on a wide range of economic goals (Nonneman 2006). With its humble beginnings in the European Coal and Steel Community, and later on the European Common Market and Economic Community, the European integration project began as a security measure to prevent German rearmament after the Second World War, but has lately become much more of a politico-economic mega-project. There has been much debate about the ramifications of pooling sovereignty and the emergence of a new supranational political space in much of the European regionalist literature (Thurner and Binder 2009). The GCC was also initially formed out of the insecurity and instability rampant in the Persian Gulf throughout the Iran-Iraq War during the 1980s. Originally banding together as a security community in collective defense, the original aim of the Arab Gulf states has been expanded more recently to include, thanks to substantial and exceptional oil and gas revenue, greater economic projects (Dar and Presley 2001). Many more regional organizations and rationales exist, but there is no need to mention all of them. The important point is that many such organization exist and that they are multiplying.

The 'Paradox' of the Middle East: The Lack of Regionalism in the Middle East

In direct contrast to the previously mentioned examples of regions engaging in healthy and mutually beneficial activities of regional integration, the paradox of the Middle East has been aptly captured by its description as a "region without regionalism" (Aarts 1999, 911). The proliferation of regional groups that have been sweeping across the globe over the past six decades has largely skipped over the Middle East. In comparison to other regions, it has the lowest relative degree of regional cooperation in the contemporary world. Aside from the ongoing Arab-Israeli conflict, which renders any attempt to achieve an all-embracing regionalism pointless, Arab countries have essentially failed to create any long-term regional unity among themselves; it seems that the only uniting factors for the majority of Arab states are their mutual hostility of Israel and wavering degrees of support and sympathy for Palestinians. Therefore, the Middle East has remained synonymous with conflict, insecurity and instability insofar as structures for regional peace, security and stability have not been, and are unlikely to soon be, created.

The trend in a globalizing world then seems to be one of increased regionalization, but this has not quite been the desired result in the Middle East. At this point, it would be wise to define the region in question before continuing. Although there is no generally agreed upon definition for the boundaries of the Middle East, the most commonly employed one is the area enclosed by five seas: the Black, Caspian, Mediterranean, Persian and Red Seas. Therefore, the Middle East can be said to encompass the geographical region of Israel, Iran, Turkey and all Arab states East of Egypt (Kilchevsky et al. 2007, 648). This is a more or less contiguous geographic region that shares a common type of landscape, semi-arid climate and drastically uneven distribution of natural resources, whether renewable but limited, like fish and freshwater, or finite but abundant, like oil and gas.

The region is one of the oldest in the world, having been continuously inhabited for thousands of years. Whereas other regions can commonly relate to a collective cultural or religious identity, the Middle East lies at the crossroads of three continents and is home to a wide range of different peoples. When it comes to that which divides the region, however, it seems that there is no shortage of reasons,

excuses, rationales or explanations for the lack of regional unity in the Middle East. In an attempt to explain the lack of regionalism in the Arab-Israeli Middle East, analysts give many reasons, but the most frequently cited are: religion, nationalism and colonialism. For the sake of space, only these three central factors will be examined here.

As to the role of religion, regional integration in the Middle East is undermined not only by inter-religious conflicts, but also by intra-religious disputes. In fact, although the three monotheistic faiths tracing their lineage to the patriarch Abraham – Judaism, Christianity and Islam – are often thought of as monolithic blocs in direct conflict with each other, this view is not very accurate. A recent study has shown that intra-religious disputes are much more common and much more lethal than inter-religious conflicts (Svensson 2007, 934). This means that Muslims will fight Jews with far less frequency than they will fight each other, often along three fronts. First and foremost, the Islamic World can be divided into two broad camps, the extremists and the moderates. The extremists are the fundamentalist, religious zealots often associated with terrorism and typically united by their hatred towards the United States and Israel, like Iran, Syria, Hamas and Hezbollah. The moderates are typically backed by the United States, formally if not tacitly friendly with Israel and value stability and security at the regional level above ideology. Secondly, Islam can be divided between Sunni and Shiite branches of the religion, analogous to Catholics and Protestants but rooted much further in history. Regional pariahs like Iran and Hezbollah are fundamentally Shiite entities, which has historically been persecuted by the Sunni majority in the Islamic faith. Thirdly, religion plays in a Muslim's lifestyle in the Middle East a role far more intensive than in the secular West (An-Na'im 1999; Khalili 2007). The above three points suggest that the difficulty encountered in bridging the religiously rooted obstacles to regional integration can be found also within the same religion.

Usually interwoven within religious identity is the ideology of nationalism, which presents an especially volatile combination in the Middle East. In the 1950s and 1960s, many of the Western-backed Arab regimes installed during the interwar period were replaced by military dictatorships or republican forms of government in popular revolutions and coups d'état. Arab nationalism became known as panArabism, an effort to bridge the artificial borders between Arab countries created by the legacies of great power colonialism (Zoli 2008). This was aided immensely by the combined Arab opposition to Zionism, which by those years had become synonymous with Israeli nationalism. Zionism propagated the desire for Jewish immigration to the land of Israel after two millennia living in the Diaspora, a move widely seen in the Islamic World as an extension of Western imperialism and domination (Long 2009). Because both types of nationalism espoused strong connections to the land, agricultural farming and settler communities came to symbolize both peoples' claim to the land. This possessive colonization of the land on both sides became even more complicated by the rise of Palestinian nationalism in the 1960s, which for the first two decades of the Arab-Israeli conflict had been eclipsed by the ideals of pan-Arabism (Gerber 2008). Today, the Palestinian-Israeli standoff has come to represent the core of the Arab-Israeli conflict, showcasing the inevitable challenges that arise in overcoming nationalism and arriving at a resolution of the conflict acceptable to all sides involved.

Both the religious and the nationalist dimensions of the Arab-Israeli conflict and its detrimental effect on Middle Eastern regional integration have to be considered in light of colonialism's lasting effects. For instance, not only were the colonial powers of Great Britain and France Christian as opposed to the Muslim masses in the Middle East, but they imposed their Western conception of nation-

statehood on a region which had for thousands of years been held together by imperial rule. This meant that borders were often drawn on maps with little concern for geography, topography or national realities on the ground; witness the problems that have plagued the region because of the Kurdish population's displacement among the four so-called nation-states in Turkey, Syria, Iraq and Iran (Berwari and Ambrosio 2008). Ever since the United Nations Partition Plan for Palestine that led to the establishment of the State of Israel, any Western support for the Jewish State is seen as a revival of Western imperial and colonial practices in a new guise. Hence, the appeal of the propaganda disseminated via the airwaves by al-Qaeda figureheads like Osama bin-Laden and Ayman al-Zawahiri of a Muslim's religious duty to wage jihad – holy war – against the "Zionist-Crusader alliance and their collaborators" (PBS Online NewsHour). It is thus comprehensible how the scars of colonialism continue to inform the worldviews of a region already reeling from the indulgence in religious and nationalist conflicts.

Considering the lack of unifying factors from religious disagreements to nationalist tendencies to its colonial past, the region fails to offer convincing evidence of regional integration. Little to no intraregional trade means little intercultural contact, which leads to hostile relations on both sides. Nearly three decades after Egypt and Israel signed a historic peace treaty, Egypt's top cultural official, Farouk Hosny, in 2008 replied to a reporter when asked if any Israeli books were featured in an Alexandrian library, "Burn these books; if there are any there, I will myself burn them in front of you" (BBC World News). Similarly, Israel's controversial Foreign Minister, Avigdor Lieberman, has publicly said that Egypt's President, Hosni Mubarak, should pay the Jewish State an official and diplomatic visit, but that "if he doesn't want to come, he can go to hell" (Ilan et al. 2008). Both sides have since offered apologies, but the tension simmering under the surface of a peace treaty that has long gone cold remains and complicates the pursuit of increased peace and security through regionalism.

THEORETICAL REALISM AND REGIONALISM

The point has been sufficiently made that a serious and significant lack of regional integration plagues the Arab-Israeli Middle East. In order to fully comprehend why this is the case, an explanatory theory is needed with the power to expose the inner workings of Middle Eastern politics. For this task, the insights afforded by realist scholars of various stripes will help to explain the actions taken and the decisions made by the numerous heads of state in the region. An in-depth focus on Barry Buzan's (1991) theorizing of regional security complexes will then provide a useful analytical tool for portraying the interconnectedness of all state actors involved. Finally, Patrick M. Morgan's (1997) discussion of regional orders as hypothetical security ladders to be climbed combines realist and regionalist theories to place the Arab-Israeli Middle East, a regional security system, along a regional security spectrum.

Many scholars have found realist theory to be a useful framework within which to investigate world politics. Realist theory addresses the key questions that Quincy Wright originally envisioned for the field of international relations: "What are the causes of conflict and war among nations, and what are the conditions for cooperation and peace among them?" (Wright 1935). As one of the most conflict-prone region in the world, the same questions could be asked about the current state of affairs in the Middle East. The underlying logic of regional processes will hopefully be clarified after examining some

of the central realist assumptions about states along with the propositions that realists derive from those core assumptions.

Beginning with the first of realism's three core assumptions, the nation-state is seen as the fundamental unit of political organization in international politics. It is the main actor on the world stage and continues to wield what Weber denotes a "monopoly on the legitimate use of physical force" (Weber 1919). This means that although non-state actors may still use violence for their own ends, the state is the only body that can legally go to war with other states. In other words, "the state is the principal actor in that the nature of the state and the pattern of relations among states are the most important determinants of the character of international relations at any given moment" (Gilpin 1981, 17-18). If states are the main regional actors, how do non-state actors, like terrorist groups Hamas and Hezbollah, continue to destabilize the Middle East? For one, it would be impossible for them to exist without the explicit support of like-minded states Iran and Syria. Secondly, the goals of these non-state entities' are still state-oriented: either to destroy a state, like Israel, or to establish their own state, like Palestine. Therefore, states are still the "basic actors in the international system" since "the behavior of other actors... is conditioned and delimited by state decisions and state power" (Krasner 1985, 28).

Once it is assumed that the state is the key unit of action in the international arena, the second assumption deals with the nature of state behaviour. They are said to "behave in ways that are, by and large, rational, and therefore comprehensible to outsiders in rational terms" (Keohane 1986, 7). State rationality, from a realist viewpoint, has at least three elements; realists assume that states are goal-oriented, that these goals are consistently ordered from most to least desirable and that states devise strategies to achieve these goals (Grieco 1997, 165-166). It naturally follows that states are "sensitive to costs" and will inevitably alter their strategies as external constraints and opportunities change, after learning from their own negative experiences and by observing what has succeeded and failed for other states (Waltz 1986, 331). A good example of state rationality involves two Arab-Israeli wars six years apart. In the morning hours of June 5, 1967, Israeli fighter jets caught Egyptian, Syrian and Jordanian armies unaware and practically obliterated their aerial forces, allowing Israel to claim victory against impossible odds in the Six-Day War. After recognizing that only a surprise attack would enable them to gain the upper hand in battle, Egypt and Syria secretly mobilized their armies along the Israeli border and launched a two-pronged attack on Israel when it was most vulnerable, on the holiest day of the Jewish calendar, in the 1973 Yom Kippur War.

The third of realism's three assumptions moves beyond the state as the referent object and tackles the international system instead. Although the state remains the main guarantor of authority in the domestic sphere, there exists no comparable enforcer of security at the international level. That is to say, war "lurks in the background of international politics just as revolution lurks in the background of domestic politics" (Carr 1964, 109). This absence of a central and reliable authority above individual states is what realists call the condition of international anarchy. International relations can thus be seen to "take place in the shadow of war, or, to use a more rigorous expression, relations among states involve, in essence, the alternatives of peace and war" (Aron 1973, 6). This vibes with another essential realist idea: the inevitability of war means that states can only rely on themselves for physical defense. Professor Alan Dershowitz, a vocal supporter of Israel, defends the Jewish state's bellicose behaviour by making this exact point: "Israel's permanent security must be assured against enemies both external and internal. Until and unless that occurs, Israel must continue to maintain a qualitative military superiority

over the combined armed forces of its potential enemies as the best assurance of peace in the region, since Israel can count on no one else to assure its survival" (Dershowitz 2003, 241).

Combining realism's three main assumptions about states – that they are the main actors in international politics, that they can be considered rational actors, and that they coexist in a context of international anarchy – leads to key propositions about their essential character and how they choose to interact with other states. Chief among these propositions is that states are first and foremost concerned with power and security. Yet, the definition of power and its relation to security have been and remain contested issues. Hans J. Morgenthau, an early proponent of realist theory, characterized international politics as a struggle for power and justice, but in his view the struggle for power tends to prevail. In fact, he argued that statesmen "think and act in terms of interest defined as power" (Morgenthau 1948, 5) and this due to the "limitless character of the lust for power [which] reveals a general quality of the human mind" (Morgenthau 1946, 194). This conception of power certainly requires clarifications and has been questioned and criticized on several fronts, in particular: the inadequacy of using human nature to explain the occurrence of international conflicts (Waltz 1959, 39); the apparent inability to distinguish between the tangible and intangible elements of power, namely between power as a resource and power as influence over others' behavior (Keohane 1986, 11); and, even more important, the lack of a clear distinction between power as an end in itself and power as a means to an end, a concept in line with T.R. Fox's instrumental view of power, based on Bertrand Russell's definition of power as "the capacity to produce intended effects" (Fox 1988, 234).

As to the relation between power and security, the fundamental question is whether the maximization of power or the maximization of security should be sought. Realist theory easily acknowledges that the quest for power is not identical to the quest for security. Power is relational; as Morgenthau points out: "the concept of power is always a relative one" (Morgenthau 1948, 12). This could be and is often interpreted as leading to a so-called zero-sum game in which one state's gain is invariably another state's loss, while, obviously, "one state's security is not necessarily every other state's insecurity. Greater security, like greater prosperity, but unlike dominant power, is an objective toward which it is at least conceivable that all states can move simultaneously" (Fox 1944, 11). But the realist insistence on the relativity of power clearly rejects the idea of dominant and absolute power. The relativity of power, therefore, could also be interpreted as suggesting a necessary subordination of power to other objectives, notably security, thus stressing the instrumental nature of power. Clearly, in this case, the so-called the zero-sum nature of power will give way to the absolute-sum nature of security, in which states can either gain or lose, depending on the degree of cooperation and collaboration with one another. Given realism's emphasis on states as self-help and rational agents, "it would follow that if a state had an opportunity to increase its power, but this conflicted with its goal of security maximization, then the state... would forego the former in favour of the latter" (Grieco 1997, 167). Similarly, Waltz notes that "in anarchy, security is the highest end. Only if survival is assured can states safely seek such other goals as tranquility, profit and power" (Waltz 1979, 126). Power, then, can never be seen as an end in itself, but just as one in a list of many means for achieving (inter)national security. And that realism generally favours the maximization of security, not the maximization of power, is demonstrated with luminous clarity by its main theory of international relations: the Balance of Power Theory.

Regional Security Complex (RSC) Theory

The utility of the regional level theories as opposed to realist-inspired theories is the incorporation of the supranational element in the theoretical analysis. The following analysis defines Buzan's (1991) regional security complex with its accompanying ideas of global overlay and patterns of amity/enmity before moving on to Morgan's (1997) regional order concept as a security ladder. By tweaking with realism's precepts and taking into account regional-level theories, the predictive ability of the theory grows beyond the level of the state and factors in the nature of the regional system, situated somewhere between the national and the global levels of analysis.

To this point, the term region has almost exclusively been used to refer to the Middle East, that is, the geographical region bounded by five seas and comprising the geographical region of Israel, Iran, Turkey and all Arab states East of Egypt (Kilchevsky et al. 2007, 648). The region referred to as the Arab-Israeli Middle East logically subtracts the non-Arab states of Iran and Turkey from that list, leaving Israel splashing about in a sea of exclusively Arab states. The basic unit of analysis here is really the regional security complex, a concept devised by Barry Buzan (1991) to describe a specific kind of region united by common security problems. In such a complex, the member-states are so interrelated in terms of their security that actions by any member, and significant security-related developments within the domestic sphere of any member, are recognized as having a major impact on the others. Regionalism in the Arab-Israeli Middle East, lacking any meaningful economic or cross-cultural-normative component, will be analyzed in terms of regional security. Consequently, as opposed to the general tendency to exclude Israel from regional frameworks, here it is argued that this exclusion cannot be permitted to continue.

Buzan defines a regional security complex (RSC) as a "group of states whose primary security concerns link together sufficiently closely that their national securities cannot realistically be considered apart from one another" (Buzan 1991, 190). Thus, the central elements in these complexes are the security relationships between each member-state and any elements of interdependence that concern security. Security, like power, is a concept liable to change with time, and has been the object of heated debate in the past few decades. Scholars generally tend to acknowledge that security is a relational concept centered on the existence of a danger or a threat, and as Buzan points out, the security of an individual actor is relevant only if considered in light of the systemic interdependence it shares with its fellow components in the system (Buzan 1991, 187). Despite major disagreements concerning the width and depth of the concept, the Middle Eastern RSC is likely for some time to continue to be defined in the traditionally realist sense as political and military threats against the government, territory and/or population of the state (Buzan 1997; Sørensen 2006). Furthermore, RSCs will in all likelihood continue to "be of much greater importance for coping with security issues and problems than in the past, and the management of order and security will increasingly be found [in these RSCs], especially if regional conflicts continue to flourish" (Morgan 1997, 31).

The concept of RSC is intended to emphasize that while regional security processes differ considerably from the global system, they may still refract the impact of that global system. Reflecting the bipolar Cold War system in which the theory was developed, any foreign powers' penetration into the regional system is defined as overlay, driven by the global-level conflicts and concerns behind great or superpower foreign policies. Further refinement of the concept might characterize the RSC in terms of its degree of autonomy and distinctiveness from the global system since under the condition of

overlay, regional-level dynamics cannot reasonably be considered apart from global-level dynamics; on the other hand, if no great or superpower conflict drives penetration into regional complexes, then overlay loses much of its relevance (Morgan 1997, 25-28). The Cold War had a dual effect on regional conflicts, on the one hand internationalizing otherwise local conflicts and on the other suppressing otherwise explosive interactions. In the Arab-Israeli Middle East, competitive arms racing behaviour no doubt increased the likelihood of either side resorting to war to achieve security, but it also created an eventual balance of power in which neither Israel nor the combined might of its Arab neighbours could decisively emerge victorious from armed combat. In the post-Cold War world, the United States' influence can still be felt.

There are numerous dimensions along which RSCs can be seen to differ and might reasonably be of theoretical interest, but Buzan (1991) has proposed for this to be done in terms of their patterns of amity and enmity. While RSCs are mostly generated by patterns of conflictual relations, hence the focus on traditional, politico-military issues of security, the theory accommodates variations in degree of conflict. This use of the amity/enmity spectrum is logical since "in seeing each other as relevant to their national security interests, each member-state must respond to perceived or actual threats and conflicts among themselves and, in the same fashion, to perceived or actual security relations that are friendly, indifferent, or [hostile]" (Morgan 1997, 31). Decades into the Arab-Israeli conflict, the Kingdom of Jordan and Israel both began to see each other's securities as inextricably linked. This connection was so profound that when Syrian troops prepared to invade Jordan in 1970 in support of Palestinian guerillas threatening to topple the King, the stability of superpower overlay allowed Israel to come to the moderate monarch's aid and maintain the regional balance of power although the two countries were technically still at war.

Regional Order/Security Ladder Theory

Much different from a regional security complex, however, is Morgan's (1997) notion of a regional security order. These regional orders are patterns of conflict management that can be used to rank a specific regional security complex – like the Arab-Israeli Middle East – along a theoretical security ladder from most to least integrated. While a security complex tends to have elements of more than one of these ideal types of orders, one is usually "dominant in terms of states' preferences, perceptions and strategies" (Lake and Morgan 1997, 12). In order from most to least ordered and secured, the list of regional orders is as follows: integration, pluralistic security community, collective security, great-power concert and power restraining power or balance of power. The list of regional security orders can be thought of as rungs on a ladder to be climbed by RSCs as they pursue regional cooperation and conflict management (Morgan 1997, 32-33). In this sense, the top of the ladder corresponds most closely to liberal ideas of regional cooperation and the bottom effectively mirrors realism's pessimistic view on the inevitability of conflict and the spontaneous emergence of a regional balance of power. Evidently, the example of the EU in Europe rests atop the ladder while the situation in the Arab-Israeli Middle East resides at the bottom.

Since the Middle East is said to be located on the bottom rung of the security ladder, it would be prudent to discuss the implications of achieving security via the use of power to restrain power. In

traditional politics, this is often referred to as the balance of power, which is often characterized by a prevalent form of power distribution that it is argued leads to stability and security for all within the system. This distribution of power may be dominated by one state in a unipolar system as popularized in the hegemonic stability theory (Gilpin 1971; Kindleberger 1973; Keohane 1984). The balance of power may also be dominated by two great/superpowers in a bipolar system as was largely the case during the Cold War (Waltz 1979). Finally, the distribution of power may not be dominated by any one or two powers, but spread diffusely among three or more great powers in a multipolar system, like the Concert of Europe was between the Napoleonic and Crimean Wars (Walt 1987; Mearsheimer 2001).

In the Middle East, it is often unclear in which direction the balance of power tends to shift. Conceptual and empirical problems plague researchers' attempts to assess this distribution of power: "The Arab system in the 1950s and 1960s stood between an unbalanced multipower system and a one-power system, although it more closely resembled the latter" (Noble 1991, 63). It was simply unclear how superpower overlay and the Israeli factor impacted Egyptian ambitions for regional hegemony. Egypt and Israel were often seen at two opposite ends of a bipolar system for most of the Cold War, but this is problematic since no Arab state would openly admit to support Israel, although some did so tacitly (Pervin 1997, 274). Towards the end of the Cold War and as the balance shifted drastically in its favour, Israel was seen as an aspiring hegemon that "intervene[d] at will, unchallenged, from Baghdad to Beirut" (Hudson 1984, 156). Recently, the balance of power has come to be supplemented by three interesting ideas: the balance of threat in which physical or actual power is supplanted by perceived power (Walt 1987), the checkerboard pattern in which neighbours are likely to be opposed while more distant countries are likely to be allied (Rustow 1989) and the tendency to balance rather than bandwagon in order to avoid a unipolar system dominated by Israel (Sayigh 1993).

Although the balance of power is difficult to determine in the Arab-Israeli Middle East, the hope is that the regional order can provide a model with which to determine where on the proverbial security ladder the RSC resides. If the traditional realist rung of the ladder at power restraining power can be surpassed, perhaps the Middle East can graduate to the next stage: security via a concert of great powers. In a concert, regional security is the collective responsibility of the most powerful states in that complex, whose actions derive legitimacy by providing order and security as a common good (Rosecrance 1992). Importantly, a concert makes the provision for each major state's vital interests and the right to participate in the concert so that each curbs their own foreign policies accordingly. The concert therefore contributes to regional security in two ways. "First, it embodies the determination of the major powers to mute and manage their own conflicts. Second, it provides a vehicle for them [with which they can] cooperate to deal with other security issues" (Morgan 1997, 34). As a mechanism for conflict management, regional orders differ according to the levels of amity and enmity characterizing a certain RSC. As relations of enmity become less charged and eventually morph into ones of amity in the Arab-Israeli Middle East, perhaps the elusive balance of power will give way to a multipolar concert.

Theories of realism and regionalism offer powerful conceptual tools for deciphering the maze of interwoven and often complex intraregional processes. While realism uses the core tenets of classical political thought to rationalize the decisions of cynical and pessimistic national leaders, regional theories are more helpful in reconciling the diverging and typically opposing national interests of individual state leaders within a broader and more inclusive security-critical regional context. RSCs first establish the actors and their relationships within the region so that regional orders can be conceived of as methods

to manage regional conflicts. The expected manner of conflict management in the Arab-Israeli Middle East is the traditional realist concern with the balance of power, but as history has repeatedly shown, this method of managing conflictual relations is beset with difficulties.

CONFLICT RESOLUTION THEORIES

Theories can be powerful tools since they paint a mental picture of how and why the world works the way it does. In this sense, noting the difference between explanatory and prescriptive types of theories makes all the difference (Brown and Ainley 2005). Realism provides an excellent explanatory theory for understanding the continuity of war and peace in international politics because it bases its predictions on the belief that all states are primarily motivated by the quest for economic and military power and security. Furthermore, realism posits that war is ultimately inevitable, either because of imperfections in human nature that render man prone to warlike tendencies (Morgenthau 1948) or because of constraints imposed by an anarchic international system on states wishing simply to survive (Waltz 1979). What regional theories add to this image of international relations is the ability to construct mechanisms for managing that inevitability of conflict, apparatuses for conflict management.

Coincidentally, where a permanent resolution of the conflict is the desired aim instead of a momentary management of it, the limits of explanatory theories are exposed and the utility of prescriptive theories become evident. Conflict resolution theories do not ignore the explanatory power of realism, but "the furthest that the realist can be persuaded to go is the moderation, limitation and channeling of conflict, not its abolition" (Clinton 2007, 245). Therefore, the benefit of these theories of conflict resolution is that they provide points of overlap with more optimistic liberal theories capable of transcending realism's deterministic outlook on the intractability of certain conflicts, like the Arab-Israeli one. The following sections will first delve into the origins of the prescriptive theory along with some of its basic tenets and then explore ways in which the Arab-Israeli conflict can be ended peacefully.

Conflict Resolution's Origins and Classical Ideas

The field of conflict resolution, even from its origins in the 1950s and 1960s, has always been a controversial enterprise. Realism has leveled some of the most stinging criticisms at the burgeoning discipline. This is not surprising if it is remembered that "rivalry, suspicion, confrontation: these are the relations that realists find most illuminating about international politics" (Clinton 2007, 248). If this is the case, why should realists have seen conflict resolution as anything other than "soft-headed and unrealistic, since in their view international politics is a struggle between antagonistic and irreconcilable groups, in which power and coercion were the ultimate currency? Might not lasting peace more often result from decisive military victory than from negotiated settlement? And might not third party intervention merely prolong the misery?" (Miall et al. 1999, 3). These types of questions plagued the nascent field, but it was consistently argued that conflict resolution would in time "include not only mediation between the parties but efforts to address the wider context in which international actors, domestic constituencies and intra-party relationships sustain violent conflicts" (Miall et al. 1999, 4).

In terms of some of the core ideas representative of conflict resolution's origins, the decision was made early on to distinguish between the positions held by diametrically opposed actors and their underlying interests and needs. Imagine two neighbours quarreling over a tree that each claims is on his land, but it turns out that the interest of one is in using the tree's fruit while the other's is in having the shade. Two opposing positions can be reconciled by identifying the interests of each and then finding mutually compatible albeit modified positions that allow each to meet their original interests. Matters become more complicated when the conflict is over values, which are often non-negotiable, or relationships, which may need to be fundamentally reconfigured to resolve the conflict. Some analysts consider the denial of profound human needs, like identity, security and survival, to be at the root of many intractable conflicts (Miall et al. 1999, 9). Thus, in the Arab-Israeli conflict, it is essentially a battle for national survival on both sides, but identity and security are prime motives behind the conflict. Moreover, as long as the conflict is translated into the language of needs, an outcome that bridges the gaps in each side's interests and positions can, in theory, be found.

Third party intervention, as has been the case with the United States in the Arab-Israeli Middle East since 1967, has long been recognized as a dynamic-changer in any conflict. Where two parties are reacting to each other's actions without a third party to act as the arbiter and mediator, misperception sets in and it is easy for a spiral of hostility and escalation to develop. The entry of the third party alters the conflict structure by allowing a "different pattern of communications to emerge, one in which the third party can filter or reflect back the messages, attitudes and behaviours of the conflict parties" (Miall et al. 1999, 9; Wilkenfeld et al. 2003). The conflict resolver's view of power is also slightly more nuanced than that of the realist and possesses three 'faces': threat, exchange and integrative power. Threat power is similar to the realist conception of the ability to command, order and enforce, or 'hard power', while the next two are closer to 'soft power'. Exchange power is associated with bargaining and the compromising approach whereas integrative power is seen as persuasion and transformative long-term problem-solving (Boulding 1989; Miall et al. 1997, 10). Third parties may use all three faces of power, but circumstances both internal and external to the conflict will dictate how successful they are.

From Preparing for Peace to Peace Processes

After reviewing some of the basic points of the study of conflict resolution, the analysis now turns to more practical considerations. Conflicts in the Middle East are rarely ever fought between evenly matched opponents; even during the Cold War, it was the effects of superpower overlay that enabled the combined might of the Arab states to reach strategic and military parity with Israeli forces.

Asymmetrical conflicts usually erupt between a majority and a minority, or between an established government and a group of rebels; both apply to the Palestinians living in Israel. Here the root of the conflict risks surpassing the issues and interests dividing the parties by taking on a structural tone, where the root of the conflict becomes bogged down in the uneven structure of roles and relationships between the actors (Miall et al. 1999, 12). In a unipolar order where the hegemon is despised, the only way to resolve the conflict is to change the structure. Since this is often not immediately beneficial to the stronger side, it is the role of the third party to assist in the structural transformation by convincing the de facto oppressor that the role of hegemony carries with it heavy

costs that are unsustainable over the long term and will ultimately lead to its downfall (Gilpin 1981; Dreu et al. 2008). The role of the news media in asymmetrical conflicts in the Middle East is not simply negative; it has also the power to change minds and create environments conducive to peaceful relations between former enemies. This was precisely the case in 1994, where the media prepared both publics for the Jordanian-Israeli Peace Treaty (Wolfsfeld et al. 2008).

While most studies on the peaceful settlement of disputes see the actual content of proposals aimed at resolving the conflict as essential to its success, more attention has recently been paid to its timing. In other words, parties resolve their problems only when unilateral and alternative measures have led to unsatisfactory and uncomfortable ends. Third parties must be aware that old proposals suddenly become attractive when all other options have evaporated since “ripeness of time is one of the absolute essences of diplomacy” (Campbell 1976, 73). The concept of a ripe moment in conflict mediation also centres on the perception of a mutually hurting stalemate (MHS) for both sides. This is where asymmetry loses some of its bite because both sides face costs and pressures resulting from the continuity of the conflict. The MHS is also fully consistent with realism’s assumption of rationality, which states that a party will choose its goals carefully from a consistent and prioritized list of objectives. Finally, ripeness is also a perceptual event, so if the parties themselves are not cognizant of the readiness of the conflict to be resolved, it is the task of the third party to point out the costs and benefits associated with the continuation or the resolution of the conflict (Zartman 2003, 19-20).

Many attempted peace initiatives fail to reach the negotiation stage, but if they do, multiple phases of the process become routine. At least seven phases have been identified: the pre-talks phase, an era of secret talks, the opening of multilateral talks, negotiating for a settlement, gaining endorsement, implementing its provisions and institutionalization of the new dispensation (Guelke 2003, 56). Without going into detail about each stage, suffice it to say that the first two are invaluable in initiating the dialogue that may lead to reconciliation; in the case of Palestinians and Israelis, it was only in 1993, with the signing of the Declaration of Principles, that both sides even recognized each other’s legitimate rights to exist in peace and security. Shimon Peres, the current Israeli President and an avid negotiator of the 1993 Oslo Accords, has said that if the Palestinian-Israeli agreement were not conducted in secret, away from the spotlight of the media – unlike the following years Jordanian-Israeli peace treaty – the agreement was unlikely to have survived public scrutiny (Peres 1993). Nevertheless, these phases are not definitive; they only suggest optimal time periods for negotiating an end to violent conflicts.

JERUSALEM – THE CITY OF PEACE?

When it comes to peace accords, and this is truly poignant in the case of Israel-Palestine, the problem of exclusive state sovereignty, whether over a city or larger territory, has long dogged efforts to resolve final status talks in the contested city of Jerusalem. The inflexibility of state sovereignty and state borders in the face of demands for separation and statehood steers states towards the granting of limited autonomy and provision for minorities (Darby and MacGinty 2003, 137). This stems directly from the fact that regional actors consider their own national securities without proper consideration for the security of others the region as a whole, feeding the security dilemma that overrides any chance of

regional unity and reconciliation between former enemies (Buzan 1991). Any resolution to the contested status of the city of Jerusalem will have to take into account the divergent positions, interests and needs of both Arabs and Jews (not to mention Christian minorities), but most importantly those of Palestinians and Israelis.

Controversially, some have even gone so far as to say that a comprehensive peace between Palestinians and Israelis that resolves all conflicting issues – Jewish settlements/outposts, the right to return of Palestinian refugees, final borders, water sharing, economic viability, security strategy and, of course, Jerusalem – is not possible nor should it continue to be advocated (Miller 2008). Backing away from this fatalistic view of the world is the only feasible option; like all problems in the world, the solution for this one has simply not yet been found. Considering that over the course of thousands of years, Jerusalem has been destroyed twice, besieged 23 times, attacked 52 times, captured and recaptured 44 times and been privy to at least 118 separate conflicts (Cline 2005), it only makes sense to discover the contested city's relevance for Judaism, Christianity and Islam. What follows is an in-depth look at why the city of Jerusalem is so important for each of the three faiths, followed by some political approaches to pragmatic problem-solving and creative political solutions for the city of Jerusalem. The order of religions chosen reflects their chronological development on Earth, not a personal preference.

Relevance for Judaism

There is no city in the world that has played a bigger role in all of Jewish history than Jerusalem. The first Prime Minister of the State of Israel, David Ben-Gurion, said it himself in a speech to the Israeli Knesset, or Parliament, in 1949: "We regard it as our duty to declare that Jewish Jerusalem is an organic and inseparable part of the State of Israel, as it is an inseparable part of the history of Israel, of the faith of Israel" (Jewish Virtual Library). This view is commonly shared among Jews wherever they may reside, not just within Israel. Furthermore, Jerusalem is specifically mentioned over 800 times in the Hebrew

Bible, Jews the world over pray in its direction three times a day and for thousands of years have finished the Passover service in the hope of repeating it 'next year in Jerusalem!' (Gabay 1999).

Historically speaking, it is impossible to separate the history of Jerusalem from its religious and cultural significance for the Jews. Circa the year 1000 BCE, King David conquered the city for the Kingdom of Israel and it quickly became the political, cultural and religious capital. Nearly 40 years later, King Solomon would build the First Jewish Temple in Jerusalem, a place from which Israelite priests would make animal sacrifices to their God and pilgrims from all over Ancient Israel would gather three times a year for key rituals. The First Temple Era lasted nearly 400 years until both the city and the Temple were burned and looted by the invading Babylonian forces in 586 BCE. For 70 years thereafter, the Israelites prayed daily for its speedy rebuilding in future days, and managed with the help of the Persian King Cyrus to return to Jerusalem and rebuild the Temple once more in 516 BCE. For close to 600 more years, Jerusalem remained the centre of Jewish life in Ancient Israel under the yokes of Persian, Greek and Roman imperial rule (Ir David Foundation).

At the end of the Second Temple Era in 70 AD, tragedy struck (again) when the city of Jerusalem and the Jewish Temple were both razed to the ground by the Romans. This date marks the beginning of

a two thousand years Jewish Diaspora, during which millions of Jews were killed, enslaved or uprooted from their homes and scattered throughout the known world, an event that rivals the Nazi Holocaust in the Jewish psyche. For close to 2000 years, the Jews wandered the Earth, homeless in strange lands, but always there remained in Jerusalem a tiny Jewish population that treasured the remnants of their once mighty past, a section of the Second Temple which the Romans by chance left standing: the Western Wall.

The city of Jerusalem was divided in the aftermath of the 1948-49 Arab-Israeli war, leaving the Western Wall, the holiest site in Judaism, in Arab hands. Therefore it was considered truly miraculous when against all odds the Israelis captured the Old City of Jerusalem in the 1967 Six-Day War and after 2000 years in exile achieved full sovereignty in their ancient homeland. Upon reaching the Western Wall for the first time, Israeli Defense Minister Moshe Dayan summed up the Jewish zeitgeist succinctly: "We have returned to all that is holy in our land. We have returned never to be parted from it again" (CAMERA). The notion of relinquishing parts of Jerusalem to the Palestinians just decades after fighting and dying for the 'eternal' capital of Israel is a troubling one for most Israelis.

Relevance for Christianity

Although the Christian connection to the city of Jerusalem (and elsewhere in Israel/Palestine) is significant, it is of a more spiritual and religious nature as opposed to a territorial and political one. In other words, there exists no 'Christian-nationalist' movement based in Jerusalem comparable to Israeli nationalism for Jews or Palestinian nationalism for Muslims. Nevertheless, the life and death of Jesus Christ – the rock of Christian faith – is deeply embedded in Jerusalem's story. According to the Christian Gospels, it was circa the year 30 – 33 AD that along with preaching and healing in the Temple courts (he was, after all, Jewish), Jesus' Last Supper, his arrest in Gethsemane, his trial, his crucifixion at Golgotha, his burial nearby and his resurrection/ascension all occurred within the gates or atop the nearby hills of Jerusalem (Luke 2; Mark 11, New Revised Standard Version).

In the years after Jesus' death in 33 AD, Christianity had to find a way to surmount the Jewish claim to Jerusalem. With the destruction of the Second Jewish Temple (and by extension Jerusalem) and the beginning of the Jewish Diaspora in 70 AD, physical ownership of the city was impossible during the formative days of the Christian religion. Thus, the essential nature and meaning of Christian Jerusalem quickly became spiritualized and delocalized in the early Christian context (Eters 1987). From its centre, Christianity radiated to other cities and towns beyond Palestine and throughout the Roman Empire. When Christianity became the official religion of the Roman Empire in the 4th century AD, Constantine the Great ordered the Church of the Holy Sepulcher built to commemorate Jesus' final ordeals on Earth.

As more churches and Christian domiciles were constructed and pilgrims continued to grow in numbers, Jerusalem became a physically Christian city in addition to a spiritual one (Microsoft Encarta).

For hundreds of years after the Arab conquest in 637 BC, the Christian population of Jerusalem lived under foreign rule. Their persecution and the Church of the Holy Sepulcher's destruction spurred on the Crusades of the 11th to 13th centuries, aimed at liberating Christian Jerusalem from 'infidel hands'. Regardless of whether the Christian or Muslim armies won the day, the native Christian

community was always seen as collaborating with the enemy and was frequently slaughtered or exiled from the city (History Channel Online). Since the time of the Crusades, communities both native and foreign have been jockeying for ownership and administration of the churches in the city of Jerusalem. For example, while the precincts and fabric of the Church of the Holy Sepulcher are claimed by the three major denominations of the Greek Orthodox, Armenian Orthodox and Latin Roman Catholic churches, on the very same plot of land, the Egyptian Coptic Orthodox, Ethiopian Orthodox and Syrian Orthodox orders all possess certain rights and small properties (Jewish Virtual Library)!

The contentious nature of inter-church politics has resulted in a fragile status quo. The Christian sects residing in Jerusalem are more fearful of and hostile to each other than their Jewish or Muslim counterparts since all religions within the city's walls respectfully stay out of one another's affairs. By extension, as long as their religious and spiritual rights are protected by the ruling power's authority, the Christian population in Jerusalem remains passive and reclusive. Furthermore, the lack of any religious-nationalist movement aimed at establishing a Christian state atop Jerusalem ensures that the Christian community has little to fear from the turbulence caused by the Arab-Israeli conflict.

Relevance for Islam

Unlike the inseparability of Judaism's historical development from its religious and political roots in Jerusalem, the separation must be made between the religious and political aspects of Islam's historic claim to the holy city. Religiously speaking, Jerusalem is not mentioned once by name in the Qur'an, yet all Jewish and Christian claims to Jerusalem are subsumed within Islam since it sees itself as the natural continuation of and final link in the three Abrahamic faiths. Interestingly, this means that venerated Jewish and Christian leaders like Moses, King David, King Solomon and even Jesus Christ himself are considered Islamic prophets, so their connections to Jerusalem inevitably take on an Islamic character. Jerusalem was also designated as the first Kiblah, or direction of prayer, for Muslims before Mecca, though this has become more of a theological non-issue today (Encyclopedia Britannica).

The Dome of the Rock, a shrine for pilgrims, and the al-Aqsa Mosque, the third holiest in Islam, are widely believed to be built atop the ruins of the Second Jewish Temple and almost directly above the Western Wall, the holiest site in Judaism. Needless to say, this is a source of constant tension and strife. Perhaps the most important religious nugget of all is Muhammad's mystical nighttime journey in 620 AD where he is supposed to have been flown to the al-Aqsa Mosque in Jerusalem – though it would not be built until many years after Muhammad's death – on a winged horse where he led the 'Islamic' prophets in prayer, visited heaven and was then returned safely to the Sacred Mosque in Mecca. Some maintain that this metaphysical experience was 'not a physical experience but a visionary one' (Armstrong 1997) while others literally accept the story word-for-word (Noble Sanctuary Online Guide). Whether or not it actually happened, this miraculous event makes Jerusalem a holy city in the eyes of Muslims worldwide.

Whatever the strength of the religious bond between Islam and Jerusalem, politically, it should be noted that the city has never served as the capital of a sovereign Muslim state and has never been a major cultural or scholarly centre of gathering for Muslims. It has even been argued by looking at major turning points in Islam's history that the religious stature of the city inevitably swells for Muslims when Jerusalem assumes political significance but shrinks when the utility of the city has expired. An often

cited test case is the 20-year period of Jordanian sovereignty over the holy sites in Jerusalem during which time no foreign Arab or Muslim leader visited the city (Pipes 2001). In any case, Muslim political demand for Jerusalem has taken off like a rocket ever since the status quo of a divided Jerusalem was shattered by the Israeli reunification of the city in the aftermath of the 1967 Six-Day War. From that date on, Palestinian nationalism has been intimately linked to the establishment of Muslim sovereignty over the Arab half of Jerusalem. This is the nature of the Muslim claim to the holy city.

Problem-Solving and Pragmatic Solutions

Evidently, the religious side of the Jerusalem debate cannot be ignored, but faith is just one part of the conflict. While the Jews claim the city of Jerusalem as the eternal (and as of 1967 the undivided) capital of Israel, the Palestinians claim the Arab half of East Jerusalem as their future capital city in an independent Palestine. The Jerusalem conundrum has become so divisive that even the negotiators of the famous 1993 Oslo Accords, credited with the attempt at Palestinian-Israeli reconciliation, recognized that at least 5 more years of confidence-building measures would be needed before addressing the status of the city of Jerusalem (Isseroff 2002). Similarly, many of the most recent peace initiatives such as the Quartet Road Map and the Arab Peace Initiative follow in Oslo's footsteps by attempting to resolve the secondary issues without even touching upon Jerusalem (Abu-Daya and Mann 2007). In contrast to the well-meaning albeit ineffective trend in the literature to procrastinate on the final status talks of Jerusalem, it is absolutely essential to regional peace and stability that the resolution of the holy city's status precede any realistic peace settlement between Palestinian/Arab Muslims and Israeli Jews.

One of the main hurdles to overcome in the city's status is the issue of sovereignty. Obviously, neither side will willingly sacrifice it. Therefore, what is needed is a mechanism that allows sovereignty to be shared, not mutually exclusive. Although this is still mainly a theoretical construct, all practicable solutions have been more or less exhausted in the 60-year long struggle; it is only by creating original solutions that the Arab-Israeli conflict will be resolved. An extremely versatile combination of strategies like resource expansion, compensation, issue linkage, functional division, sharing and delegation have been used in the approach to tackling the sovereignty issue. A number of hypothetical solutions have already been proposed for the city, but none of them have found practical resonance (Albin 1997). Similarly, questions of sovereignty inevitably become entwined with the question of power-sharing (whether federal or municipal). This has led some to suggest autonomy or partition for Palestinians in Israel while still others break the concept of power-sharing down into the consociational or group-building block approach and the integrative approach, both of which contain relative strengths and weaknesses, and none of which have been successfully applied to Jerusalem (Sisk 2003).

Little so far has been said about the two-state solution: the idea that a separate and Palestinian state should coexist alongside the current Jewish State of Israel, albeit with slightly modified borders. This model has grown in popularity in the past two decades as the only way out of the present crisis and would look something like the following: "West Jerusalem can be the capital of Israel; East Jerusalem the capital of Palestine, and each state can exercise control over its respective holy shrines. The city must have two separate political sovereignties yet remain physically united. It might thus become a model of

coexistence and cooperation between the two states" (Fahmy 2004, 15). Indeed, Jerusalem has been a city where a great degree of mutual understanding between religions has historically taken place.

The views of a former United Nations Observer in Israel at the height of the Cold War sum up this position eloquently: If Jerusalem is "ever to become a city of peace... its foundations will have to be based on justice and not falsehood. This means that the Arabs will have to regain that part of the City which was theirs until 1967 and that the whole City must be a place where Arabs and Jews can come together in confidence and understanding. Were this to happen in one place, it is conceivable that understanding might spread further, and that in this way Jerusalem might become the seed from which a general reconciliation between Arabs and Jews would grow" (Bull 1973, 43). It seems that the holiness of Jerusalem, that which makes it so coveted, might be the root of its problems. Arabs and Jews have had very little difficulty cohabitating in cities without the spiritual allure of Jerusalem. Take the city of Haifa in Northern Israel in the final days of Britain's Mandate in Palestine, for instance: "The work of the Haifa Municipality rests on the fundamental presupposition that neither section of the population should be allowed to dominate the other... a striving for cooperation, on the other hand, results in actual cooperation" (Smelansky 1947, 66). Along the same idealistic vein, the Jerusalem Old City Initiative, a research project undertaken at the University of Windsor, outlines how and when a joint Palestinian-Israeli task force would govern the Old City together, effectively sharing sovereignty and taking into account the diplomatic, security, governance, development and religious concerns present between two mutually fearful and distrustful populations (Bell et al. 2009). Finally, it is vital that each side strive to bring the best possible future out of themselves and each other for this type of solution to work. If this sounds too idealistic, it should be remembered that even conflict resolution theories at once seemed utopian in the eyes of classical orthodox realists. In the words of Alan Dershowitz, "A two-state solution ... holds enormous promise for both the Palestinians and the Israelis... By abandoning unrealistic claims and recognizing each other's right to live in peace, Israel and Palestine can become beacons of enlightenment, progress and hope in an increasingly dangerous world" (Dershowitz 2003, 243).

Conclusion

It has been shown that there exists a severe lack of regional integration in the Middle East, and that among many causal factors, the most serious is the Arab-Israeli conflict, at the centre of which rests the Palestinian-Israeli struggle for survival. These conflicts not only impede the growth of a mutually beneficial regional order, but they also provide no opportunity for intercultural dialogue, peace or security for the peoples of the Middle East. International relations theories based on realism were explored in order to get a better grasp on the inability of regional leaders to overcome their differences and reconcile national interests with international security and stability. Essentially, the argument being made is that there needs to be a universal realization on both sides of the divide that while realist mindsets may lead to temporary increases in power, this fails to easily translate into increased security for either side. This is why national security cannot realistically be considered apart from regional and international security any longer. (Buzan 1991). Instead, a collaborative and integrated regional order can only come about by taking steps to build confidence, reduce misperceptions and eliminate the misconceptions that plague both sides (Morgan 1997).

With particular reference to the Middle East, conflict resolution theories are not only useful, they are necessary to overcome the pessimism that often characterizes the situation in the region. As realism and liberalism would agree, only by taking into consideration the positions, interests and needs of other regional actors can conflicting positions be broached (Miall et al. 1999). By joining the two perspectives and using the comparatively more liberal conflict resolution theories, the explanatory power of realism's conflict management is transformed into the prescriptive power of liberalism's conflict resolution. Hopefully, this could help to overcome the mutually hurting stalemates and reach the long awaited Arab-Israeli compromise (Zartman 2003), including on the highly coveted city of Jerusalem. Conflicts that were once thought to be similarly intractable have been resolved in Northern Ireland, South Africa and the former Yugoslavia, among others. Why, then, should optimists stop praying, hoping, debating, reading, researching and writing for the deeply-sought and long-overdue end to violence and the beginning of peace in the Middle East.

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