

The UBC Journal of Political Studies

April 2007

An annual publication of the
UBC Political Science Students' Association

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Vancouver, BC V6T 1Z1
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Printed by Harbour Centre Printing and Copying, Vancouver, BC,
2006.

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FOREWORD

The ***UBC Journal of Political Studies*** is now well established as the foremost periodical of its kind in the country. Started in the previous century (the 1990s) it continues as an entirely student led, managed, written and edited annual publication that illustrates the richness, breath and intellectual excitement that characterizes the members of the UBC Political Science Students Association.

Readers will find in these pages a marvellous collection of papers that cross the discipline. Each represents the work of a student challenged to think hard about a problem that made them sit up and say “I wonder what I think about that,” and then sit down to puzzle it out. For faculty members, one of the great joys of being at UBC is the opportunity to work with these students. When you have had a chance to read these papers for yourself you will know why.

Danica Wong, and her whole editorial team, deserves our congratulations for another job well done. With all my colleagues, I salute them.

R. Kenneth Carty
Professor and Acting Head
Department of Political Science, UBC

EDITOR'S INTRODUCTION

One of the things that makes Political Science such an important and dynamic area to study is the fact that politics exist at every level of human interaction. From the everyday dialogue between governments and their citizens, to the abstract reconciliation of conflicting ideologies, to the strategic balancing of power between nation-states, political relations and dynamics abound. Having come to this realization about the pervasiveness of politics in human life, do we really have any choice but to lend significant time and conscientious thought to understanding the evolution of politics? Indeed, how can we ignore that which seems to be the key to unravelling the very nature of human existence since the advent of society?

In the true spirit of intellectual discovery and academic excellence, the twelve undergraduate authors published in the ninth edition of the UBC Journal of Political Studies offer exciting insights into the political interactions and dynamics at play at several different levels of analysis.

There are a great many people without whom this journal could not have been produced. Indeed, as a department and student association sponsored, peer and faculty reviewed publication, a successful journal process requires strong support from both the faculty and the student body.

I would like to begin by thanking the Dr. R. Kenneth Carty and the Department of Political Science for their ongoing and unwavering support, financial and otherwise, of this project. As the journal's faculty advisors, Dr. Laura Janara and Dr. Angela O'Mahony were invaluable sounding boards and sources of advice. As last year's advisor, Dr. O'Mahony also provided important insights into how things had been done in the past and how they could be improved upon.

The journal is similarly indebted to the Political Science Students Association for providing the framework from which this project is launched and overseen each year. Special thanks are in order for Grace Lore, Co-President of the PSSA, who provided us with a constant and straightforward link to the association, which greatly reduced the possibility of miscommunications and improved our decision making process.

As a student run and student edited publication, we are reliant on the expert knowledge of faculty members in terms of

both subject matter and academic writing style. We are therefore grateful to the numerous professors who gave their time to read and evaluate the top submissions: Dr. Barbara Arneil, Dr. Bruce Baum, Dr. Michael Byers, Dr. Maxwell A. Cameron, Dr. Katharina Coleman, Dr. Fred Cutler, Dr. Antje Ellermann, Dr. Kenneth Foster, Dr. Alan Jacobs, Dr. Laura Janara, Dr. Diane Mauzy, Dr. Benjamin Nyblade, Dr. Angela O'Mahony, Dr. Richard Price, Dr. Paul Quirk, Dr. Philip Resnick, Dr. Lisa Sundstrom, Dr. Yves Tiberghien, Dr. Allan Tupper and Dr. Mark Warren.

Second to last, but certainly not least since they did the bulk of the work of narrowing down the submissions, I would like to thank the Editorial Board for their enthusiasm, honesty, impartiality, hard work, and especially for their deep commitment to the project in spite of their own very busy academic schedules and other extra-curricular activities. I would like to thank Shagufta Pasta, the Assistant Editor-in-Chief, for providing a second, often contrasting, opinion to my own thoughts and for liaising with the publisher.

To end, I would like to thank all the individuals who submitted essays for consideration. We received 115 eligible submissions this year, which represents a substantial increase from the 2006 edition that will hopefully continue in the future. It takes considerable courage to put forth one's work for further scrutiny and possible rejection, and so we appreciate all of the authors' initiatives and hope that they learned something from this process even if they were not included in the final publication.

I am extremely proud and honoured to have played a major role in the making of the 2007 UBC Journal of Political Studies, and I would once again like to thank each and every individual who had a hand in bringing this project to fruition. I hope that readers will be impressed and inspired by the top quality undergraduate research showcased in this book. I also hope that next year's journal team will be successful in surpassing the benchmark set in by this edition by taking the Journal to even greater heights of academic achievement and public awareness.

Danica Michelle Waih-Mahn Wong
Editor-in-Chief, 2007

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EDITORIAL BOARD

Danica Michelle Waih-Mahn Wong, Editor-in-Chief

Danica is a fourth year Political Science Honours and French Honours student who specializes in Canadian politics, public policy and democracy in the former, and in 17th and 18th century literature in the latter. Her Honours essay in French investigated Molière's use of servant characters to criticize the bourgeois and noble classes in his plays, while her Honours essay in Political Science explores the root causes of non-voting among today's youth. When she's not studying or devoting time to the Journal, Danica works as a research assistant for the UBC Department of Political Science and serves as the undergraduate student representative for the Faculty of French, Hispanic and Italian Studies. Following graduation, Danica hopes to pursue an M.A. in Political Science at a top Canadian university.

Shagufta Pasta, Assistant Editor-in-Chief

Shagufta Pasta is a fourth year Political Science student. Her academic interest are diverse, but are centred around Middle Eastern/Islamic Studies, and African Politics, neither of which are offered at UBC. When not working on the 2007 Journal of Political Science, she can usually be found working on projects with terry.ubc.ca, or working as Executive Coordinator of Student Services for the AMS. After graduation, she plans to pursue further studies at a university with academic content more reflective of the world we live in.

Anna Filippova

Anna Filippova is a third year Political Science Honours student who is interested in international relations and international law. Since people tend to question the meaning of the term "international law" and the significance of its influence on world affairs, she would like to bring more clarity into the issue and thus highlight the crucial role international law plays (or at least can potentially play) in international relations.

Teddy Harrison

Teddy is a fourth year Political Science Honours student who specializes in political theory and international relations. His current research interest is in the politics of food, with a particular focus on corporate control of the food supply through intellectual property laws. Outside of his studies, Teddy is heavily involved with the UBC Debating Society, both through teaching debate and as a competitor. After graduation, he intends to do what he is most qualified for - more school.

Megan Kaseburg

Megan is a Political Science Major finishing up her fourth and final year at UBC. During her studies, she has focused primarily on issues regarding International Law but has also enjoyed studying the politics of regions such as South Asia and Europe. In the future she plans on pursuing the study of law but also looks forward to traveling after graduation.

Stephen Klein

Steven is a third year BA student in Political Science Honours with a Minor in Philosophy. He is specializing in political theory, with a particular interest in critical theory, contemporary liberal and democratic theory, and continental philosophy. He plans to pursue graduate studies after finishing his degree.

Grace Lore

Grace Lore is a fourth year Honours Political Science student currently working on an undergraduate thesis on electoral reform. Grace is the Co-President of the Political Science Student Association and sits on the Undergraduate Review Committee. After graduation she hopes to pursue a PhD in electoral systems and democratization and a career in academia.

Rebecca Alegria Monnerat-McPartlin

Rebecca is a fourth year Political Science Major, after having transferred from Langara College where she did a concentration

on Peace and Conflict Studies. She is a citizen of the US and Brazil, and was raised in Brazil and Costa Rica. She has a particular interest in North-South relations and Latin American politics, as well as a deep interest in Peace Education and conflict resolution. She hopes to start a career in sustainable development and working with cities and municipalities on building a "Culture of Peace" locally and internationally.

Nadya Repin

Nadya is a third year Political Science Honours student. She does not specialize in a particular area, preferring to keep her mind and options open for now. She strives to protect the environment, is interested in vegetarian politics, and believes activism is the best answer. She hopes to one day write speeches for politicians because then they would at least get the facts right, if nothing else.

Oldus Jasmine Ramze Rezaee

"History is agreed upon lies"...yet Jasmine, a fourth year Political Science student, is interested to know how these lies shape our perception of, and behaviour in, the political world. Among other ambitions she hopes to publish extensively in the future and maybe even witness a revolution during her time. Jasmine also writes poetry and paints abstract art.

Rhea Shelton

Rhea Shelton is a third year Political Science Honours student. Although she is interested in all aspects of politics, She is especially drawn to the international field. She dreams of some day ruling the world and figures that the best way to start is by learning a little about how the world works.

Chaktuen Athena Tang

Athena is in her third year at UBC, double-majoring in English Literature and Political Science. She loves the works of Chaucer and Shakespeare in English Literature, and enjoys the studies of Canadian Politics in the field of Political Science. Athena has many interests, including reading, writing, shopping, music and

current events. She also loves to travel and meet people from different parts of the world. Upon completing her Bachelor's Degree, Athena plans on applying to be an ESL teacher somewhere in Asia.

Anna Wong

Nearing the end of undergraduate studies, Anna is beginning to understand what it means to strive, to seek, to find, and not to yield. Besides the world of politics, Anna enjoys sunsets and sushi. This fourth year Political Science Honours student interested in public policy, development and comparative politics is excited yet nervous for the unknown tomorrows.

Soushiant Zanganehpour

Soushiant is a 4th year Political Science and International Relations student. A global citizen, Soushiant is trilingual and has experience traveling and living abroad in foreign countries and cultures including Iran, Turkey, China and France. Soushiant has a track record of leadership and initiative: he was the former Vice President of L'Association de Model Nations Unies Paris (MUN PARIS) in Paris as well as the former head delegate of the Sciences-Po Paris University delegation to the 2006 Harvard's World Model United Nations Conference in Beijing, China. Soushiant has diverse work experiences including positions in research and analysis, event organization, teaching/tutoring, management, sales and marketing as well as extensive outreach and volunteer experience to his ethnic and student communities.

CONTRIBUTORS

Jacqueline Bell

Jacqueline is a third year Political Science major obsessed with Eco-Feminism, playing the piano and riding her bike. Given her obsession, she is very happy to have her paper published in this journal. She hopes to continue exploring similar modes of analysis in her future studies, hopefully somewhere warmer and sunnier than Vancouver.

Damian Chan

Damian is a fourth year Psychology and Political Science double major focusing on security studies. His interests include nuclear non-proliferation and disarmament, small arms disarmament, and Canadian-American defence policy.

Diana Gibrael

Diana Gibrael comes to studying Political Science at UBC after having studied linguistics in the University of Wisconsin in Madison. She is originally from Chicago, Illinois, and often misses the pizza and snow, but never the cold. She hopes to continue studying Political Science in graduate school in the future, and to eventually become fluent in Arabic. She lives with her husband, Chris Pressey, and their cat Puff.

Teddy Harrison

Teddy is a fourth year Political Science Honours student who specializes in political theory and international relations. His current research interest is in the politics of food, with a particular focus on corporate control of the food supply through intellectual property laws. Outside of his studies, Teddy is heavily involved with the UBC Debating Society, both through teaching debate and as a competitor. After graduation, he intends to do what he is most qualified for – more school.

Travis Kayes

Travis Kayes is a fourth year Political Science Honours student, whose main interests in politics are American foreign policy and U.S. electoral politics. He is dismayed by the performance of the American media since 9/11, and finds solace in downloading pod-casts from *Air America Radio*. Travis is a painting contractor in Whistler, BC, where he finds plenty of time to listen to these pod-casts on the job-site, chairlift, or mountain bike trails.

Ryan LaPlante

Ryan LaPlante is a third year student from Vancouver who is specializing in Political Science and French. He enjoys French literature and frequently spends summers in Québec. La belle province aside, Ryan is particularly interested in environmental issues, including the development of sustainable energy technology, as well as in the emerging commercial space industry. He is also an artist and a part-time camera salesperson.

Jessica Lithwick

Jessica Lithwick is a fourth year Political Science student, minoring in religious studies. Her academic interests include environmental policy, international politics and human security. She hopes to be attending law school in the near future. This year Jessica's campus activities included: social coordinator for UBC Jewish Student's Association and member of Alpha Gamma Delta Sorority.

Madeleine Lyons

Madeleine is a fourth year Political Science Honours student. Outside school, Madeleine works at the Canadian Red Cross where she educates local youth about global issues and supports them in taking action. She encourages everyone to have tea with their MLA and MP, to write regularly to their local and national governments about an issue they feel strongly about, and to vote in all levels of elections. Madeleine looks

forward to a long career of thinking of new descriptive adjectives for grant applications.

Nabila Pirani

Nabila Pirani is currently in her third year at UBC, pursuing a double major in Political Science and Asian Language & Culture. Although fascinated by the literature and culture of South Asia, her main interest, and thus the focus of most of her research, is the politicization of religion and its impact on the region. She is currently running a Student Directed Seminar on this topic. In addition, Nabila is a mentor in the VP Students Emerging Leaders Programme and sits on the executive of an AMS club. When she's not doing school work, Nabila enjoys playing music, kick-boxing and re-reading the works of Salman Rushdie.

Samuel Slover

Samuel Slover is a fourth year undergraduate student in his last semester of a combined Honours degree in Political Science and International Relations. He is currently working on his Honours thesis which looks to successful East Asian development to extrapolate lessons on the possibilities of achieving economic development through the promotion of entrepreneurship. After graduation, Sam hopes to work internationally in the field of development. His ultimate dream is to successfully start his own business and then use this practical knowledge to help those in the developing world do the same. In his spare time, Sam enjoys outdoor activities such as golf, skiing, basketball, and biking.

Joseph Szamuhel

In his fourth year of studying Political Science at UBC, Joe's recent interests centre around the foreign policy of the EU and non-liberal democratic movements. With ambitions for graduate studies or law school sometime in the future, he is looking forward to doing some traveling and negotiating just what it is he wants do with his life, not having ruled out for certain the possibility of becoming an Olympic bobsled champion. He hopes you enjoy this year's journal and wishes all his fellow budding political scientists at UBC all the best in the future.

Teresa Tang

Teresa is a fourth year Political Science student at UBC who takes an avid interest in comparative politics in the Asia Pacific, as well as Chinese politics and American foreign policy. Upon graduation, she plans on studying international law, which she hopes will lead to a career working for the Department of Foreign Affairs in Canada. Aside from her interests in politics, Teresa also holds a diploma in piano performance and enjoys playing classical music with her piano trio, and jamming with her rock band.

DEAFNESS AND AUTONOMY: ACCOMODATING DIFFERENCE

Teddy Harrison

“Deafness and Autonomy: Accommodating Difference” seeks to address the competing theorisations of d/Deafness. The paper draws on a survey of the individual deficit, social disability, and cultural models of d/Deafness, to develop an argument that deafness can only honestly be theorised as both disability and cultural identity. Under such conditions, policy regarding the d/Deaf should maximise autonomy for the d/Deaf, in order that d/Deaf people might maximise their capacity for self-defined flourishing. The final part of the paper deals with some of the more problematic aspects of a choice-based perspective before drawing some general conclusions.

Deafness has, over time, been subject to many competing theorisations. This paper begins with a survey of three: the individual deficit and social disability models, and the cultural model of Deafness. On the basis of that survey, I will argue that deafness can only honestly be theorised as both disability and cultural identity. Under such conditions, our priority for dealing with deafness should be enabling deaf individuals to choose their route to human flourishing. To justify autonomy as the governing factor in policy regarding the deaf, I draw upon a capabilities approach to ethics and Leonard Davis’ notion of dismodernism. The paper will also examine issues raised by this invocation of choice before drawing some general conclusions.

To theorise deafness as disability would mean understanding deafness as a reduction of sensory functions to the point that usual capabilities are impaired or absent.¹ The standard WHO definition of disability distinguishes between impairment (the functional limitation), disability (impact of the impairment on everyday life), and handicap (the social disadvantages that result from the impairment).² There is a consensus that, as measured by a number of indicators of quality of life (education, income, unemployment, etc.), deaf

people are worse off than the general population, but disagreement exists on the cause of that inequality.³ Although attributing inequality to the functional impairment of deafness may be intuitive, a number of authors have delivered powerful critiques that urge us to move beyond such a common-sense understanding. The primary concern is that conceiving disability and deafness as abnormality fails to understand their complexity: there is no “platonic human genome” against which deviation from the norm can be measured.⁴ Harlan Lane argues that there is instead a range of variation accepted as normal, and another range that, dependent on the social context, is rejected and “reified as a treatable biological condition, and the responsibility for social inequality is shifted onto the individual who is said to have a treatable condition.”⁵ Deafness can thus be conceptualised as social disability, with inequalities caused by the social rejection of deafness as opposed to the impairment itself.

The theorisation of deafness has never been purely descriptive; each description has substantial normative overlays. The long-dominant individual deficit or medical approach treats deafness as a pathological audiological deficit. In so doing, it equates deafness with abnormality and disease, suggests a sense of personal tragedy, situates disability as a private issue, privileges medical knowledge, and prescribes rehabilitation (which offers little hope for those who cannot be “fixed” and places the onus on the individual to be rehabilitated).⁶ Treating disability as social, on the other hand, can draw attention to the unjust marginalising impact of social and economic structures, destabilise the categories of impairment and disability, and incorporate an analysis of power and suggest the possibility of change – specifically that society should change to fit disabled people (rather than disabled people changing to fit into society).⁷

There are those who would go beyond the social model of disability and argue that deafness is not a disability at all, but is instead a cultural identity. What does it mean to say that there is a deaf culture? In a broad sense, we could look at E. B. Taylor’s early formulation of culture as capabilities and habits acquired by people as members of society.⁸ Lois Bragg provides a more demanding definition of culture with her seven criteria: common language, textual history, cohesive social community, political solidarity, acculturation at an early age, generational links, and pride in identity and segregation.⁹ Bragg herself used

these criteria to argue that there was a deaf culture; she and other proponents have considerable evidence to support their claims.

Amongst anthropologists, there is a growing recognition of the existence of deaf culture. There exists a DEAF-WORLD that consists of a distinct linguistic minority culture and the majority of (for instance) the United States' more than one million deaf people have chosen to differentiate themselves in terms of that culture.¹⁰ (Note that the capitals signify a deaf sign.) Much of the culture centres on language: American Sign Language and other national equivalents, such as British Sign Language, are fully-fledged, fully expressive languages.¹¹ There also exists a DEAF-WAY which is a shared cultural milieu including norms around physical contact, social courtesy, and leave-taking.¹² These norms can be difficult to convey to hearing people, making culture, rather than language, the main barrier in deaf/hearing interaction.¹³ Such a culture is maintained by the will of its members: the majority of deaf people would *not* rather be hearing (setting them apart from most people with disabilities) and of those who marry, 90% marry a deaf spouse.¹⁴ The culture has also been maintained despite a history of oppression, including a total ban on ASL in American schools after 1880 and a shocking history of eugenics.¹⁵

Despite the overwhelming evidence for the existence of deaf culture, even Lane – a strong supporter of deaf culture – is keen to highlight that it is simply an alternate social construction of deafness.¹⁶ The common usage has become to distinguish Deaf/Deafness (referring to the culturally deaf and deaf culture) from deaf/deafness (referring to the non-culturally deaf and deafness in the audiological sense) – although the boundary between the two is more fluid than the distinction suggests.¹⁷ The key here is that Deaf culture is not the choice of all d/Deaf people. Deaf culture has a number of drawbacks: the bounding of identity creates “symbolic incarceration” for those who do not subscribe to dominant Deaf norms.¹⁸ There is a definite hierarchy within deaf culture (it is better to use ASL and better to be “deaf of deaf”, i.e. to have deaf parents) and acceptance is emphatically not unconditional, which is particularly troublesome for those in transition to Deaf culture or unsure of their place.¹⁹ Given the small size of most deaf communities, this can be particularly problematic in accommodating intersecting identities.

For instance, deaf Muslims can have trouble fitting in when their deaf community's only meeting place is a bar.²⁰

Thus, while the model of Deafness as a valuable cultural identity works for many deaf people, it does not work for all. It is important not to understate the real physical and inevitable social limitations faced by deaf people. Helen Keller argued, "Blindness cuts people off from things. Deafness cuts people off from people."²¹ There are significant numbers of deaf people who, citing the many things they are physically incapable of doing which they would like to do, would prefer not to be deaf²². Even advocates of Deaf culture acknowledge that those who become deaf as adults have a disability. Yet even some who have been deaf all their life reject Deaf culture in favour of attempts to integrate into broader society and prefer hybridisation of signs and spoken language to pure signing.²³ In reading their reasoned and eloquent support of their position, it becomes clear that they are not simply self-hating victims of a dominant oralist culture; there is real merit to their claims.

At this point, we are left with what is perhaps a disappointingly fuzzy picture. There are some audiologically deaf people for whom deafness is clearly a disability (in part medical, in part social). There are some culturally Deaf for whom Deafness is not a disability at all, but a cherished identity. And there are many deaf people who fit somewhere in between, or are unsure of their place. No single approach to deafness, then, presents itself as obvious. There are, however, two approaches which together may point the way forward: a capabilities approach and a theory of dismodernism.

Amartya Sen suggests that the grounding of an ethical theory should be in human capabilities, that is, in substantive freedom to achieve well-being or human flourishing, as defined by the human subjects themselves.²⁴ Such an approach can unify the medical and social models of disability by re-conceptualising disability in terms of its barriers to that achievement of human well-being. In some cases, that may be a medical barrier that can be relieved medically such as through the use of hearing aids or cochlear implants. There are certainly those who would see it as an enhancement of their well-being to regain even a portion of the capability to hear that they had lost as an adult, for example. Martha Nussbaum highlights the necessity of social considerations, however: social expenditure is often necessary to create the conditions for human flourishing,

particularly for those with disabilities (for instance, wheelchair ramps and elevators are a social expenditure to enhance the capacity of wheelchair users).²⁵ Thus, social accommodation of d/Deafness can be justified by an appeal to a capabilities approach. Finally, the claims for accommodation of those who view Deafness as a valued cultural identity rather than a disability can also be made under a capabilities approach. For the culturally Deaf, recognition and support of their language and culture are necessary for their substantive attainment of their human flourishing.

If it seems difficult to unify such disparate notions under a common umbrella, we can draw on Leonard Davis' notion of dismodernism. He argues that all subjects are partial or disabled, and that the whole and independent subject is a myth; the only way to actualise human capabilities is through social and technological support.²⁶ In that sense, the support necessary to maintain Deaf culture, medical assistance to alleviate deafness, and social adjustment to accommodate it are all part of the larger social process of enabling individuals to enjoy the substantive freedom to flourish.

The key interplay between Sen's capabilities and Davis' dismodernism is around the notion of choice; it is only by enabling the d/Deaf subject to choose their own approach that we can enable contrasting theorisations of d/Deafness to coexist. Choice and autonomy for the d/Deaf are perhaps particularly appropriate as a lack of choice was at the heart of many past problems. Nussbaum highlights the exclusion of the disabled in general from the social contracts that underlie many liberal theories of justice as a cause of their maltreatment.²⁷ Lane argues that deafness was only conceptualised as a *loss* of hearing because it was conceptualised *by* the hearing.²⁸ Granting the d/Deaf a degree of autonomy in choosing their response to d/Deafness helps in ensuring that the same mistakes will not be made again; it also gives the d/Deaf a common interest rather than turning those with disparate interests against one another. This synthesis of a capabilities approach to ethics with an autonomy approach naturally owes a debt to their respective traditions and origins (in Aristotle and Kant).

Yet choice and autonomy are eternally problematic within politics. First, it is worth noting that we are considering decisional rather than existential autonomy: that is, I am

proposing that we enable the d/Deaf to choose for themselves a course of action, not denying any reality of dependency or interdependence. Second, with any choice comes some consideration of responsibility. The particular issue is this: if a d/Deaf individual refuses medical treatment to alleviate or eliminate their deafness, to what extent can they claim accommodation of the resultant continuing disability? The United States Supreme Court has ruled that those with correctible disabilities are *not* protected under law.²⁹ Bonnie Tucker, herself deaf, argues that the deaf should accept responsibility for chosen deafness and cannot demand large-scale continued government support if they refuse attempts to alleviate deafness.³⁰ To some extent, the wrong question is often posed. If we do not pre-judge medical alleviation as superior to social accommodation or Deaf acculturation, the question could easily be rephrased: if a deaf individual refuses to participate in Deaf culture, should they be offered medical treatment to alter their condition? Our intuitive response to that question is likely quite different. The salient point is that a d/Deaf individual making a choice about how to view their deafness (as disability or as culture) is also making a choice about what claims they can lay against society. Thus, those who treat their deafness as a disability should be as entitled to support as any others with disabilities. Those who choose to treat deafness as culture (specifically those who refuse treatment to alleviate their deafness) cannot honestly make claims against society on the basis of disability. They can, however, make claims on the basis of the protections due a linguistic minority. Moreover, because the Deaf live involuntarily in a given society, their claims to linguistic and cultural protection should be given extra credence, much like national minorities, for instance.

Can we have it both ways as concerns the d/Deaf – can we treat deafness as both disability and cultural identity? The two are often taken to be mutually contradictory and there is substantial hostility between advocates of either approach.³¹ Certainly, a concerted societal treatment of deafness as disability threatens the survival of Deaf culture. Technologies of normalisation impose disability by making acceptance of disability the only way to receive any support or accommodation.³² Certainly denial of disability-based claims by the Deaf while society also refuses to acknowledge cultural and linguistic claims would be oppressive. However, a truly choice-

and capability-centric approach could avoid such an outcome, at least for adults. While Lane argues the necessity of strong activism that resists the disability label in order to further interests that correspond more closely to interests of linguistic minorities,³³ the Deaf can in fact make common cause with the deaf in arguing for greater autonomy for all. A component of this is necessarily greater awareness of Deaf culture as a lack of understanding creates a broad societal presumption towards treating deafness as disability. Choice is only a threat to the existence of Deaf culture if there is a broad presumption in favour of a medical approach; without such a presumption, there is much greater common interest in choice.

There is one particularity of d/Deafness that complicates the picture a great deal: although deafness can be hereditary, 90% of deaf children are born to hearing parents.³⁴ Unlike other cultures, then, Deaf culture is most often transmitted through peers and other members of the Deaf community who are *not* family members. The Deaf community feels some claim over these children, often seeing them as Deaf even before they have acquired sign language or other cultural traits.³⁵ Talk of this, and of “giving up” children to the Deaf community frightens many parents.³⁶ There can be a resultant conflict over how much to acculturate the deaf child into Deaf culture and how much to keep them in the mainstream, particularly over such issues as residential schools.³⁷ There are unique challenges for hearing parents of a deaf child, particularly that they cannot expect to be fluent in a common language. Really learning fully-fledged signing takes long enough (a minimum of three years full-time study) that parents cannot be fluent before their children develop language skills; the resulting hybrid “cued speech” or other methods are only a partial solution that often leave it difficult to convey abstract concepts.³⁸ It is understandable, then, that parents would resist any changes that further alienate them from their children.

A great contestation has arisen over the use of cochlear implants and the possibility of genetic treatments to prevent deafness amongst children. A cochlear implant is a device that combines a hearing aid with direct stimulation of the cochlear nerve and can often greatly enhance the hearing of the deaf. Most crucially, for prelingually deaf children it can allow speech recognition and language acquisition for many children; if successful this greatly enhances their ability to communicate

with hearing parents and integrate into mainstream schools and society. The Deaf community is strongly opposed to implants. They argue that implants determine your cultural membership by making you accept deafness as a disability and work towards rehabilitation.³⁹ Implants turn people away from a validating Deaf culture narrative and place you between two worlds, belonging fully to neither.⁴⁰ They also may threaten (though not in intent) the right of Deaf culture to exist.⁴¹

Much of the critique of implants is based on their imperfection. As long as it remains true that implants are imperfect, they supply only the chance at an imperfect acquisition of spoken language. They do not negate the need for signing, nor do they preclude the possibility of acculturation into Deaf culture. Children are hardly more likely to be stuck "between cultures" than they are in any case with hearing parents; implants do, however, provide increased opportunity for a child and for interaction with a hearing parent. If, at some future date, implants become perfect or genetic technology advances sufficiently to enable full recreation of hearing capability, then claims against implants based on their imperfection fall away. We are left with the issue of preservation of a linguistic minority. In the strongest case, one could conceive of such a claim justifying mandatory schooling in ASL for all those born deaf. It is difficult to conceive, however, of the claim to linguistic preservation overriding the claim to personal autonomy to the extent of denial of medical opportunities.

The real issue is, of course, that the child is unable to choose for itself and there is uncertainty about whether the parents or the Deaf world know what is in the best interests of the child. It is not, however, a conflict of a parental autonomy model against a beneficence/best interests model, but that of a parental autonomy model against the future autonomy of the child.⁴² Feinberg's typology of rights is useful here: there are rights that children and adults both have (e.g. not to be killed), rights only adults have (e.g. voting), dependency rights only children have (e.g. parental support), and rights which children cannot exercise but parents must protect and cannot violate (e.g. reproduction, which cannot be violated by sterilisation).⁴³ Where the best interests of the child are indeterminate (as established by the capabilities/dismodernism model), what is of concern is the child's right to an open future, that is, the preservation of their rights until they can exercise them.

Analysing decisions about deafness and children in terms of an open future would tend to tip the scales against engineering deaf children, either genetically or through sperm donor choice, and in favour of the use of cochlear implants. Creating a deaf child or denying one a cochlear implant wrongfully forces them into a parental model of the good life and fails to treat them as an ends; it fails most importantly to preserve the opportunity to acquire spoken language that cannot be picked up later.⁴⁴ Having a cochlear implant, on the other hand, does not cut off future options of learning to sign or join Deaf culture, and is thus an ethically superior option.⁴⁵ This logic cuts both ways, and would apply equally to a denial of the opportunity to learn ASL or to participate in deaf culture.

Given that different deaf people see their d/Deafness in different ways, no single theory of d/Deafness will be sufficient to accommodate them all. Society cannot approach deafness as either disability or cultural identity, but must adapt to both. In so doing, society must grant much greater autonomy to the d/Deaf in choosing the manner of living with their d/Deafness. To do so is not impossible. Deafness does not pose the radical challenge to autonomy that other disabilities, such as congenital severe mental retardation, might,⁴⁶ and thus liberal models of autonomy can be adapted to d/Deafness. D/deafness does, however, challenge our common-sense perceptions, and requires much greater awareness and flexibility on behalf of society; the accommodation of varying models of d/Deafness in our political consciousness may not be easy, but it is both possible and necessary if we are to enable the human flourishing of all, d/Deaf and hearing alike.

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² Ibid.

³ J. Levy, "Deafness, Culture and Choice," *Journal of Medical Ethics* 28 (2002): 284.

⁴ Handley, "Theorising Disability," 115; Leonard J. Davis, *Bending Over Backwards: Disability, Dismodernism, & other Difficult Positions* (New York: New York UP, 2002), 19.

⁵ Harlan Lane, "Do Deaf People Have a Disability?" *Sign Language Studies* 2 no. 4 (2002): 360.

⁶ Handley, "Theorising Disability," 2003, 109-110; Stephen French Gilson and Elizabeth Depoy, "Multiculturalism and Disability: a critical perspective," *Disability & Society* 15 no. 2 (2000): 208; Lane, "Deaf Disability?" 360.

- ⁷ Handley, "Theorising Disability," 112; Davis, *Bending Over Backwards*, 23; Gilson & Depoy, "Multiculturalism and Disability," 208-209.
- ⁸ Kuper, quoted in Susan Peters, "Is There a Disability Culture? A Syncretisation of Three Possible World Views," *Disability & Society* 15 no. 4 (2000): 586.
- ⁹ Susan Peters, "Disability Culture?" 584.
- ¹⁰ Harlan Lane, "Constructions of Deafness," *Disability & Society* 10 no.2 (1995): 171; Jodi Stebnicki, A. McCreary and Harriet V. Coeling, "The Culture of the Deaf," *Journal of Transcultural Nursing*, 10 no. 4 (1999): 350.
- ¹¹ Edward Dolnick, "Deafness as Culture," *Atlantic Monthly*, September 1993, 41; Richard J Senghas and Leila Monaghan, "Signs of their times: Deaf Communities and the Culture of Language," *Annual Review of Anthropology* 31: 74-75.
- ¹² *Ibid.*, 80; Lesley Jones and Gloria Pullen, "Cultural Differences: Deaf and hearing researchers working together," *Disability, Handicap & Society* 7 no. 2: 191-192.
- ¹³ *Ibid.*, 192-193.
- ¹⁴ Dolnick, "Deafness as Culture," 43.
- ¹⁵ *Ibid.*, 49; Lane, "Deaf Disability?" 370.
- ¹⁶ Lane, "Constructions of Deafness," 180.
- ¹⁷ Lane, "Deaf Disability?" 367; Tracky Skelton and Gill Valentine. "'It feels like being Deaf is normal': an exploration into the complexities of defining D/deafness and young D/deaf people's identities," *The Canadian Geographer* 47 no. 4 (2003): 455.
- ¹⁸ Gilson & Depoy, "Multiculturalism and Disability," 214.
- ¹⁹ Dolnick, "Deafness as Culture," 53; Skelton & Valentine, "Deaf is normal," 453.
- ²⁰ *Ibid.*, 464.
- ²¹ Dolnick, "Deafness as Culture," 37.
- ²² Bonnie Poitras Tucker, "Deaf Culture, Cochlear Implants, and Elective Disability," *The Hastings Centre Report* 28 no. 4 (1996): 7.
- ²³ Stebnicki et al., "Culture of the Deaf," 351.
- ²⁴ Amartya Sen, *Development as Freedom* (Oxford: Oxford UP, 1999).
- ²⁵ Martha C. Nussbaum, "Disabled Lives: Who Cares?" *New York Review of Books*, January 2001, 5.
- ²⁶ Davis, *Bending Over Backwards*, 30.
- ²⁷ Nussbaum, "Disabled Lives," 3.
- ²⁸ Lane, "Deaf Disability?" 366.
- ²⁹ Davis, *Bending Over Backwards*, 3.
- ³⁰ Tucker, "Elective Disability," 10.
- ³¹ Irma M Munoz-Baell and M Teresa Ruiz, "Empowering the Deaf. Let the deaf be deaf," *Journal of Epidemiology and Community Health* 54 (2000): 40.
- ³² Lane, "Deaf Disability?" 375.
- ³³ *Ibid.*, 369, 376; Lane, "Constructions of Deafness," 179.
- ³⁴ Dolnick, "Deafness as Culture," 38.
- ³⁵ Senghas & Monaghan, "Signs of their times," 72.
- ³⁶ Dolnick, "Deafness as Culture," 51.
- ³⁷ *Ibid.*, 51.
- ³⁸ *Ibid.*, 47-8; Skelton & Valentine, "Deaf is normal," 459.
- ³⁹ Robert A Crouch, "Letting the Deaf Be Deaf: Reconsidering the Use of Cochlear Implants in Prelingually Deaf Children," *The Hastings Center Report* 27 no. 4 (1997): 15.
- ⁴⁰ *Ibid.*, 18-19.

⁴¹ Harlan Lane and Benjamin Bahan, "Ethics of cochlear implantation in young children: A review and reply from a Deaf-World perspective," *Otolaryngol Head and Neck Surgery* 119 (1998): 305.

⁴² Dena S Davis, "Genetic Dilemmas and the Child's Right to an Open Future," *The Hastings Center Report*, 27 no. 2 (1997): 7-8.

⁴³ *Ibid.*, 9.

⁴⁴ *Ibid.*, 12.

⁴⁵ Tucker, "Elective Disability," 8.

⁴⁶ Eva Kittay, "At the Margins of Moral Personhood," *Ethics*, Symposium on Disability, October 116 (2005): 100-131.

PROJECT FOR A NEW AMERICAN CENTURY: IDEOLOGUES AND INFLUENCE IN THE WAR ON TERROR

Travis Kayes

Although President Bush had little foreign policy experience when he entered the White House, he was confident in the expertise and ability of his cabinet and advisory system. But in President Bush's response to the terrorist attacks of 2001, the shared ideological fervour of this team was revealed. This paper examines the power held by ideologically motivated members of Project for a New American Century in the Bush administration, and considers the foreign policy decisions they were able to influence after 9/11.

In 1997 the newly founded neoconservative think tank and lobby group, *Project for the New American Century* (PNAC) released its "Statement of Principles". In the document the authors begin by admonishing both the Clinton administration and conservatives whom they feel, "have not set forth guiding principles for American foreign policy".¹ Specifically, they rebuke the shapers of American foreign and defense policy for not fighting for a level of military spending that would "maintain American security and advance American interests in the new century". The group articulates clearly its desire for American global leadership and offers its services to help make this goal a reality. Through issue briefs, research papers, advocacy journalism, conferences, and seminars, PNAC's stated goal in 1997 was "to explain what American world leadership entails".²

With the 2000 election of George W. Bush however, these seemingly humble educational offerings were transformed into direct control of the levers of power at the Pentagon, State Department, and White House by some of PNAC's most influential members. In this paper I investigate how a small group of highly organized, ideologically motivated individuals came to define the foreign policy stance of the most powerful country in the world. The power and influence of the *Project for*

a *New American Century*, I argue, is reflected in the policies pursued by the Bush administration – policies consistent with the goals and vision of America's most influential think tank.

When George W. Bush entered the Oval Office, his experience and interest in foreign policy was minimal. He was known to have traveled little and to have been generally uninterested in the world beyond America's borders.³ In his 2000 presidential election campaign Bush focused on domestic issues. Tax cuts, education improvement, and social security reform were the key planks of his campaign platform, and constituted a moderate and pragmatic approach to governance that he called "compassionate conservatism".⁴ He emphasized the limits of American power and interests abroad and was skeptical about nation-building.⁵ It is ironic, then, that his foreign policy decisions to the contrary would come to define his presidency.

Although his inexperience may have raised some alarms about his ability in directing the country's foreign affairs, for some these fears were allayed when Bush surrounded himself with an expert foreign policy team, many of whom had gained extensive experience in previous Republican administrations. Both Donald Rumsfeld and Dick Cheney, for example, had served as secretaries of defense in the Nixon, and Bush I administrations respectively. Bush's new Under Secretary of Defense Paul Wolfowitz and his Deputy Secretary of State Richard Armitage had also held key posts in the Pentagon.

The situation I wish to highlight has nothing to do with lack of experience; the resumes of these men leave no doubt about their ability to manage complex portfolios. But their expressed views found in PNAC documents written prior to their acceptance of appointments in the Bush administration display clearly a neoconservative ideological zeal that must be considered carefully.

Colin Campbell points out that all presidents face a certain degree of ideological entrepreneurship within their administrations, but warns that a president must be careful to prevent it from becoming "unrestrained".⁶ He recognizes that two distinct conditions can enable this problem to flourish. The first occurs when political appointees are selected based on their ideological commitments, and the second occurs in the absence of a decision making apparatus that gives proper attention to

countervailing review.⁷ In the Bush White House, especially in the first term, both of these conditions prevailed.

Just before his inauguration Bush stated, "I've assembled a team of very strong, smart people".⁸ But in addition to making appointments based on strength and intelligence, Bush displayed his commitment to ideological principle in assembling his team; an astonishing number of top posts in his first term were held by members of *Project for a New American Century* including:

- Vice President Dick Cheney
- Secretary of Defense Donald Rumsfeld
- Deputy Secretary of Defense Paul Wolfowitz
- Deputy Secretary of State Richard Armitage
- Special Assistant to the President Elliot Abrams
- Undersecretary for Arms Control and International Security John Bolton
- Undersecretary of Democracy and Global Affairs Paula Dobriansky
- National Security Council Senior Director for the Persian Gulf Zalmay Khalizad
- Pentagon Defense Policy Board member James Woolsey
- Vice Presidential Chief of Staff Lewis Libby
- Chairman of the Defense Policy Board and "Prince of Darkness" Richard Perle

This laundry list of characters includes most of those who held top positions in the White House, Pentagon, State department, and other key foreign policy bodies.

The informed reader will notice two important names missing from this list – Condoleezza Rice and Colin Powell, who served in 2003 as National Security Advisor and Secretary of State respectively. They were integral parts of Bush's foreign policy team, and had no ties to the *Project for a New American Century*. But as James Mann argues in *The Rise of the Vulcans*, the disagreements between members of the war cabinet – so prominently displayed in the media - obscured the larger, more significant agreement they all shared about the importance of American military power.⁹ He emphasizes that Powell, for example, had previously served as an aide under Reagan's Defense Secretary Casper Weinberger, "the most hawkish cabinet member of the most hawkish administration in a half century", and had been allies with Wolfowitz on other fronts.¹⁰

Powell's initial hesitation to use military force in Iraq was an unsurprising position for a Secretary of State, and reflects the adage 'where you stand depends upon where you sit'. But when surrounded and outnumbered by the neo-cons in the Bush administration he found a pronounced lack of support for a diplomatic solution, and came to accept the neo-con prescription for war. The same might be said about Condoleezza Rice who was also caught in the group-think dynamic. Colin Powell's ultimate subordination was revealed when he testified before the UN Security Council, and showed soldier-like loyalty to his president by presenting a dubious account of Iraqi weapons capabilities, which he now considers a "blot" on his record.¹¹

Thus, the common depiction of Bush's war cabinet as a constant battle between the State Department doves and the Pentagon hawks, with Condoleezza Rice as the "connective tissue" in between does not tell the whole story.¹² The opportunity for countervailing review amongst a group of officials who all agreed on the importance of American military supremacy – even if they disagreed on how it should be applied – was not very substantial, and Campbell's second enabling condition that nurtures unrestrained ideological entrepreneurship was in place.

The shift of power in Bush's foreign policy decision-making apparatus from the State Department to the Pentagon, where PNAC affiliates in the president's first term had unquestionable control, further enabled the neo-conservative voice to dominate. Political scientist Graham Wilson helps to explain the Pentagon's victory, showing that although secretaries of State usually maintain a dominant position in American foreign policy:

The war on terrorism inevitably shifted the balance of power in the administration by making the military, and therefore the Department of Defense, more central to policy discussions and more powerful than it would have been in peacetime.¹³

With Rumsfeld and Wolfowitz at the helm of the Pentagon, the neo-conservative voice was sure to be heard. And even though Powell and Rice *did* struggle to promote multilateralism and *did* voice concerns about the hawkish plans emanating from the Pentagon, "Bush II's heart was with the neocons".¹⁴

Neo-conservatives prefer unilateralism in American foreign policy – a desire expressed in some of PNAC's earliest

documents. In a 1998 'open letter to the President' entitled "Remove Saddam from Power," PNAC clearly displays this preference urging Clinton that overthrowing Saddam Hussein should be the aim of American foreign policy.¹⁵ It asserts, "this means a willingness to undertake military action, as diplomacy is clearly failing".¹⁶ They go on to argue, "we can no longer depend on our partners in the Gulf War coalition" (to enforce UN sanctions), and insist "American policy cannot continue to be crippled by a misguided insistence on unanimity in the U.N. Security Council".¹⁷ An American military solution to the Iraqi threat, PNAC stresses, is the only way to ensure the security of America, its allies, and its "vital interests in the Gulf," which include "a significant portion of the world's oil supply".¹⁸ PNAC states, "we stand ready to offer our full support in this difficult but necessary endeavor".¹⁹ At the time, this support accounted to little more than advocacy journalism, policy proposals and 'open letters' to the president like the one discussed here. This is because a democratic president was in power, and the members of PNAC were, for the time being, out of the foreign policy decision-making apparatus. But two years later, with the arrival of a new Republican administration in Washington, the support PNAC was able to offer became much more concrete.

The language used by PNAC in 1998, and that of President Bush a few short years later, shows a common commitment to American solutions to world crises and a common dismissal of the importance of the United Nations. In a bold speech to that body in September 2002, Bush displayed this attitude to the world:

The conduct of the Iraqi regime is a threat to the authority of the United Nations, and a threat to peace...All the world now faces a test, and the United Nations a difficult and defining moment...Will the United Nations serve the purpose of its founding, or will it be irrelevant?²⁰

The core message that can be read from Bush's speech is that the United Nations importance lies only in its agreement with the United States. Ultimately, President Bush pursued the war in Iraq without the approval of the UN Security Council, and days before the war began he showed that he meant what he said by declaring, "the United Nations Security Council has not lived up to its responsibilities, so we will rise to ours".²¹ With the invasion of Iraq, America proved its willingness to act alone.

In addition to its desire to make the United States the ultimate authority on matters previously deemed subject to global

cooperation, PNAC has publicly advocated other goals that the Bush administration has since pursued. In a 2000 document entitled *Rebuilding America's Defenses*, PNAC states that for America to ensure its position of global leadership, it must "maintain the preeminence of U.S. military forces".²² It then offers a strategy to accomplish this, arguing that America needs to conduct essential missions that require 'homeland defense', 'large-scale wars', and 'transformation' of the U.S. armed forces.²³

When PNAC members became decision-makers in the Bush administration these missions became increasingly reflected in actual policies. They had stressed "Homeland Defense," for example, as the top priority.²⁴ After 9/11 Bush's first structural policy change was the creation of the new Office of Homeland Security, tasked with coordinating the activities of more than forty agencies that were involved in aspects of what Bush defined as "homeland security".²⁵ But it was not the president who first prioritized it as an essential mission, as the 2000 PNAC document reveals.

Other missions PNAC advises have yielded similar responses. The recommendation that the U.S. must maintain a readiness to "rapidly deploy and win multiple simultaneous large-scale wars"²⁶ is reflected in the increasing defense spending seen under the Bush administration. The \$272 billion defense budget of 1997 under Clinton was increased to \$410 billion by 2005 under Bush and is estimated to grow to \$460 billion by 2008.²⁷ Further, American readiness to fight simultaneous wars is displayed by the War on Terror, in which U.S. forces are battling the Taliban in Afghanistan and fighting off the unrelenting insurgency in Iraq at the same time. In short, PNAC advocates a permanent war footing, and President Bush's War on Terror produces just such a situation where one is required.

The unconventional nature of the War on Terror bolsters the idea that the U.S. armed services require broad "transformation" as recommended by PNAC's *Defense Review*. Donald Rumsfeld pushed the transformation idea by encouraging smaller troop levels in favour of a "capabilities-based" approach that relies more heavily on "precision-guided, rapidly deployable, joint service, modular, and unconventional" weapons technologies.²⁸ Military officials and Rumsfeld however, had different ideas about how the war ought to be conducted. General Eric Shinseki had argued in 2003, for

example, that the mission in Iraq required “several hundred thousand troops”.²⁹ The force structure Rumsfeld committed to was only about 150 thousand.³⁰ He took unrestrained ideological entrepreneurship a step further by appointing top positions in the Joint Staff to those who were on board with his particular brand of military “transformation”.³¹ Had Rumsfeld heeded the recommendations of the experienced military generals – rather than those from a civilian, neo-conservative think tank – perhaps both the difficulties faced by American troops, and the destruction and loss of life faced by the people of Iraq could have been lessened.

The importance of American military presence, from PNAC’s perspective goes beyond specific missions like *Operation Iraqi Freedom*. In a revealing statement, PNAC argues that “the need for a substantial American force presence in the Gulf transcends the issue of the regime of Saddam Hussein”.³² Thus, America’s interests, PNAC claims, require a military occupation of Iraq *regardless* of the “issue” of Saddam’s WMD program. Thus, by looking at PNAC’s assessment of American interests, the foreign policy decisions of the Bush administration become easier to understand.

The ability of PNAC members to transform American foreign policy however, is not absolute, as the neoconservatives are well aware. But in a chilling phrase to be considered carefully, they write in 2000, “the process of transformation...is likely to be a long one, absent some catastrophic and catalyzing event – like a new Pearl Harbor”.³³ On September 11th 2001 just such a catastrophic and catalyzing event took place when Muslim extremists used airliners as weapons against America in a devastating terrorist attack. The boldness of American foreign policy has since that day accelerated, and 9/11 gave PNAC members of the Bush administration the event they needed to pursue an aggressive foreign policy like never before.

It must be made clear here that this is not to imply any American involvement in 9/11, nor is it to suggest that the Bush administration allowed it to happen, as some conspiracy theorists have irresponsibly done. What is being argued is that although 9/11 came as a surprise, it was one that opened a window of opportunity, and provided an impetus for foreign policy transformation, and for the implementation of policies already made.

The fact that these policies were already made is not surprising in itself. This is a normal part of the competitive and complex political landscape upon which policies are devised, promoted and implemented. John Kingdon's famous surfer analogy helps to illustrate the importance of positioning for policy entrepreneurs wading through the stormy waters of American politics; for my discussion of PNAC, the analogy is especially salient. The members of PNAC were waiting for the right wave to come along and allow them to get their policies above water. They got two. The first came with the election of George W. Bush – a wave that they rode into formidable positions in the Pentagon, State Department, and White House. A second massive and powerful wave came on 9/11. The policy makers from PNAC were ready to ride it, were positioned perfectly and had already developed, in previous Republican administrations, the skills necessary to handle such heavy surf.

I have no evidence that President Bush decided to wage war on Iraq, created the Department of Homeland Security, increased military spending, committed to a multi-front War on Terror, or sought to transform the military based solely on the advice of *Project for a New American Century*. But the correlations between Bush's policies and PNAC's recommendations are undeniably strong.

The fact that the Bush administration has changed American foreign policy so substantially, with its new doctrine of pre-emptive strike, its unilateralism, and its overt desire to maintain American global military supremacy, evidences Bush's malleability as a president. Rather than maintaining an advisory system that would have allowed for different opinions to emerge, or for accepted opinions to be tested under fire, Bush's choice of advisors and cabinet members from a group of likeminded ideologues created a system where countervailing review was almost non-existent and ideological entrepreneurship almost encouraged.

At the time of this writing the Bush presidency is substantially weaker than it was during the first term and especially weaker than it was after the "rally effect" it experienced after 9/11 when Bush's approval ratings reached 86 percent.³⁴ Moreover, some key players in that term have left the administration; Wolfowitz is out of the Pentagon, now heading the World Bank, and Rumsfeld has resigned in the face of intense scrutiny over decisions he made about the Iraq War,

including the inadequate force structure and the prisoner abuse scandals.

President Bush might well be considered a “lame duck” president at this point, and with his diminishing power the influence of *Project for a New American Century* diminishes as well. But the damage done in his first term, enabled by widespread public faith in his ability to protect the nation, and encouraged by ideologues within his cabinet and advisory system, will be difficult to reverse. The Iraq war will continue, American military dominance will remain, and the world will continue to progress into a new *American* century.

¹ Elliot Abrams et al, “Project for a New American Century: Statement of Principles”; available from <http://www.newamericancentury.org/statementofprinciples.htm>; Internet; accessed 2 March 2007.

² William Kristol, “Project for a New American Century: Mission Statement”; available from <http://www.newamericancentury.org/>; Internet; accessed 2 March 2007.

³ Ivo Daalder and James M. Lindsay, “Bush’s Foreign Policy Revolution,” in *The George W. Bush Presidency: An Early Assessment*. Fred Greenstein ed. (Baltimore: John Hopkins University Press, 2003), 100-2.

⁴ Gary Mucciaroni and Paul J. Quirk, “Deliberations of a ‘Compassionate Conservative’: George W. Bush’s Domestic Presidency,” in *The George W. Bush Presidency: Appraisals and Prospects*. Colin Campbell and Bert A. Rockman eds. (Washington: CQ Press, 2004), 158.

⁵ Richard K. Hermann, and Michael J. Reese, “George W. Bush’s Foreign Policy,” in *The George W. Bush Presidency: Appraisals and Prospects*. Colin Campbell and Bert A. Rockman eds. (Washington: CQ Press, 2004), 191.

⁶ Colin Campbell, “Unrestrained Ideological Entrepreneurship in the Bush II Advisory System: An Examination of the Response to 9/11 and the Decision to Seek Regime Change in Iraq,” in *The George W. Bush Presidency: Appraisals and Prospects*, Colin Campbell and Bert A. Rockman eds. (Washington: CQ Press, 2004), chapter 4.

⁷ *Ibid*, 74.

⁸ Daalder, “Bush’s Foreign Policy Revolution,” 104.

⁹ James Mann, *Rise of the Vulcans*. (New York: Penguin, 2004), xvi.

¹⁰ *Ibid*, xvii.

¹¹ Steven R. Weisman, “Powell Calls His U.N. Speech A Lasting Blot on His Record,” *The New York Times*. 9 Sep. 2005: A10.

¹² Bob Woodward, *Plan of Attack*. (New York: Simon & Schuster, 2004), 23.

¹³ Graham Wilson, “Bush II and the World,” in *The George W. Bush Presidency: Appraisals and Prospects*, Colin Campbell and Bert A. Rockman eds. (Washington: CQ Press, 2004), 302.

¹⁴ Campbell, “Making the Presidency or the President?”, 12.

¹⁵ Abrams, et al. “An Open Letter to President Clinton: Remove Saddam from Power.” *Project for the New American Century*. 26 Jan 1998, in *The Iraq War Reader: History, Documents, Opinions*. Micah L. Sifry and Christopher Cerf eds. (New York: Simon & Schuster, 2003), 200.

¹⁶ Ibid.

¹⁷ Ibid, 199-200.

¹⁸ Ibid.

¹⁹ Ibid, 199.

²⁰ George W. Bush, "Address to the United Nations General Assembly in New York City September 12, 2002," in *Weekly Compilation of Presidential Documents*. 38.2., 1532.

²¹ George W. Bush, "The Tyrant Will Soon be Gone: Televised Address," 17 Mar 03, in *The Iraq War Reader: History, Documents, Opinions*. Micah L. Sifry and Christopher Cerf eds. (New York: Simon & Schuster, 2003), 504.

²² Robert Kagan, et al., "Rebuilding America's Defenses: Strategy, Forces and Resources For a New Century," *A Report of the Project for the New American Century*, Sep 2000; available from <http://www.newamericancentury.org/RebuildingAmericasDefenses.pdf>; Internet; accessed 7 Mar 2007, iv.

²³ Ibid, 6)

²⁴ Ibid.

²⁵ Karen M. Hult, "The Bush White House in Comparative Perspective," in *The George W. Bush Presidency: An Early Assessment*. Fred Greenstein ed. (Baltimore: John Hopkins University Press, 2003), 61.

²⁶ Kagan et al, "Rebuilding America's Defenses," 6.

²⁷ Allen Schick, "Bush's Budget Problem," in *The George W. Bush Presidency: An Early Assessment*. Fred Greenstein ed. (Baltimore: John Hopkins University Press, 2003), 84.

²⁸ James Kitfield, "Defense Cuts Compel Transformation," *National Journal*. 37.5 (2005): 300.

²⁹ "Generally Political" *Foreign Policy* Dec (2004): 48.

³⁰ Ken Roth, "War in Iraq: Not a Humanitarian Intervention," *Human Rights Watch World Report 2004*; available from <http://hrw.org/wr2k4/3.htm>; Internet; accessed 7 Mar 07.

Roth, 2004)

³¹ Campbell, "Unrestrained Ideological Entrepreneurship in the Bush II Advisory System", 95.

³² Kagan et al, "Rebuilding America's Defenses," 14.

³³ Ibid, 51.

³⁴ George C. Edwards III, "Riding High in the Polls: George W. Bush and Public Opinion," in *The George W. Bush Presidency: Appraisals and Prospects*, Colin Campbell and Bert A. Rockman eds. (Washington: CQ Press, 2004), 24.

SOVEREIGNTY RISING? A REPORT ON THE STATUS OF CONFEDERATION'S OLD NEMESIS

Ryan LaPlante

While the Québec sovereigntist movement faces a limited timeframe for success, it remains a unique and potent danger to the Canadian federation today. Yet the public discontent that fuels sovereigntist forces has received minimal recognition from Ottawa. An analysis of previous referendums reveals the willingness of Québec voters to respond to compromise; this revelation highlights the critical need to make constitutional concessions now, before a new campaign for sovereignty is permitted to out-compromise the federalist option.

Canada seems to react to its reoccurring bouts of constitutional crises much as the bearer of a terminal illness may live in denial: acting as if all were well, rather than rising to face the inevitable. However, while support for sovereignty in Quebec is once again climbing, de-confederation need not be Canada's unalterable destiny. Even as sovereigntists marshal their forces for a third referendum on Quebec's secession from Canada, the trajectory of social and economic development in Canada, Quebec and the world suggest that their goal may soon be no longer feasible. If this next round of sovereignty debates is to be the last then, history tells us that victory will go to the side that is better able to appeal to voters in the middle; for sovereigntists, this may take the familiar form of sovereignty-partnership, while federalists will have to overcome Ottawa's typical immutability towards Quebec nationalist demands.

This paper will develop a three-pronged analysis of the future of national unity in Canada. It begins by proposing that sovereigntists face a limited timeframe for enacting their goal, while cautioning that a third referendum remains likely. The paper will then identify constitutional reform as the essential strategy to preserving the federation during this final showdown,

taking the 1980 and 1995 referendum campaigns as points of reference. Finally, the paper will conclude with a brief synopsis of developments since 1995 and will reflect on the particular character of the coming referendum.

One Last Stand:

The close call of the 1995 referendum coupled with the federal government's unpopularity in Quebec may make Quebec sovereignty appear inevitable, if not immediately then in the long run. After all, in 1995 the 'Non' vote scraped by with just a 50.6% majority, winning by less votes than the number of rejected ballots¹. This represented a roughly 9 point gain for sovereigntists over their 1980 referendum results², a trend which, if it continues into the next referendum, will hand them a landslide victory. At the same time, the federal government has hardly endeared itself to Quebecers since 1995; after giving Quebec a constitutional veto and recognizing it as a distinct society by means of ordinary statute law – concessions so feeble they may constitute insults to Quebec nationalists – the Chrétien government promptly passed the Clarity Act, its attempt to make separation illegal. Naturally this has been perceived as hostile even by Quebec federalists, and the change in federal regimes does not seem to have impressed Quebecers all that much. After generations of tensions and conflicts, there is a temptation to believe that the federation is simply on rotten foundations and is doomed to eventual collapse.³

The idea that Canada's fate is sealed rests on the assumption that sooner or later sovereigntists will carry off a successful referendum, and that even a successfully mobilized anti-separatist force can only delay the inevitable; however, such an assumption ignores certain facts revealed by trends in economics, demographics, and public sentiment in Quebec. A third referendum is no doubt impending, but an analysis of trends in these spheres suggests that sovereigntists face a narrowing window of opportunity before a combination of forces make the prospects of separation disappear forever; indeed, they may even now be unknowingly preparing for their last stand.

One of the most hotly contested points in the debate is whether Quebec would benefit or suffer economically from being separated from Canada, and recent analyses favour the latter. We must begin by acknowledging that the interdependence brought on by globalization has made autonomy more feasible

for small states⁴, and it is likely that an independent Quebec would be accepted by NAFTA;⁵ additionally, sovereigntists have been able to dissolve some voter fears about the loss of transfer payments from Ottawa by promoting the concept of a continued economic association with Canada. However, recent models project that the economic incentives to remain fully in Canada may nonetheless be on the rise for Quebec:

Quebec's economic health may decline . . . the birth rate in the province has been declining for years. By 2012, the active workforce will start to shrink. As in the rest of Canada, immigration is seen as a way to counter this trend, but few immigrants... want their children to learn French rather than English. Many of those who arrive in Quebec move on to Toronto or Vancouver.⁶

In addition, by some estimates Quebec's share of Alberta's oil revenues via equalization payments could approach \$10 billion over the next decade.⁷ Quebeckers have always been skittish about the economic consequences of sovereignty, "countless studies have shown that Quebeckers who identify strongly with Quebec are much less likely to support sovereignty if they believe it would have serious economic costs,"⁸ and in the light of these forecasts they may find the devil-they-know of federation less menacing than the unknown of sovereignty. The onus will be on sovereigntists to change their minds.

The economic model above touches on another issue, one that must be of concern to all Quebec nationalists: the plummeting birth-rates in Quebec that threaten the sovereigntists' support base, not to mention the very existence of the francophone collectivity. Its birth-rates well below the levels needed to sustain its population, Quebec may indeed keep its numbers up by soliciting immigration, but it is common knowledge that non-francophones find little appeal in the idea of Quebec sovereignty; A. Brian Tanguay records that "Anglophones and allophones voted massively for the No [in 1995], as did the various aboriginal nations,"⁹ and Jacques Parizeau's comment that the 1995 referendum was lost to "*l'argent et des votes ethniques*"¹⁰ may be infamous, but commentators have acknowledged that "*elle exprime néanmoins dans une formule saisissante une vérité incontournable.*"¹¹ J. A. Laponce summarizes the situation succinctly: "worrisome for the future of French [in Quebec], Francophones have a very low reproduction rate (1.5)... Immigrants (90 per cent of whom voted

'no' in the referendum of 1995) are needed to fill the demographic gap."¹²

This change in demographics is gradual enough that francophones will likely comprise the majority of Quebec's population for the foreseeable future, but the numbers needed to achieve a "Oui" vote during a referendum break down quite differently. Lapointe contends that, considering the number of francophones who say they are attached primarily to Canada, the "likely upper limit of support for separatism is not the 80% of the Quebec population that is francophone... but the roughly 65% who identify either as Québécois or French Canadian."¹³ As the proportion of francophones in Quebec declines, this upper limit will shrink in tandem; Statistics Canada projects that by 2017, 25% of Canada will be neither anglophone nor francophone, up from 17% in 2001¹⁴, and Quebec is by all accounts one of the top three destinations for immigrants arriving in Canada. If we believe that a post-Clarity Act referendum must produce a supermajority (a majority higher than the standard 50% + 1) in order to be accepted as a legal premise for separation, it may not be long before the upper limit for sovereignty support passes below this crucial number.¹⁵

This kind of discussion may make sovereigntists uneasy, and for good reason: it highlights the ethnic character of the sovereignty movement, which is becoming more and more conspicuous in an increasingly multicultural era. This constitutes another hurdle for sovereigntists, one that has existed for decades¹⁶ but is becoming harder to avoid. Jacques Beauchemin has contemplated western society's current project of redefining citizenship, and its state of transition from ethnic based nationalism to a more civic kind, based on individual rights, "fragmented identity and pluralism;"¹⁷ meanwhile, non-francophones have long perceived the sovereignty movement as ethnically based, "*La plupart [des] Québécois anglophones et allophones croient, à tort ou à raison, que le projet souverainiste est plutôt ethnique que territorial,*"¹⁸ and even most francophones are sensitive to the idea, by the way they repudiated Parizeau for his "*votes ethniques*" comment. All the same, the sovereignty movement has had trouble disassociating itself from this perception; indeed, the current Parti Québécois manifesto begins its section on language policy with the statement, "*le Québec est et sera francophone.*"¹⁹ Sovereigntists will be increasingly

scrutinized as civic nationalism becomes more entrenched and as the proportion of ethnic francophones in Quebec declines.

Finally, while most of these impediments to the sovereignty movement will take time to mature, one factor will take effect immediately after another "Non" vote. After losing a third referendum, sovereigntists may have trouble justifying a fourth: "if in the end they do bring about a referendum, only to lose it for a third time, it is acknowledged even by party members that the damage to their cause might be terminal."²⁰ Aside from the expense and the diversion of energies, many Quebecers are weary of the tension and drama that accompany referendums, "have little appetite for another bout of angst and turmoil of the sort that convulsed Quebec and divided families and friends in the referendums of 1980 and 1995,"²¹ and eventually will stop voting for a separatist party. After three failures, sovereigntists may find they are simply beating a dead horse.

If there is a time limit to realizing sovereignty, however, the movement still has plenty of vitality today, and a third referendum does seem likely. The PQ has adopted sovereignty as part of its party platform once more, and its new leader, André Boisclair, has promised to make it an election issue. Disconcertingly, polls in recent months have been putting support for sovereignty over 50%²², and the Quebec Liberal Party under Jean Charest seems poorly placed to win the 2007-8 provincial elections, having lagged in polls throughout most of its incumbency.²³ As we descend once more into referendum turmoil, federalists must choose their weapons for defending national unity; for this, we turn to an analysis of events as they unfolded in the previous two referendums.

Flashback: The First Two Rounds

A critical look at the 1980 and 1995 referendums shows us that both federalists and sovereigntists have tended to strike up positions that the majority of Quebecers find radical, and that both sides have been successful only to the extent that they have shifted towards the centre. If history tends to repeat itself, then the lesson to be drawn is that victory in the next referendum will go not to the side with the strongest nationalist rhetoric or scare tactics, but to whichever group is more willing to compromise and appeal to voters in the middle. This means that federalists can no longer ignore demands of Quebec

nationalists²⁴ but must make genuine efforts to meet some of them, and in the process must overcome a certain resistance from within the federalist camp itself.

Up to and during the first referendum on sovereignty in 1980, both federalists and sovereigntists employed strategies that focused on selling their respective visions of Canada. Both sides appealed to the particular sense of nationalism they claimed to represent, while at the same time they tried to discredit their opponent's vision:

... Lévesque appealed to the atavistic sense of *nous*, us, the French-speaking ethnic group... which must form a state of its own. Trudeau appealed for commitment to a broader, inclusive political community...²⁵

Thus we see that Lévesque adopted a tribalistic sort of approach, condemning the federation for generations of economic exploitation in Quebec and proclaiming independence as a natural continuation of history for the francophone collectivity²⁶; meanwhile Trudeau had been seeking for years to supplant Quebec's francophone nationalism with a broader pan-Canadian one,²⁷ and during the referendum he carried on in this vein. The QLP under Claude Ryan limited itself to a more negative campaign, warning of the hidden dangers of sovereignty;²⁸ neither federalist party offered anything new to Quebecers.²⁹ By the time the referendum was over, however, both sides were to have made steps away from these positions towards the middle.

It is well documented that both Lévesque and Trudeau made concessions at certain points in the campaign that were out of step with their personal views on the matter. While Lévesque was a pure separatist at heart, the PQ could never have come to power in 1976 had it not moderated its position to promote a more benign-sounding 'sovereignty-association': "[their] victory would have been wholly unthinkable had the PQ not softened its hard-line stance on separation."³⁰ Many Quebecers must have found the idea of ceasing to be Canadian intimidating, but apparently were less apprehensive when presented with the *étapiste*, "mandate to negotiate sovereignty-association" option devised by Claude Morin. Lévesque had obviously learned this lesson well, as he capitalized on it shamelessly during the referendum campaign; he began to avoid all use of the word sovereignty,³¹ and voters were led to believe that a "Oui" vote was more about renewing Canada than leaving it: "*Nous ne voulons pas briser mais bien transformer*

*radicalement notre union avec le reste du Canada.*³² This appeal to Quebecers who did not identify with either of the two extremes saw a transformation in support for the PQ, which went from being unable to get elected in the early 70's to enjoying a near majority of support for its referendum package near the end of the campaign.³³

Facing a potential "Oui" victory, at this time Trudeau made an apparent concession of his own. In a series of speeches leading up to the vote, Trudeau denounced the ethnic nature of the sovereignty movement, appealed to Quebecer's attachment to Canada, and against all odds, promised that a "Non" vote would be interpreted as a mandate to renew the constitution. For Quebecers, the term 'constitutional renewal' had long since come to mean more constitutional powers for Quebec, even a revival of dualism³⁴: concepts that were decidedly contrary to Trudeau's personal vision of Canada. As it turned out, the final manifestation of this promise took a form closer to what the erstwhile Prime Minister had promoted in the late 1960's³⁵: *"l'acte constitutionnel de 1982 n'est manifestement pas le renouveau du fédéralisme que la majorité des Québécois attendaient lorsqu'ils ont voté au référendum."*³⁶ Nonetheless, in 1980 Quebecers must have believed that voting "Non" meant voting for compromise, and it seems to have made the difference, as the federalists ultimately won by a wide margin.

In 1995, the electorate was again caught in a tug-of-war between opposing forces, which competed to draw voters towards one of two polarized positions. Parizeau led the PQ under a more hard-line separatist banner than in 1980; the referendum bill tabled in 1994 was explicit in stating that after a "Oui" vote, Quebec would "cease to be part of Canada."³⁷ The Chrétien federalists were equally uncompromising in their take-Canada-or-leave-it attitude: "Chrétien and his cabinet refused to counter the sovereigntist appeals to Quebec identity... by modifying federal-provincial relations."³⁸ Their campaign focused instead on the economic costs of sovereignty. Yet as in 1980, polling trends would force both sides to stray from their preferred strategies before the ballots were cast.

The time leading up to the 1995 referendum witnessed fluctuations in support for the sovereignty option, fluctuations that coincide neatly with adjustments made to either side's platform. Like Lévesque before him, Parizeau received lacklustre support for his initial hard-line offer: "as long as sovereignty continued to

be defined as it had been by the Parizeau government, the federalist forces had the upper hand.”³⁹ After four months of hovering around 45% support, in April the PQ began to heed Bloc Québécois leader Lucien Bouchard’s suggestion that the package be softened,⁴⁰ and support promptly shot above 50 %.⁴¹ Polls indicated another boost in support in June after the new “sovereignty-partnership” proposal was formally adopted, and once more in October when Bouchard, who was associated with this option, replaced Parizeau as the official campaign leader. As for federalists, they made much of the economic costs of sovereignty, but refused to cater to any demands for federal renewal until faced with imminent disaster: “As the campaign entered its last week, surveys showed that the federalist strategy was not working... Confronted with the distinct possibility of defeat... Chrétien effectively recognized the constitutional demands of Quebec federalists.”⁴² These last minute concessions, which entailed promising Quebec a constitutional veto and an acknowledgement of its status as a ‘distinct society’, won federalists the narrowest of victories.

What we can deduce from this tendency of Quebecers to respond to a softened campaign is that neither the sovereigntist nor the federalist options in their purest forms embody the values of average Quebecers. Polls repeatedly show that the majority of Quebecers retain a strong attachment to Canada⁴³, yet at the same time are unhappy with Quebec’s current status in the federation; Marc Leger of the firm Leger and Leger Marketing concludes that “what [Quebeckers] really want... is something neither the Péquistes nor the federalists are offering them: a new relationship with Canada that falls short of independence.”⁴⁴ Sovereigntists, in their zeal, have recognized this fact only reluctantly; the federal government, jealously protective of its own centralized powers, has tended to ignore it until the last minute.⁴⁵ Laponce summarizes this phenomenon as it affected the 1995 referendum:

... before the compromise made in March-April by the sovereigntists, two thirds of Quebec electors favoured a compromise and the majority favoured renewed federalism over sovereignty. The Quebec [PQ] government moved in the direction of that middle majority position but not quite far enough to win. The federal government hardly moved at all and could very well have lost.⁴⁶

There is little reason to believe that Quebecers have had any major change of heart since then. To avoid defeat in the upcoming referendum then, the federal government must be proactive in offering Quebecers a deal that satisfies at least some of their constitutional demands; they must not allow the sovereigntist camp to out-petition moderate voters, nor can they allow their own constitutional stinginess to restrain them.

A Dose of Uncertainty:

While the next referendum will share many qualities with the first two, it will also be subject to its own unique set of circumstances; as Michel Venne puts it, "*Tout referendum s'inscrit dans son contexte. Une nouvelle histoire s'écrit à chaque occasion.*"⁴⁷ For one thing, enacting a reform package will represent an even greater challenge for the federal government than it has in the past; past failures and broken promises will surely work against it.⁴⁸ Meanwhile, sovereigntists will have to contend with a series of new legislative barriers erected by the Chrétien government; both the Supreme Court ruling on sovereignty and the Clarity Act suggest that a majority of higher than 50% support may be required before the rest of the country negotiates secession. Of course, sovereigntists may simply reject this new formula; according to Gilles Duceppe, "*Il y a une règle universelle en démocratie c'est le 50% + 1,*"⁴⁹ and Boisclair has announced he will ignore the Clarity Act if a future referendum earns a simple plurality.⁵⁰ Finally, a myriad of other variables may also affect the outcome, including some that no analyst can predict (such as campaign gaffes or campaigner illnesses). All of these developments will distinguish this final referendum from the previous two.

In spite of these uncertainties, however, we can have faith in our basic forecast. The war-drums of sovereignty will soon beat again, and sovereigntists will be determined not to waste this last opportunity before the light fades from their cause. If federalists are to withstand them, they must be prepared to reconsider their opposition to reform; while voters in Quebec will reject any sovereigntist option that overlooks their continued attachment to Canada, federalists who attempt to resell them the status quo will be risking another coin-toss like 1995. As we have seen, success will ultimately go to the party that comes closest to offering what Quebecers really want: a renewal, and not a rupture, of their relationship with the rest of

Canada. Only such an offer can have genuine appeal to the distinct nationality that defines Quebec, a nationality that is both Québécois and Canadian at the same time.

¹ "A dream that does not fade," *Economist*, Vol. 377 no. 8455 (March 2005), 7, <http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=19066773&site=ehost-live> (accessed October 30, 2006).

² McRoberts, Kenneth, *Misconceiving Canada: The Struggle for National Unity* (Toronto: Osford University Press, 1997), 230.

³ In fact, the history of friction between Quebec and English Canada has often been used by sovereigntists as evidence of the inevitability of independence for Quebec; for examples see Johnson, William, *A Canadian Myth: Quebec, Between Canada and the Illusion of Utopia* (Montreal: Robert Davies Publishing, 1994), 173.

⁴ A dream, *Economist*, 9.

⁵ McRoberts, *Misconceiving Canada*, 257.

⁶ A dream, *Economist*, 10.

⁷ Ibid.

⁸ McRoberts, *Misconceiving Canada*, 223.

⁹ Tanguay, A. Brian, *Sclerosis or A Clean Bill of Health? Diagnosing Québec's Party System in the Twenty-First Century* (Gagnon), 231

¹⁰ Ibid.

¹¹ Ibid.

¹² Laponce, J. A., "The Quebec Sovereignty Referendum of 1995: how not to manage a multinational polity," *Politikon*, 26 Vol. no. 1 (May 1999), 116, <http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=6236383&site=ehost-live> (accessed October 19, 2006).

¹³ Ibid, 113.

¹⁴ Statistics Canada, *Population Projections of Visible Minority Group, Canada, provinces and regions*, 19-20, <http://www.statcan.ca/english/freepub/91-541-XIE/91-541-XIE2005001.pdf> (accessed November 2, 2006).

¹⁵ Of course it is possible to imagine that immigrants will shun Quebec as Laponce suggests, but this represents something of a double-ended sword for sovereigntists, as a failure to procure workers would begin to threaten the economic health of the province, and in turn reduce the appeal of sovereignty.

¹⁶ As far back as the 1980 referendum, nationalist leader René Lévesque may have lost votes due his accusation that his chief opponent Pierre Trudeau was "more Elliott than Trudeau." Johnson, *A Canadian Myth*, 173.

¹⁷ Beauchemin, Jacques, *What Does It Mean to be a Quebecer? Between Self-Preservation and Openness to the Other* (Gagnon), 21.

¹⁸ Jedwab, Jack, "Les minorités du Québec et la question de l'unité nationale," In *L'Impact référendaire*, ed. Guy Lachapelle, Pierre P. Tremblay, and John E. Trent, 103-21 (Québec: Presses de l'Université du Québec, 1995), 120.

¹⁹ Parti Québécois, *Un Projet de pays: Statut du Parti Québécois* (June 5, 2005) 3, <http://www.pq.org/tmp2005/programme2005.pdf> (accessed November 2, 2006)

²⁰ A dream, *Economist*, 10.

²¹ Ibid., 8.

²² Ibid.

²³ Ibid.

²⁴ During the Victoria Conference round of constitutional negotiations, Quebec premier Robert Bourassa sought five provisions for Quebec: a right to veto constitutional amendments; a right to opt out of federal programs with compensation; greater control over immigration; control over policies concerning education and culture in Quebec; and limits on the federal government's spending powers in provincial jurisdictions. In addition to recognition of Quebec's status as a 'distinct society', these conditions fairly typify the demands of non-separatist nationalists in Quebec. See Gagnon, *Québec-Canada's Constitutional Dossier* (Gagnon), 135.

²⁵ Johnson, *Canadian Myth*, 167.

²⁶ Ibid., 166.

²⁷ McRoberts reveals how Trudeau's national unity strategy involved "seeking to change the political allegiances and primary identities [of Quebecers], even their sense of nationality." McRoberts, *Misconceiving Canada*, 137.

²⁸ "he played upon fears and insecurities," Johnson, *Canadian Myth*, 168.

²⁹ It should be noted that during both referendums the QLP has been more inclined to seek a constitutional compromise, but federal government has stepped down hard on this. See Durand, Marc, *Histoire du Québec*, (Paris: Éditions Imago, 1999), 187. and McRoberts, *Misconceiving Canada*, 228.

³⁰ Tanguay, *Sclerosis*, 224.

³¹ Johnson, *Canadian Myth*, 171.

³² Durand, *Histoire du Québec*, 185. Also see Johnson, *Canadian Myth*, 168.

³³ Johnson, *Canadian Myth*, 171.

³⁴ See McRoberts, *Misconceiving Canada*, 174-5.

³⁵ This final manifestation being, of course, the *Constitution Act, 1982*. The Act was not only devoid of any of the conditions Quebec had typically asked for, but on some levels actually weakened Quebec's jurisdiction over language rights in that province. Quebec has yet to sign the document. For more see McRoberts, *Misconceiving Canada*, 160 – 175.

³⁶ Marsolais, Claude-V, *Le référendum confisqué* (Montréal: VLB éditeur, 1992), 8.

³⁷ Laponce, *Referendum 1995*, 105.

³⁸ McRoberts, *Misconceiving Canada*, 228.

³⁹ Ibid., 225.

⁴⁰ Laponce, *Referendum 1995*, 107.

⁴¹ All statistics on 1995 referendum from LaPonce, *Referendum 1995*.

⁴² McRoberts, *Misconceiving Canada*, 228.

⁴³ In a 2002 poll, "55% of Quebecers asked refused to describe themselves as either sovereigntists or federalists... 58% of Quebecers thought of themselves either equally as Quebecers and Canadians or as Canadians first." A dream, *Economist*, 8.

⁴⁴ Ibid.

⁴⁵ The federal government apparently wanted to have its cake and eat it too: "their strategy was to avoid secession while preserving as much as possible of the existing federal structure." Laponce, *Referendum 1995*, 106.

⁴⁶ Ibid., 114

⁴⁷ Venne, Michel, *Souvereinistes, que faire?* (Montreal: VLB éditeur, 2002), 162.

⁴⁸ In addition to the disappointing delivery on federalist campaign promises following both referendums, the Meech Lake and Charlottetown Accords stand out as shining examples of anglophone Canada's reticence in recognizing Quebec. The Victoria Conference and Constitutional Reform Bill C-60 of the late 70's are further examples of reform failures, and Bruno Bouchard has dedicated

an entire volume to enumerating the broken reform promises of the QLP: "*Trente ans d'imposture*."

⁴⁹ Agence France-Presse. "Le referendum monténégrin ne doit pas créer de précédent pour le Québec," *La Presse*, March 15, 2006, Wednesday; <http://www.cyberpresse.ca/article/20060315/CPACTUALITES/603151734&SearchID=73269986577> (accessed November 2, 2006).

⁵⁰ Wells, Paul, "Playing the Quebec card." *Maclean's*, Vol. 118 no. 49 (May 2005): 9, [Http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=19081821&site=ehost-live](http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=19081821&site=ehost-live) (accessed October 30, 2006).

CHALLENGING THE 'REALITY' OF REALISM: THE EU AS A TRANSFORMATIVE MODEL OF COOPERATION

Joseph Szamuhel

The realist stream of thought in International Relations theory has long been skeptical regarding the prospects for genuine cooperation among states in the global system. The extensive integration and cooperation made under the European Union project however appears to stand in striking contrast to such viewpoints. In considering this discrepancy, this essay argues that the existence and efforts of the European Union in several key areas serves to markedly transcend the principle tenets of the realist tradition and demands the inclusion of more multivocal and ultimately, more optimistic perspectives in accounting for the current state and future possibilities for cooperation among states.

There exist many good reasons to accept the realist perspective as the most effective approach to contemporary global politics. Rather than usher in the 'end of history' under a liberal umbrella of cooperation, peace and mutual understanding, the end of the Cold War has, for many observers, reinforced the notion that states remain the principal authors of their affairs in an anarchic global system and that these states – self-interested as they are – are bound to play conflict-prone roles in a great and perpetual power-seeking tragedy. Accordingly, one can comfortably fit any number of conflict-ridden events of the post Cold War era into the realist framework. The presence of the European Union (EU) however, stands in stark defiance of a dominant realist approach to international relations.

Being the most pronounced example of regional integration, the existence and operation of the EU runs counter to a realist world-view that envisions anarchy and competition among states. This paper argues that, rather than providing us with a sound and singular procedural model for state cooperation

and regional integration in the global system, the EU's abiding contribution to such efforts is through its displacement of realism's state-centric and adversarial approach to understanding the global system - an approach that dismisses progressive cooperation *a priori*. This transformative act asserts that a transcendence of the dominant understanding of states as overwhelmingly dominant, self-interested and conflict prone is possible, and has been gradually unfolding in Europe for the past half-century. For evidence of the erosion of a state-centric realist approach, I first examine realism's inadequacy in broadly explaining and predicting the current state of regional integration efforts worldwide. Focusing on the EU, this paper contends that understanding EU integration efforts demands not only the disposing of realism as a hegemonic perspective, but also disposing of any homogenous or monolithic perspective and makes a case for the necessary incorporation of more constructivist and ideational approaches. The 2004 round of enlargement and the question of Turkish accession are respectively the latest key events in EU integration and constitute some of the most divisive issues on the horizon. Together, they exemplify the need for such multivocal frameworks. Arguing that foreign policy is largely a reflection of self-image and self-understanding of the EU and its place in the global system, I use its environmental and security and defence plan (ESDP) to further my claim that a realist perspective divorced from other variables is far from being fully capable of explaining EU achievement. The success of the EU and its transcendence of waning realist and state-centric perspectives make it imperative that we re-negotiate the way we conceive of possibilities for cooperation in a genuinely multidimensional international discourse.

When we consider the state of regional integration throughout the world, it becomes immediately apparent that the realist perspective is too inadequate in both predictive and explanatory capacities to completely persuade us of the correctness of its view of the global system. While there are certainly any number of variations of realism and its classical, neo-, and post-incarnations, it is not incorrect to assert that most strands hold a similar perspective when it comes to processes of regional integration. Accordingly, in a context of integration or cooperation, states are concerned only with the forwarding of their material self-interest, while their preferences and identities

remain fixed as such. The scope and pace of integration is thus driven primarily by powerful states' preferences, which in structural terms should end up in the classic neorealist strategies of power balancing or hegemonic leadership and a lack of genuine 'cooperation' on even the slightest of altruistic terms.¹ The results of any cooperation or integration efforts would then be subservient not only to purely state interests, but to the interests of the most powerful or hegemonic state in the region (where power can be defined in terms of military, technological, or economic capacity and political sway).²

Even a rudimentary consideration of the divergent and unique paths that integration has taken in various regions suggests that realism in this case is far from approximating reality. Rather than induce integration, regions containing states with hegemonic capacities appear to be among the least integrated and cooperative. If we did follow realist prescriptions toward integration, Europe – containing no decisive hegemonic leader – would be much less politically integrated, and Southeast Asia would be far less integrated than East Asia or North America. Indeed, Douglas Webber acknowledges that such countervailing patterns of integration suggest "capacities for hegemonic leadership and levels of political integration appear to be *negatively* correlated."³ Moreover, credible incentives seem to be lacking for regional hegemons to pursue integration efforts as they may restrain the unmitigated pursuit of their own self-interests. Weaker states also seem to be ill served by realist approaches to integration. Knowing that a regional body could become the tool of a regional hegemon, it would seem likely that they would simply opt out. Compulsion by powerful states to integrate seems unrealistic – Switzerland and Norway have continually resisted the EU. Realists would suggest that if weak states were co-opted into becoming part of a regional body, they would be dominated by larger and more influential states yet the original major powers of the EU – France and Germany – have voluntarily cooperated with and accommodated the weaker states of the Union throughout the integration process.

Indeed, the more closely one considers the course of the European integration project, the more realist depictions of state self-interest and accompanying global anarchy lose their privilege. It is true of course that the first steps toward integration were drawn up by states interested in the securing of their own economic and political stability, and that this provides

intergovernmentalists with the requisite grounds to suggest that the EU has always rested on a set of intergovernmental bargains that enforce the centrality of state interests. But though the beginning of the integration process was developed by the interests of member states, there existed a concurrent understanding, especially among the founding fathers of the EU, that these state-led actions should contribute to the waning of the modern European state's prominence itself, as it was self-interested states in an anarchic environment that had led to the horrors of two world wars. In Jean Monnet's words, this process would ultimately lead to "a new system in which, to everybody's advantage, the idea of the common interest would replace that of the national interest."⁴ Thus, one cannot overlook the need for solidarity and a transcendence of adversarial nationalisms that formed the ideological basis and intent of the EU. This desire to overcome the destructive effects of relations informed by realist perspectives would play an inextricable part in EU expansion, and is clearly evident in the cooperative process of integration, most recently displayed in the 2004 round of enlargement.

The accession of the twelve Central and Eastern European Countries (CEEC) in 2004 and 2007 stands as one of the most poignant EU rebuttals to the tenets of realism as it plainly defied calculations for the rational and material self-interest of the existing member states. Certainly, joining the EU was the clear preference for the CEEC, as membership was a 'golden carrot'- a means to consolidate their fledgling democracies, gain access to structural and regional funds, and gain better access to a European market to which they were highly dependent.⁵ However, enlargement incentives for the existing 15 members were conspicuously absent in realist terms, and would have suggested that the gaining of membership for the CEEC would have been nearly impossible. Any material benefits available to the old members from enlargement would be scant and unevenly distributed.⁶ The act of expansion itself threatened to undermine the future of EU achievements, as new members would unavoidably complicate policy cohesion and disrupt the tenuous balance reached over EU budget transfers (most notably in the form of the Common Agricultural Policy and structural and regional funds).

In the face of these overwhelming challenges to the member states' self-interest, accession was nonetheless granted to the CEEC and served as an explicit example of the

transformative effect EU integration has had on the way notions of cooperation are calculated. It follows that in voluntarily eschewing their own self-interest, existing member states chose to act on ideational grounds, manifested in a legitimate sense of European community and common identity. Such action gives credence to a conception of the global system where identity, values, and principles are endogenous to interaction and a foundation for the continued process of integration by the EU.⁷ The accession of the CEEC could be described then as a legitimate and morally binding action for old member states, duty bound to 'do the right thing' in the face of a shared European heritage and sense of community. Appealing to such sentiments, candidates pointed to the existence of shared values and norms ranging from a respect for the rule of law, human rights, open markets, and liberal democracy, the onset of which had been delayed by communist dictatorships. Enlargement discourse was effectively centred then on a 'return to Europe' for the CEEC, and the EU's responsibility to ensure it.⁸

The issue of Turkish accession serves as further evidence of the importance of ideational factors in EU integration. While indeed there are many strategic, political, and economic factors involved in the debate about Turkish enlargement, the issue of European identity has remained pivotal on both sides. One aspect of this debate regards, for example, the centrality of a shared religious heritage and culture in the Union. Supporters of Turkish enlargement are more inclined to recognize a common EU identity based on liberal multiculturalism and plurality, where a secular inclusiveness provides no significant barrier or 'fault line' between a predominantly Muslim and predominantly Christian population.⁹ Among opposition to Turkey's membership are those who stress the importance of a shared religious and cultural heritage in European identity. To the exclusion of Turkey, European integration is made possible by a common Judeo-Christian religious character and a lengthy relationship with Greco-Roman political history.¹⁰ Evidently, opinions regarding European identity and notions of what it means to be a political community may differ in numerous ways, but the issue of Turkey's candidate status nonetheless further highlights the need for their accommodation in questions of cooperation and integration, far beyond simple calculations of state self-interest.

The saliency of ideas, values, and a European community or heritage is characteristic of the larger constructivist turn in approaches to European integration highlighted by Mark A. Pollack, where the institutions and accompanying formal and informal rules and norms of the EU serve to socially constitute the identities and preferences of individuals, away from their traditional national or state-centric source.¹¹ Constructivist approaches to EU integration, the 2004 round of enlargement, and potential Turkish accession highlight the legitimate need for their perspectives to be seriously accounted for. This gain in prominence should not come at the price of other non-realist approaches, but rather to meaningfully combine and fruitfully reconcile them to provide more genuine and complete understandings. Accordingly, realism and its associated intergovernmental approach to EU integration has some explanatory power, especially with regards to the CEEC interest in membership. Strategic interests abound in considerations of Turkish membership on many grounds, not the least being its potential effect on labour markets, or as a 'buffer' of stability on Europe's periphery. The power of shared norms and values that led to CEEC accession and debates over Turkish accession must also be combined with a neo-functional perspective, where political actors at various levels with vested interests in continued enlargement – especially those in the EU's supranational institutions – exerted considerable pressure for further integration.

The challenge of the realist paradigm on common ideational grounds is not only limited to EU integration; its capacity and accomplishments as a global actor, though still very much in its nascent stages, are made possible by a cooperative spirit and coalesce around common European values, goals and desires. Though fraught with procedural difficulties including problems of consistency and cohesion among member states, Bretherton and Vogler note the tangible advances the EU has made as an influential global actor, specifically with regards to environmental policy, the upholding of multilateral institutions and principles, regional stability, and humanitarian and development aid.¹² Rather than reflect a spirit of self-interest or adversarial relations in the global system, these advances reflect common European perspectives that are conducive to such sustained cooperation. For example, the EU's effort to become the most efficient energy user in the developed world – marked

by its commitment to the Kyoto Accord, sustained efforts to reduce carbon emissions, and general propagation of norms of environmental sustainability – have led many commentators like Ian Manners to suggest that Europeans share common environmental values and principles, fostered by their common experience of environmental degradation.¹³

The evidence of such socially constituted and shared interests and values in the EU and their capability to override the dominance of the realist perspective is perhaps best demonstrated by the EU's fledgling pursuance of a common security and defence plan, known as ESDP. Though the concept of European integration on the matters of defence and security has existed for as long as the notion of the Union has, measurable steps have not been made until recently. The use of force for security prerogatives is of course the classic bastion of realist strategy, and the inability of EU member states to cooperate on these grounds had served to highlight the barrier to cooperation that state self-interest and a global anarchic system provided. Constantly guarding against the threat of instability, in matters relating to their own defence and their monopoly on the use of force, states will always be reluctant to cooperate militarily – let alone to cede sovereignty in the area. The failure of EU states to treat defence and security in a community manner indicative of shared interests and values was further underlined by its impotence to act quickly and decisively in Bosnia and its split over the American led invasion of Iraq in 2003.

Despite all these failures and supposed barriers to cooperation, and perhaps in reaction to them, the ESDP has made small but significant progress since its inception in 1999, defying the odds that realist perspectives would set against such cooperation. Such advances include the establishment of a rapid reaction force for humanitarian, peacekeeping, and 'peacemaking' tasks, a build-up of policing capacities for civilian crisis management, and a closer working relationship with NATO, which has allowed the EU to take over stabilizing and policing activities in Bosnia and Macedonia.¹⁴ While such progress may be miniscule in comparison to the projection capabilities of the United States, the ESDP's achievement is significant to the extent that it commits member states to common values and principles that prioritize cooperation above matters of self-interest. While not excluding the use of armed reactive force under a Security Council mandate, or attention to

traditional security concerns such as WMD proliferation, regional conflict, state failure or terrorism, the ESDP's central document – the *European Security Strategy* (2003) – strives mainly to commit the EU to a common identity in which security itself is regarded as an inherently multilateral endeavour.¹⁵ Furthermore, it approaches conflict with nuance and values. These values stress stringent criteria for legitimate and UN-mandated use of force as a last resort and are more oriented to tackling the roots of conflict through prioritizing humanitarian assistance, proper civil administration and policing, and economic development. This principled and cooperative tone is, as Jean-Yves Haine suggests, articulated on a shared European understanding and experience of the tragic pitfalls that a balance of power system affords, and is devoted to avoiding a repetition of dangerous unilateralism on the part of member states at all costs – no matter how self-interested such actions may be.¹⁶

In considering fundamental understandings of global cooperation, this paper suggests that the EU does in fact provide the world with a rudimentary model for cooperation and integration by eroding the dominance of a paradigm antithetical to such tasks. A limited analysis of EU achievements in the areas of enlargement and common foreign policy leaves the singular use of realism in international relations as misguided and myopic – deliberately ignoring the role of variables instrumental to the achievement of stability and cooperation in regions and in the world. By subverting the dominance of the realist paradigm in international relations, the European Union has revealed the sheer necessity of incorporating competing perspectives in attempting to understand the forces that shape cooperation in the global system. This analysis has paid particular attention to the constructivist approach and the influence common values, ideas, and heritage had in allowing the EU to overcome dilemmas of cooperation for member states. The unmistakable effect of these factors on EU integration suggests that in addition to seeking out political or economic causes, those interested in extracting lessons for state cooperation from the EU model must pay attention to the unrivalled transformative power of common ideas, values, and heritage in overcoming obstacles to cooperation. Indeed, once the normative capacity for cooperation is commonly shared, the veil that seeks to dress international relations up in solely anarchical and inimical terms is appropriately removed.

¹ Stephen Walt, "International Relations: One World, Many Theories," in *Foreign Policy* Spring 1998: 31.

² Charlotte Bretherton and John Vogler, *The European Union as a Global Actor* (London: Routledge, 2006), 16.

³ Douglas Webber, "Regional Integration in Europe and Asia: A Historical Perspective" in *Regional Integration in East Asia and Europe: Convergence or Divergence?*, Bertrand Fort and Douglas Webber ed. (New York: Routledge, 2006), 289-311.

⁴ Jean Monnet, *Memoirs* (New York: Doubleday, 1978), 353.

⁵ Bretherton and Vogler, *The European Union as a Global Actor*, 157.

⁶ Christian Tuschoff, "The Challenge of Assymetry: Origins, issues, and implications of enlarging the European Union" in *Regional Integration in East Asia and Europe: Convergence or Divergence?*, Bertand Fort and Douglas Webber ed. (New York: Routledge, 2006), 180-184.

⁷ Knud Erik Jorgensen, "Theoretical Perspectives on the Role of Values, Images, and Principles in Foreign Policy" in *Values and Principles in European Foreign Policy*, Sonia Lucarelli and Ian Manners ed. (New York: Routledge, 2006), 47.

⁸ Bretherton and Vogler, *The European Union as a Global Actor*, 51.

⁹ Stephen Calleya, "EU-Turkish Relations: Problems and Prospects," in *Mediterranean Quarterly*, 17.2 (2006), 45.

¹⁰ Ionnais, Grigoriadis, "Turkey's Accession to the EU: Debating the Most Difficult Enlargement Ever," in *SAIS Review*, 26.1 (Spring 2006), 152.

¹¹ Mark A. Pollack, "Theorizing EU-Policy Making" in *Policy Making in the European Union*, Helen Wallace, William Wallace, and Mark A. Pollack ed. (Oxford: Oxford UP, 2005), 23.

¹² Bretherton and Vogler, *The European Union as a Global Actor*.

¹³ Ian Manners, "The Constitutive Nature of Values, Images, and Principles in the European Union" in *Values and Principles in European Foreign Policy*, Sonia Lucarelli and Ian Manners ed. (New York: Routledge, 2006), 26.

¹⁴ Bretherton and Vogler, *The European Union as a Global Actor*, 204.

¹⁵ "A Secure Europe in a Better World: European Security Strategy" <<http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>> (Accessed: December 1, 2006).

¹⁶ Jean-Yves Haine, "The Elusive Quest for a European Security and Defence Policy" in *Regional Integration in East Asia and Europe: Convergence or Divergence?*, Bertran Fort and Douglas Webber ed. (New York: Routledge, 2006), 257.

THE LEGALITY OF CLUSTER MUNITIONS WITHIN THE FRAMEWORK OF INTERNATIONAL HUMANITARIAN LAW

Madeleine Lyons

As governmental and non-governmental agencies around the world grapple with the ethical challenges of using cluster munitions, this paper examines the legality of cluster munitions in the framework of the international humanitarian law (IHL), sometimes referred to as the laws of war. The author argues that while a comprehensive ban on cluster munitions is not required by the legal standards of the international community, their use must be more regulated in order to ensure that additional violations of IHL do not occur. This argument is based on the laws regarding indiscriminate weapons, military proportionality and controls on environmental regulations.

Cluster munitions push the boundaries of international law and present a unique challenge to the global efforts to limit weapons. These weapons can be dropped from a plane, or fired as an artillery round, and as they reach their set deployment height they are designed to begin dispersing anywhere from 10-500 submunitions or “bomblets”.¹ Depending on the height of dispersion, as well as the speed of the weapon and weather factors, each cluster bomb can spread its submunitions over the equivalent space of one to eight football fields.² Each bomblet is designed to explode on impact releasing thousands of metal fragments which, with a starting speed of 2,500 meters per second, can cause wounds as large as 30 times the size of the projectile itself.³ As a result of their incredible explosive power, most models are expected to deliver life threatening injuries to individuals closer than 20 feet from their detonation point.⁴ Although supporters of the weapon point out that it can be very effective in military operations, cluster munitions also have the potential to be very detrimental to civilians. It is this fine balance between allowing for military action while limiting the impact on civilians which international humanitarian law aims to strike.

Cluster munitions effect civilians both during the conflict—due to the high likelihood of non-military casualties when the weapons are used in a civilian area—as well as in the aftermath of a conflict as the dud rate of submunitions can be as high as 40 percent.⁵ These duds may be extremely volatile after landing, detonating at the slightest touch, rendering a large area of land unsafe for use until cleared of these weapons. As a result of these effects, the debate around the legality of cluster munitions has been ongoing since the United States (US) developed them during the Vietnam War.⁶ Below is my contribution to the discussion. In this paper I will argue that although there is no treaty that specifically outlaws the use of cluster munitions, the manner in which they are often employed is a violation of the First Additional Protocol to the Geneva Conventions.⁷ These repeated violations, as well as the indiscriminate nature of the weapon are indicative of the need for, at minimum, a treaty reiterating the relevant articles of the First Additional Protocol and requiring that states accept more stringent conditions on the use of these weapons.

There are several types of weapons that have been specifically banned by international law, including expanding (or dum-dum) bullets and biological and chemical weapons. Notable attempts to control the use of cluster munitions include the Lucerne Conference of Governmental Experts in 1974, where 13 states submitted a proposal to ban the production of cluster munitions and the Protocol V of the Convention on Certain Conventional Weapons (CCW). Most recently the US Senate addressed the issue with the Cluster Munitions Amendment (Bill HR 5631; September 9th 2006), which was proposed to legalize the US policy of selling cluster munitions to other states only on the condition that they not be used in or near civilian areas.⁸ That this matter went before the Senate is perhaps indicative of the development of a norm around the usage of these weapons. The majority of these efforts were approached from the perspective that cluster munitions fall into a category of weapons deemed to cause unnecessary suffering to their victims. The use of such weapons was first expressly outlawed in the Hague Conventions of 1907, which have reached the status of customary international law and therefore apply universally.⁹ To establish whether something is *unnecessary* suffering we have to determine if there is any way the weapon inflicts suffering which is not necessary to achieving the military objective.¹⁰ This is often hard to measure as “unnecessary suffering” is a vague criterion and, in the case of

cluster munitions, although the civilian injuries are horrific, if the military objective is a valuable one and cluster munitions are well-suited to achieving it, their use may be considered justified. Thus, despite the impact the attempts to outlaw cluster munitions have had on some countries' willingness to use or sell the weapons, cluster munitions are not *specifically* outlawed.¹¹ Put simply, the arguments around the use of cluster munitions are too situation-dependent to serve as the basis for a complete ban on the weapon, which leads us (and those wishing to outlaw the weapon), to the next argument: that particular uses of cluster munitions are illegal under existing international law.

There are three arguments that can be put forward to suggest that, if used in a particular manner, cluster bombs violate international law.¹² The first is an argument about indiscriminate weapons, the second deals with proportionality and the third with environmental regulations.

Historically, cluster bombs have frequently been used in populated civilian areas in Vietnam, Kosovo, Afghanistan, Iraq and recently in Lebanon and possibly Israel.¹³ The UN Emergency Relief Coordinator, Jan Egeland, recently spoke of the impact of Israeli cluster bomb strikes in Lebanon, saying "cluster bombs...have affected large areas, lots of homes, lots of farmland, lots of commercial businesses and shops...everyday people are maimed, wounded and are killed by these ordnance..."¹⁴ In this statement Egeland goes on to say that this "shouldn't have happened", a comment which is supported by the laws regarding the use of force in civilian areas. Article 51.4 of the First Additional Protocol of 1977 defines indiscriminate attacks as "those which employ a method or means of combat which cannot be directed at a specific military objective" and outlaws them.¹⁵ Cluster bombs are highly effective area weapons, impacting massive areas with each bomb and allowing for a smaller margin of error without compromising the military objective. Although cluster munitions are aimed at a particular target, when used in a civilian area it is highly improbable that each individual submunition affects only military objects - the destructive area of the munition almost inherently imperils civilians. Effective delivery of cluster munitions can be impeded by numerous factors including weather, height of deployment, and production year or model of the munition. This indiscriminate nature is underlined by the fact that states who have conducted cluster munitions strikes are unable to provide more than rough estimates of where the

submunitions fell.¹⁶ As such the cluster submunitions are unable to distinguish between civilian and military targets and are considered illegal by the letter of the law.¹⁷ Contrary to what one might assume based on the rhetoric espoused by individuals defending the use of the weapon, the belief that opposition forces are occupying civilian areas does not legally justify the use of a weapon which potentially renders the entire village uninhabitable.¹⁸ Indeed for states which have access to technologically advanced weapons systems that would allow for more precision the law is particularly condemning. Protocol I, Article 57 establishes that they are obliged to “take all feasible precautions in the choice of means and methods of attack with a view to avoiding...incidental loss of civilian life, injury to civilians and loss of civilian life”.¹⁹ Even if cluster munitions were made without duds (the legal consequences of which we will examine below), their use in civilian areas is a violation of the spirit, and in many times the letter, of the First Additional Protocol.²⁰

The second argument worth considering is that cluster munitions violate proportionality. Proportionality involves the consideration of both military and humanitarian consequences of an attack so that if the humanitarian costs outweigh the military benefits, the attack is considered disproportionate and illegal. Despite the fact that it is difficult to weigh anticipated incidental civilian casualties against military utility during conflict, there are cases where the use of cluster bombs is almost certainly disproportionate to their military utility. An example of this would be the use of cluster bombs by the Israelis during their recent conflict against Lebanon. As Egeland said in a press release shortly after the conflict in Lebanon ended, “what was shocking and completely immoral was that 90 percent of the cluster bomb strikes had occurred in the last 72 hours of the conflict, when everybody knew that there would be an end to hostilities”.²¹ The argument about proportionality in this case is further damaged by statements made by Chris Clark, the program manager for the UN Mine Action Coordination Centre; “What we’ve seen [in southern Lebanon] are strikes on top of strikes on top of strikes on top of strikes. It’s tantamount to shooting a dead body 20 times”.²² Since it is not necessary to repeatedly shoot a dead body in order to achieve a military objective, the implication of Clark’s statement is that Israel’s military objective had been achieved in the early stages of the bombing campaign and therefore that the extent of cluster munition use was not in proportion with achieving their

objective, especially if the dispute had been all but formally resolved, as Egeland suggested. Yet this is not the only question of proportionality raised by the use of cluster munitions. When there are peace-time civilian casualties as a result of the detonation of dud cluster munitions left over from a conflict, it would seem that proportionality is never met. During peace time, there is likely no military utility to having a cluster bomb explode, however the humanitarian consequences would be substantial (including, potentially physical, material and even psychological effects), thus outweighing the military utility and violating proportionality. Yet this argument depends on how you define an action taken to achieve a military objective, especially in terms of timeframe; in particular can the explosion of a cluster munition in a post-conflict setting still be seen as an act of violence by the opposition and thus still be factored into the proportionality equation? The answer, according to the International Committee of the Red Cross, is yes.²³ This answer puts great pressure on states concerned with the legality of cluster munition use to conduct de-mining operations and mine-education programs promptly so as to minimize civilian casualties. Such action is required by signatories to the relatively new Protocol V of the Convention on Certain Customary Weapons.²⁴ Though this protocol has received few ratifications to date, and is thus far from becoming customary, its existence may be perceived as an indication of an emerging norm and a source of hope.²⁵

The final legal argument deals with laws surrounding the environment. Article 55 of the Additional Protocol is unlike the other articles referred to above as it is not customary international law, meaning that it is binding only to the states that are signatories.²⁶ As this is a widely ratified treaty however, the articles that have not attained the status of customary law are still consequential. Article 55 prohibits "the use of methods or means of warfare which...may be expected to cause [widespread, long-term and severe] damage to the natural environment and thereby to prejudice the health or survival...of the population".²⁷ Yet the presence of cluster munitions in an agricultural field serves as the destruction of the area in effect as even the threat of dud cluster munitions can be sufficient to stop mine-aware farmers from using the land. Until the duds are de-mined therefore, the damage continues to be long-term, severe and all too often widespread. To summarize, the use of cluster munitions violates laws regarding parts of the environment depended on for the health/survival of

civilians, further demonstrating the illegality of cluster munitions in some circumstances.

As I have argued above, the ways in which cluster munitions are often employed is a violation of a number of international laws. Cluster munitions are not legal during conflict when they are used in civilian areas, places where their indiscriminate nature may impact non-military targets (including environmental features depended on by civilians), against objects that could be targeted individually, or when they are used in a non-proportional manner. Outside the immediate conflict in which they are used, cluster munition duds are not legal under any circumstances as they violate proportionality. Having reviewed the relevant international law it becomes apparent that it is state compliance, not the legal structure, which is lacking. Thus the international community has two potential means by which the use of cluster munitions might be better controlled. The first of these is the development of a comprehensive cluster munitions ban treaty, similar to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer or Anti-Personnel Mines and on Their Destruction, or the Ottawa Convention. Yet the campaign for the Ottawa Convention was greatly aided by the clear violation of proportionality associated with the use of landmines established by the ICRC in conjunction with military leaders from around the world.²⁸ In the case of cluster munitions, such a ban is likely not possible as the determination of proportionality is much more situation-dependant. As a result it is more realistic for the international community to dedicate energy towards the development of a treaty more explicitly outlining conditions under which the use of cluster munitions is legally acceptable. Although there are a few points that I will examine below which would clarify the line of legality, the most essential factor is a rigorous mechanism to ensure that states abide by the letter and spirit of existing laws. States that use cluster munitions must be reminded of the international humanitarian law regarding the protection of civilians and civilian objects and the threat these weapons pose to both. In order to ensure that they do not violate the laws of proportionality or laws around the environment, it would be advisable for states using cluster munitions to agree upon a distance from civilian areas (excluding those which become occupied by opposition forces) that cluster munitions will be considered acceptable for use. To this end, the area in which cluster submunitions are projected to disperse (for instance eight

football fields in distance) would seem like an obvious starting point. Furthermore, in order to be legally acceptable states must ensure that all munitions used have no duds. As the number of duds varies greatly depending on conflict conditions, it seems the best way of ensuring this is to design and implement effective de-activation devices which render the dud munitions harmless. As these devices may fail, however, it is also essential that comprehensive civilian mine-risk education and humanitarian demining is undertaken immediately after the cessation of hostilities in order to minimize the civilian impact. Only when these factors are fully complied with will the long-lasting debate around the legality of cluster munitions come to an end.

¹ "Fact File: Cluster Bombs- Activation" *BBC News: World*, 27 February 2003; available from <http://news.bbc.co.uk/1/hi/world/americas/2788573.stm>; Internet; accessed 10 October 2006.

² "Fact File: Cluster Bombs- Bomblets" *BBC News: World*, 27 February 2003; available from <http://news.bbc.co.uk/1/hi/world/americas/2788605.stm>; Internet; accessed 10 October 2006.

³ The height from which the cluster munitions release submunitions, the number of submunitions and their contents, as well as the presence of additional effects such as an incendiary ring, all vary greatly depending on the model deployed. By means of comparison it is also interesting to note that a rifle bullet has a starting speed of 750 meters per second. Thomas Michael McDonnell, "Cluster Bombs over Kosovo: A Violation of International Law?" *Arizona Law Review*, no. 44.1 (2002): 46.

⁴ *Ibid.*

⁵ "Million Bomblets' in S. Lebanon" *BBC News: Middle East*, 26 September 2006; available from http://news.bbc.co.uk/go/pr/fr/-/2/hi/middle_east/5382192.stm; Internet; accessed 10 October 2006.

⁶ McDonnell, 41.

⁷ Due to space constraints this paper will focus mainly on the Additional Protocol to construct the legal argument. I have chosen this treaty as it is the most widely ratified and most relevant to this subject matter.

⁸ For information about Lucerne: Peter Herby and Anna R. Nuiten, "Explosive remnants of War : Protecting Civilians through an Additional Protocol to the 1980 Convention on Certain Conventional Weapons," *International Review of the Red Cross*, no. 841 (2001): 195-205. CCW Protocol V: "Treaty on Explosive Remnants of War to Enter Into Force," *International Committee of the Red Cross*, 16 May 2006, available from <http://www.icrc.org/Web/eng/siteeng0.nsf/html/treaty-weapons-news-160506!OpenDocument>; Internet; accessed 10 October 2006. US Cluster Munitions Amendment: "Key Vote: Cluster Munitions Amendment" *Project Vote Smart*, 6 September 2006; available from http://www.vote-smart.org/issue_keyvote_member.php?vote_id=3897; Internet; accessed on 10 October 2006.

⁹ McDonnell, 67.

¹⁰ An example of this would be the use of a regular bullet versus an exploding one. Since a regular bullet is usually sufficient to disable the individual, an exploding bullet adds additional harm without adding substantial military benefit.

¹¹ Many of the 13 states who put forward the recommendation in 1974 have since refused to sell or use cluster munitions and the US has embargoed their sale of the munitions to countries which have shown to violate their terms of use. Israel was under such embargo for 6 years after their use of cluster bombs against Lebanon in 1982. Anthony Shadid "Cluster Bombs a 'Lasting Legacy' in Lebanon" *Chicago Tribune Online Edition*, 28 September 2006, available from <http://www.chicagotribune.com/news/nationworld/chi-0609280143sep28,1,5324476.story?coll=chi-newsnationworld-hed>; Internet; accessed on 10 October 2006.

¹² It is important to note that all Articles of the 1977 Protocols Additional to the Geneva Conventions of 12 August 1949 referenced in the paper below this point are considered customary international law by the International Committee of the Red Cross (ICRC), with the exception of the Articles referred to in the section about environmental regulations. As such, these Articles are considered binding without exception or qualification. "The principle of distinction between civilians and combatants and between civilian objects and military objectives; the prohibition of indiscriminate attacks; the principle of proportionality in attack; the obligation to take feasible precautions in attack and against the effects of attack ... [and] the prohibition of attacks on objects indispensable to the survival of the civilian population" were all found to be part of customary international humanitarian law by the International Committee of the Red Cross (ICRC). These correspond with Article 50, 51, 57, 48 and 54. Jean-Marie Henckaerts, "Study on Customary International Humanitarian Law: A Contribution to the Understanding and Respect for the Rule of Law in Armed Conflict" *International Review of the Red Cross*, no. 857 (2005): 175-212. and *Protocols Additional to the Geneva Conventions of 12 August 1949* (International Committee of the Red Cross: Geneva, 1977), 34-41.

¹³ For evidence re: Vietnam, Kosovo, Afghanistan and Iraq see Paul Wiseman, "Cluster Bombs Kill in Iraq, Even after Shooting Ends" *USA Today*, 16 December 2003; available from http://www.usatoday.com/news/world/iraq/2003-12-10-cluster-bomb-cover_x.htm; Internet; accessed on 10 October 2006. For evidence re: Lebanon and possibly Israel see "Lebanon/Israel: Hezbollah Hit Israel with Cluster Munitions During Conflict" *Human Rights Watch*, 19 October 2006, available from <http://www.hrw.org/english/docs/2006/10/18/lebanon14412.htm>; Internet; accessed on 22 October 2006. The opinion that cluster bombs are *typically* (emphasis added) used in a manner that violates Protocol I was put forward in McDonnell, 74.

¹⁴ "Israel's 'immoral' use of cluster bombs in Lebanon poses major threat – UN aid chief", United Nations, 30 August 2006, available from <http://www.un.org/apps/news/story.asp?NewsID=19670&Cr=Leban&Cr1;> Internet; accessed on 10 October 2006.

¹⁵ *Protocols Additional to the Geneva Conventions of 12 August 1949*, Article 51 (4.b).

¹⁶ "Cluster Munitions and International Humanitarian Law: The Need for Better Compliance and Stronger Rules", *Human Rights Watch*, 5 July 2004, available from <http://www.mineaction.org/downloads/HRW%20paper%20on%20Cluster%20Munitions%20and%20IHL.pdf>; Internet; accessed on 10 October 2006.

¹⁷ *Protocols Additional to the Geneva Conventions of 12 August 1949*, Article 51 (4).

¹⁸ This is established in Additional Protocol I Article 50 (3): "The presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character"; and Article 51(7). *Protocols Additional to the Geneva Conventions of 12 August 1949*, Article 50 (3), 51 (7). Whether or not the affected area is "inhabitable" for civilians depends on the number of strikes, the extent of the damage to civilian areas (including land used for agriculture and/or other means of employment), the continued presence of opposition forces, and the number (or rumor) of dud cluster munitions in combination with the potential for humanitarian de-mining relief.

¹⁹ *Protocols Additional to the Geneva Conventions of 12 August 1949*, Article 57 (2.a.ii).

²⁰ *Protocols Additional to the Geneva Conventions of 12 August 1949*.

²¹ "Press Conference by Emergency Relief Coordinator", *United Nations*, 30 August 2006, available from http://www.un.org/News/briefings/docs/2006/060830_Egeland.doc.htm; Internet; accessed on 10 October 2006.

²² "Cluster Bombs a 'Lasting Legacy' in Lebanon", *Chicago Tribune Online Edition*.

²³ "The question may arise at what point the use of mines constitutes an attack in the sense of this provision. Is it when the mine is laid, when it is armed, when a person is endangered by it, or when it finally explodes? The participants at the meeting of the International Society of Military Law and the Law of War (Lausanne, 1982) conceded that from the legal point of view the use of mines constituted an attack in the sense of the Protocol when a person was directly endangered by such a mine." "Part IV: Civilian population: Section I -- General protection against effects of hostilities Chapter II -- Civilians and civilian population, General Remarks" *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, (International Committee of the Red Cross, Geneva, 1977). As cited in McDonnell, 86.

²⁴ "Treaty on Explosive Remnants of War to Enter Into Force", *International Committee of the Red Cross*.

²⁵ "State Parties to the Protocol on Explosive Remnants of War (Protocol V to the 1980 Convention)", *International Committee of the Red Cross*, 28 November 2003, available from <http://www.icrc.org/ihl.nsf/WebSign?ReadForm&id=610&ps=P>; Internet; accessed on 10 October 2006.

²⁶ "Treaty on Explosive Remnants of War to Enter Into Force", *International Committee of the Red Cross*.

²⁷ *Protocols Additional to the Geneva Conventions of 12 August 1949*, Article 35 (1).

²⁸ "Anti-Personnel Landmines: Friend or Foe? A Study of the Military Use and Effectiveness of Anti-Personnel Landmines", *International Committee of the Red Cross*, – 1997, available from [http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/p0654/\\$File/ICRC_002_0654.PDF](http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/p0654/$File/ICRC_002_0654.PDF); Internet; accessed on 10 October 2006.

LIMITS OF BUREAUCRATIC ORGANIZATION: HOPE FOR THE INDIVIDUAL

Diana Gibraiel

Weber argues that rule-based and hierarchically structured bureaucracies systematically outcompete alternative organizations. Over time these organizations pervade society. To remain employed, individuals must conform to the dictates of such organizations by adopting attitudes and habits of unquestioning obedience to authority. Culture at large grows to reinforce the bureaucratic ethic, limiting opportunity for the situation to be challenged, and threatening to stifle individual personal development. However, evidence suggests alternative organizations that encourage individual understanding and input have significant competitive advantages over their more rule-based competitors. These advantages avert Weber's cycle, and create the possibility of outcomes that are beneficial to individuals.

1. Introduction

Max Weber believes that social and political institutions in modern society tend to become increasingly rule-based and hierarchically structured bureaucracies, and that these bureaucratic institutions become pervasive in society, ordering more individual lives and more aspects of each person's life. This process of increasing "rationalization" occurs because an institution adopting more extensive rationalistic structures and policies becomes more successful and more powerful than its competitors.

The nature of rationalization makes this process, especially as it becomes advanced, a serious tragedy for the majority of individuals in a society. For efficient and coordinated functioning, rationalized structures require that the individuals in all but their very highest ranks spend their careers automatically accepting and acting on orders. Those few at the apex of these structures dominate the many below. To remain employed, those below must develop worldviews appropriate to existing in

bureaucracies, instead of worldviews involving individual reasoned reflection and autonomous determination of values. As the majority adopt such worldviews, the culture of the society at large changes to primarily reflect bureaucratic values. The culture shifts, and as new generations are raised within a culture with an increasingly bureaucratic ethos, the rationalization of institutions becomes reinforced, and emergence of other values is increasingly less likely.

The inevitability of this process depends critically upon whether rationalized institutions, on account of their efficient workings, regularly and generally out-compete organizations structured on other principles. Evidence suggests that this may not be the case.

Organizations in some sectors of society—such as those in which a competitive edge is gained through rapid and/or intelligent use of information and technology—benefit from the autonomous insights of the individuals in various branches of the organization. Such organizations thrive as well or better with less, rather than more, domination-based structures. Economic and technological developments which increase the number of sectors in which these competitive pressures are significant correspondingly increase the proportion of institutions in society overall for which this applies. As more institutions encourage or tolerate development of individual reasoning and motivation on the basis of personal values, more individuals spend their lives practicing such traits, and the potential for culture to encourage these traits is increased. As a result, the tragic fate predicted by Weber may be escapable.

2. Rationalization of institutions

Weber defines an institution as “an association with an established set of regulations which are imposed with (relative) success within a specifiable sphere of application on all activities satisfying a certain definite criteria.”¹ An institution is rationalized to the extent that it operates in accordance with “an established set of regulations which are rational in the sense of being systematic.”² An institution involves ‘domination’ if there is a head individual or group within it whose commands the others obey.³ Those dominated are ‘disciplined’ to the extent that they “in virtue of a habitual attitude will obey a command in a prompt, automatic and unthinking manner.”⁴

An institution with systematic regulations, and populated by disciplined, obedient workers, has competitive advantages over organizations without these qualities. For example, to the extent that an operation can be reduced to a routine—as can often be done with the aid of machines—replacing ‘skilled’ workers by ‘unskilled’ or by ‘semi-skilled’ workers enhances efficiency. This process becomes critical under “pressure of competition,”⁵ and is therefore “an inevitable development, which is going on all the time.”⁶ Additionally, to the extent that an institution can rely upon the automatic obedient action of its members, it can coordinate complex centrally designed plans quickly and efficiently, with little need to justify the orders to the various members of the organization.

As a result, a more rationalized institution can be highly successful, forcing its competitors to adopt rationalistic measures of their own to remain in operation. Over time, this causes individual institutions to rationalize more extensively to remain operable, and the overall landscape of institutions eventually contains only highly rationalized institutions.

3. Social impact of rationalized institutions

With the increasing rationalization of dominating, hierarchical institutions, most individuals must develop the ethos and habits associated with unreflective obedience to bureaucratic commands, and must practice these habits for most of their waking hours. This development of a worldview structured for success as an instrumental component in a rationalized institution precludes development of a personally reasoned approach to values, grown from a habit of autonomous reasoned reflection, and it precludes the habit of integrating personal values and insights prior to action.

As a result, although individuals in a highly rationalized society may enjoy a high material standard of living—plentiful food, quality housing, etc.—the majority lack opportunity to develop reasoning skills, autonomy, and moral sense; i.e., their higher human capacities. This becomes pervasive in the culture at large as rationalized institutions infuse society, and require that increasing numbers of individuals adopt the characteristics necessary for work in dominating structures. Culture will tend to put less emphasis on individuality, rational thought, questioning authority, and personal moral reflection while putting more emphasis on obedience. As culture shifts, it reinforces

bureaucratic norms, making individual development of reasoning capacity and of examined personal values increasingly rare. According to Weber, there is a risk that this cultural development, in the context of ever-increasing institutional power and even of material well-being, will lead to "specialists without soul, hedonists without heart: this cipher flatters itself that it has reached a stage of humanity never before attained."⁷

4. Competitiveness of alternative forms of institutional organization

The rationalization of society depends upon rationalized, domination-structured institutions typically out-competing alternatives. However, in some circumstances, rationalized, domination-based structures can be less competitive than alternatives.

Opportunity for development of individual values and reasoning skills can lead to a more creative and motivated employee. Provided an employee understands and shares the goals of the organization⁸, he or she can be more fully intellectually involved with and committed to his or her work than one without such opportunity. The employee is more likely to enjoy work in which he or she may integrate his or her autonomy and reasoning skills, and this may further boost creativity. The employee can do certain jobs better as a result. Additionally, an independently thinking, reflective employee can be uniquely positioned to understand how the portion of the organization in which he or she specializes is flawed and may be improved.

Although Weber would not deny the existence of intellectual jobs and institutions, how an intellectual works makes a difference. Executing an intellectual task with an understanding of its context and in agreement with its aim allows for personal reflection on values and for developing an outlook in which individual values, action, and aim are integrated. Executing a specific intellectual task because one is ordered to do so, and one believes in following orders, is a different process; the competitively advantageous qualities discussed in the previous paragraph, are not honed in this process as they are in the former. As a result, in some sectors, implementing rationalization and domination to the extent that they erode those individual reasoning skills which take context into account, or to the extent that they replace a direct a personal basis for

motivation with an indirect authoritarian one, may actually harm, rather than aid, an organization.

An additional advantage is that employees who reason about their work in its context and have the ability to act somewhat autonomously in their work can enable their organization to more quickly adjust their activities to a rapidly changing competitive environment. This results from enabling the people dealing with issues directly to deal with those issues as they change, provided they have some understanding of overall goals and context. If such employees also have stable lines of communication upward to the organization's higher-level planners, they can also quickly provide the organization with information—which may be useful for others parts of the organization—about the nature of the changes in the competitive environment. An employee who is primarily a mechanized component cannot do this as well, and in dynamic competitive environments (such as those of modern service-, technology- and information-heavy economies) the advantages of flexibility can make extensive rationalization and domination a liability to an organization rather than an asset.

Specific examples demonstrating the limits of rationalization and domination come from areas as diverse as the military, the software industry, and the automobile industry. Regarding the military, the American Revolution of the late 18th century pitted the highly rationalized and domination-structured British military against the more loosely organized American militias. The Americans, acting cooperatively on the basis of a shared, deeply valued goal, managed to use their more flexible structure to adapt quickly to circumstances as they arose, and took advantage of the relatively rigid and less coordinated British army.^{9 10} Guerrilla warfare generally shares these advantages. Further, while differences in geographic situation and motivation may make it difficult for professional militaries to adopt very similar strategies, the modern trend of flexible deployment¹¹ represents one attempt to gain some of the flexibility advantages shared by guerrilla fighters by loosening some aspects of organization.

In the software industry, Google Inc., a large corporation whose primary business is search engine technology, tends to limit the scheduling of its software engineers to project deadlines and occasional meetings,¹² while providing them opportunity to pursue their professional interests in new directions of their own

choosing though such programs as “twenty percent time.”¹³ Management directions are typically framed as suggestions rather than as commands, or may be encouraged socially by peers who have adopted them as culture.^{14 15 16} This strategy has not impaired Google’s success.¹⁷ The more open-ended structure has also been directly credited for Google’s reputation as a desirable employer, better enabling their recruitment of talent.¹⁸ Even beyond recruitment, the environment encourages employee loyalty, creativity, and motivation in the service of the company by allowing a degree of individually directed intellectual pursuit.

In the automobile industry, Toyota’s “Lean Manufacturing,” which incorporates a focus on teamwork and an extensive communication system that integrates the factory with the design and research centres, has been extremely successful in using the input of employees to increase efficiency by cutting costs and reducing wasted time, effort, and materials.¹⁹ However, “Lean Manufacturing” is a relatively more traditional assembly-line approach, and can “curtail [...] ability to achieve long-term flexibility”²⁰ by using employee and other input to tailor a plant specifically to minimize waste for a particular production cycle. The “humanistic” method of automobile manufacturing used in Volvo’s Uddevalla plant in Sweden from 1992 to 1993,²¹ which involved teams working together to construct the car instead of the more traditional assembly line, holds some promise of future advancements in modern factory production,²² and may be especially useful with regard to flexibility.

Limits on rationalization and domination in institutions may not be viable for all institutions in all contexts. However, there is hope for the future in that they do appear to be viable for many institutions in the context of a modern developed society. Such a society involves constant advancement in technology. In many areas, the organizations that employ people who understand the context of their work and of their organization, and are motivated to be creative about their work and to keep up on new tools and resources (and not just motivated to obey commands specified for their position), stand to out-compete their rivals. Organizations that integrate the individual voices and insights of their employees in a network of information sharing stand to do likewise. Information about the landscape in which an organization operates, and the ideas and flexibility necessary to adjust well and quickly, become especially vital as

the landscape becomes more and more dynamic. In many fields, organizations that employ people in a way conducive to creative and flexible thinking are in a position to better and more quickly adjust to the changing landscape.

Although this sort of thinking about tasks there are ultimately geared to pleasing consumers can serve as a distraction from important ethical and political issues, it nevertheless builds the habits of integrating reflected-upon personal motives with action, of giving feedback to others, of acting on the words of others due to understanding rather than authority alone, and of seeing oneself as an agent, with say, in a network rather than as a component in a machine. Weber's concern is that the dominating structures lead people to have an authoritarian basis for action and an understanding that the world was to be ordered in terms of bureaucratic hierarchies, preventing people from having the mental and social habits to approach ethics and politics as independent, reasoning agents.

The work I describe, though potentially a distraction from these issues, does not change a person's mental and social habits such that he or she cannot approach these issues as an independent, reasoning agent. Instead, those habits can be used to approach these issues in an independent, reasoning manner. The development of such habits may even lead a person to those subjects when the habits are applied to questions which arise in a person's life beyond work.

5. Social Impact of alternative forms of institutional organization

Even if not all institutions are subject to the above pressures that make limits on rationalization and dominance competitive instead of a liability, when many institutions are so subject, culture need not follow the path of encouraging "specialists without soul, hedonists without heart."²³ If many in society have careers involving daily practice of more personally-reasoned and individual-motivated activities, a culture which values individuality, autonomous reasoning, and personal reflection on the relationship between action and goals can exist because such individuals can become advocates of these values through exchange of ideas with their neighbours, or through shifts in individual life paths. This process has the potential to result in such traits being valued more generally in society.

For example, a person with a more obedience-oriented job may be exposed to values of individualism and personal reflective reasoning off the job, via social contexts involving people from other career paths (contexts such as sporting events, activities at religious or neighbourhood centres, meetings for hobbyists, parties, etc.).²⁴ Such an individual may come to respect these values for the benefits they permit people in other areas to contribute to society, and may come to practice them insofar as they can be exercised in time away from work. Alternatively, his or her own future may involve change, or plan for change, between a career in which individualistic values are not encouraged, and a career such as those discussed above in which these values play a significant role. Experience in or preparation for the latter sort of career would expose these individuals to the alternate set of values. Further, the individual may first come to respect individualistic values as a potential part of a better life for his or her children. These various possible occurrences would all expose a person to the values of individualism and personal reflective reasoning, and the person may thus come to adopt some of these values, even though he or she does not currently work daily with them.

As a result, there is not uniform and consistent pressure for culture to develop into one that glorifies only obedience-related traits to the exclusion of more individualistic values. This lack of uniform and consistent pressure is not a guarantee that the more individualistic values will become popular, but it does make for some realistic possibility of such values persisting. As the culture grown in institutions is less monolithically obedience oriented, the complex web of social connections that maintain and evolve culture can come to have significant space for individual autonomy and for reflective reasoning about personal values, and Weber's ultimate tragedy can be avoided. Further still, the persistence of these values leaves open the possibility that people will continue to question the presence of those dominating structures that do exist, and on which much of current society depends. Such questioning even leaves open the possibility of reflective, rational, and personally motivated people devising and working for even more systems structured on lines other than domination, yet capable of withstanding the competitive pressures which, as discussed by Weber, often grant a advantage to dominating structures. Weber's tragedy is not necessarily inevitable.

¹ Max Weber, *Weber: Selections in translation*, ed. W.G. Runciman, trans. Eric Mathews (Cambridge: Cambridge University Press, 1978), 37.

² *Ibid.*, 37.

³ *Ibid.*, 38.

⁴ *Ibid.*, 38.

⁵ *Ibid.*, 253.

⁶ *Ibid.*, 253.

⁷ *Ibid.*, 171.

⁸ Note, however, that this limits the organizations which can use this method to those whose goals tend to be seen as inoffensive or as positive by many independently-thinking employees, or to those that develop methods of shifting the values of otherwise independently-thinking people such that goals they would otherwise find offensive seem less so, and of somehow maintaining that shift over time. The latter method is different from the process Weber describes, as he describes a situation in which people value obedience and aim to act in accordance with authority, while the above method would involve direct reformation of individual goals to conform with those of the organization, keeping the person's sense of individuality and inclination to act autonomously based on personal values intact. If possible to maintain in many people, such goal reformation could deepen institutional and social rationalization. It might not be possible to maintain in large numbers of people, as people accustomed to personal reflection and creative thinking may be likely to revisit their original reasons for finding an organization's goals questionable, and revert to other values and goals.

⁹ Don Higginbotham, *The War Of American Independence* (Boston: Northeastern University Press, 1983)

¹⁰ Piers Mackesy, *The War for America 1775-1783* (Lincoln: University of Nebraska Press, 1993)

¹¹ "Regarding Navy Transformation," *GlobalSecurity.org* (February 26, 2004) < http://www.globalsecurity.org/military/library/congress/2004_hr/040226-cosgriff.htm > (accessed March 10, 2007)

¹² Personal communication with former Google employee.

¹³ "What's it like to work in Engineering, Operations, & IT?," *Google Jobs* (2006) <<http://www.google.com/support/jobs/bin/static.py?page=about.html>> (accessed March 10, 2007)

¹⁴ Personal communication with former Google employee

¹⁵ The tendency to frame directions as suggestions and the tendency to use peer pressure to direct individuals' work in the directions desired by the corporation would also be in line with a form of rationalization which overcomes the disadvantages of authoritarian motivation, utilizing the competitive advantages of other types of motivation (here, personal and social).

¹⁶ Steve Yegge, "Google's Secret Weapon," (November 16, 2004) <<http://web.archive.org/web/20060525231559/http://www.cabochon.com/~stevey/blog-rants/google-secret-weapon.html> > (accessed March 10 2007)

¹⁷ "Google Gains U.S. Search Market Share For Ninth Consecutive Month," *ComScore Networks* (May 22, 2006) < <http://www.comscore.com/press/release.asp?press=873> > (accessed March 10, 2007)

¹⁸ Steve Yegge, "Google's Secret Weapon"

¹⁹ Robert R. Rehder. " Sayonara, Uddevalla? - production methods of Volvo's Uddevalla plant in Sweden," *Business Horizons* Nov-Dec, 1992

²⁰ Michael A. Lewis, "Lean production and sustainable competitive advantage," *International Journal of Operations & Production Management*. Vol. 20 Issue 8 (2000) 959 – 978

²¹ Ake Sandberg, "Enriching Production: Perspectives on Volvo's Uddevalla Plant as an Alternative to Lean Production," *Industrial and Labor Relations Review* Vol. 50, No. 2 (1997): 359-361

²² Ibid.

²³ Weber, 171

²⁴ This would tend to occur less if people tend to interact with others on the basis of whether their jobs involve a more domination-oriented or more individual ethic, or on a basis to which this distinction closely correlates. These are both possibilities; it may be that people working according to one ethic tend to prefer the company of those who work likewise. It may also be the case that something like income would tend to correlate with which ethic one works by. However, these tendencies do not necessarily occur. Certain popular activities (such as sport leagues) have the potential to create social bonds on the basis of something other than shared work experience. The divisions in work environment do not always correlate closely with income, as is exemplified by the "lean" autoworker the Google software engineer.

THE PERSISTENCE OF UNDERDEVELOPMENT: A STORY OF INEFFECTIVE GOVERNANCE AND MISGUIDED INSTITUTIONS

Samuel Slover

Why does underdevelopment persist in many parts of the world?

The legacy of colonialism has been a common explanation offered for this persisting underdevelopment. However, while not completely discounting the merits of this explanation, this paper argues that persisting underdevelopment is more a story of (1) poor and ineffective domestic governance and (2) imprudent policies advanced by international institutions (mainly the IMF) that have inappropriately applied a blanket 'one-size-fits-all' development model with little concession to local conditions. The merits of this argument are supported through reference to the East Asian development success stories.

Delusion and disappointment, failures and crime have been the steady companions of development and they tell a common story: it did not work¹
- Wolfgang Sachs

Like Wolfgang Sachs, many consider development “the greatest failure of the [20th] century.”² However, this pessimistic view tells only part of the story. While it is true that in many places the development project has been and continues to be a complete and utter failure with many states remaining underdeveloped, other states have been characterized by stories of remarkably successful development. What explains the stories of development success versus development failure? Why does underdevelopment persist in many parts of the world? The legacy of colonialism is a common explanation offered for the persistence of underdevelopment. This view essentially holds that the colonial legacy has left former colonies in a severely disadvantaged position under which development has

been hard-won. However, while the legacy of colonialism has been an important and significant factor in the persistence of underdevelopment, it has *not* been the decisive one. Instead, this essay argues that underdevelopment has persisted *mainly* because of a combination of (1) poor and ineffective domestic governance and (2) imprudent policies advanced by international institutions (mainly the International Monetary Fund (IMF)) that have inappropriately applied a blanket 'one-size-fits-all' development model with little concession to local conditions. This argument will be supported by referring to the East Asian development success stories where effective domestic governance was paramount and the blanket 'one-size-fits-all' model was largely not followed.

It has often been argued that the legacy of colonialism has left many of the formerly colonized countries in an exploited position where the chances for development success have been largely hopeless.³ However, while there is no doubt that, in many ways, colonialism was a nefarious event, there were also ways in which it promoted economic development. Thus, this analysis largely agrees with Zambia's first president, the ineffectual Kenneth Kaunda, who asserts that colonialism brought "a strange mixture of advantages and disadvantages."⁴

The biggest problem with colonialism for the colonized was not that it did not stimulate economic growth *per se*, but rather that it stimulated growth for the sole benefit of the colonizers while imposing the brunt of the costs on the colonized.⁵ Labour was not fairly compensated and the resources of the colonized were wrongly and unfairly taken away.⁶ Essentially then, this view holds that because of the highly unequal distributional outcome that was the result of the colonial economic endeavour, whereby almost all the benefits and profits from colonial natural and human resources accrued to the colonialists at the expense of the colonized, what has resulted has been a colonial legacy of exploitation that has left the former colonies economically stagnant and in a post-colonial position where development has been hard-won.⁷

While this analysis largely agrees with many of the claims of this negative view and even argues that such an exploitive colonial legacy is an important and significant reason for persisting underdevelopment in much of the world, the point is that this colonial legacy has not been the decisive factor for persisting underdevelopment. In fact, in many ways, the colonial

legacy can even be seen as facilitating economic development. The proponents of this argument hold that while colonialism no doubt benefited the colonizers, it *also* benefited the colonized subjects.⁸ Thus, according to this view, colonialism benefited the colonized in that it supplied the factors of production needed for development such as capital, technology, organization, transnational market links, etc.⁹ Moreover, the colonizers used their legal and coercive powers to create the orderly and relatively peaceful settings that brought in the investment to these colonies that benefited all parties and helped to promote development.¹⁰ Essentially then, this view holds that underdevelopment would have been even more severe had the colonialists not come in and introduced the various things described above.¹¹

The important point is that rather than see the colonial legacy in its relation to economic development as completely positive or negative, a more apt viewpoint is that such a colonial legacy has been mixed. Jeffry Frieden sums it up nicely when he says that: "Colonialism was only one among many factors that affected growth in the developing world, and it was not always a negative one. Effective colonial rule sped economic advance, just as venal colonial exploitation retarded it. Economically, most colonies were somewhere in between."¹² Thus, the colonial legacy has been mixed above all else. However, even where it has been more on the negative side, it has *not* been an insurmountable obstacle to development.¹³ The fact that the colonial legacy has not been the decisive factor in persisting underdevelopment can be seen in the differing development successes of former colonies: some former colonies, such as South Korea and Taiwan, have experienced remarkable development success, whereas others, such as many African states, have been marked by miserable and persisting underdevelopment. Moreover, this point that the colonial legacy has not been decisive can also be seen by the fact that underdevelopment has not been directly contingent on whether a country was colonized or not; as Frieden puts it, "some colonial countries stagnated, as did some independent countries; other colonial countries grew rapidly, as did other independent countries."¹⁴ Thus, the main point is that while the legacy of colonialism has been an important and significant factor in the persistence of underdevelopment in many places, it has *not* been the decisive one.

In theory, in the post-colonial period, it appeared that some African countries – such as Zaire and Angola – who had vast and easily exploitable resources would have developed more successfully than some Asian countries – such as South Korea and Taiwan – who had virtually no resources.¹⁵ Instead, the exact opposite has occurred: South Korea and Taiwan have been two of the biggest development success stories while Zaire and Angola are still characterized by persisting underdevelopment. This essay argues that the main difference between these cases is that these Asian states have had effective domestic governance whereas these African countries have been marked more by ineffective governance. Moreover, this difference extends more broadly to all the developing states of the world: generally, those with effective domestic governance have been more successful in developing whereas those with ineffective governance have persisted in underdevelopment. What has made some governments so effective and others so ineffective?

In the latter half of the 20th century, the most effective domestic governance in promoting development has involved integrating into the global economy, industrializing through export-oriented industrialization (EOI), and specializing and focusing on those things in which you have a comparative advantage. In fact, the most successful development has occurred in the East Asian countries where development has been pursued through all three of these mechanisms. First and foremost, the majority of development's biggest success stories have involved governments who have integrated into the global economy (on their own terms) and pursued industrialization mainly through EOI. While it is true that many states – particularly in Latin America – were able to industrialize and at least develop somewhat through an inward-focused strategy of import substitution industrialization (ISI), the fact is that these states are currently nowhere near the development success level of those states that effectively pursued development through the outward-focused strategy of EOI.¹⁶ Instead, the states that have been most successful in developing have done so by producing for export and specializing in that which they did best. So goes the development success stories of South Korea, Taiwan, Hong Kong and Singapore, all of who developed largely by (1) producing for export which enabled them to amass the capital needed for development; (2) specializing in their most profitable

activities where their competitiveness was highest; and (3) integrating into the global economy, which made them hone their competitive skills and become more efficient.¹⁷

However, as Dani Rodrik argues, there is more to effective domestic governance than just an outward-focused strategy of industrializing through EOI and specializing in that in which you have a comparative advantage. Specifically, Rodrik argues that the most effective domestic governments have “made openness work” and achieved development through (1) “a domestic investment strategy to kick-start growth” and (2) the construction of “appropriate institutions to handle adverse external shocks.”¹⁸ On the first point, Rodrik argues that, while opening up to the global economy can sometimes lead to development as it can sometimes stimulate investment, the more salient point is that those who have been the most successful in developing have done so through a “coherent domestic investment strategy that raised the private return to capital and kindled the animal spirits of entrepreneurs” by “devising investment strategies that exploited their countries resources and capabilities.”¹⁹ Specifically, in the East Asian success stories, studies have shown that investment was actually a *causal* factor where economic growth was concerned. For example, South Korea raised its investment rate from less than 10 percent of GDP in 1960 to more than 30 percent in the late 1970s.²⁰ On the second point, Rodrik argues that having “the ability to maintain macroeconomic stability in the face of turbulent external conditions is the *single most important factor* accounting for the diversity in post-1975 economic performance in the developing world.”²¹ In short, those that were the most successful in developing were those domestic governments who created *institutions* capable of bringing about the social bargains required for macroeconomic adjustment in the face of external shocks.²² Once again, the East Asian governments have been among the most successful in this area.²³

The overwhelming significance of these elements of effective domestic governance can be seen even more clearly by contrasting the successful case studies from East Asia with some of the unsuccessful ones in Africa. Japan was the first of the East Asian states to develop, and did so through an approach where the Japanese government became directly involved in promoting and achieving development.²⁴ Specifically, as Chalmers Johnson demonstrates, Japan’s development was

such a success largely because its domestic governance was so effective: its miraculous growth can be seen as a direct result of its developmental state approach where the state fostered economic development by directly and effectively getting involved in the economy through partnerships with private business.²⁵ Thus, the development success in Japan was largely a result of effective domestic governance whereby the Japanese state took on a decisively developmental function and led Japan to development largely by setting substantive social and economic goals and reforming the state's economic structure to one that enhanced the nation's international competitiveness.²⁶

Moreover, as Robert Wade reveals, good domestic governance was also supremely important in bringing about the successful development of the so-called East Asian tigers.²⁷ Wade illustrates how the success of the East Asian tigers could not have occurred without the effective involvement of the state in the economy.²⁸ Specifically, these governments promoted development by using a corporatist approach where they backed projects that the private sector would have pursued anyways, took advantage of favourable world demand in order to stimulate their export-led growth, and directed import and export controls (as well as other policy instruments) in order to guide economic development to invest in industries that would be needed at a later stage.²⁹ Thus, the success of the East Asian tigers – much like that of Japan – is largely a story of effective domestic governance.

In contrast, case studies of some African nations reveal how poor and ineffective domestic governance can lead to persisting underdevelopment. Zambia is a revealing example. While Zambia is blessed with great mineral wealth and other natural resources, it has persisted in underdevelopment.³⁰ The ineffective governance of Kenneth Kaunda is directly to blame. Because the country received easy revenues from copper mining, Kaunda's government did not sincerely attempt to develop the rest of the economy, leaving the entire country seemingly dependent on this one resource and extremely vulnerable to external shocks.³¹ Although the government did attempt to industrialize through ISI, the government was not really worried about the uncompetitive and inefficient industries that were created, again because copper supplied so much of the country's revenues.³² With the continual decline of copper

revenues beginning in 1975, the government was forced to rely on these industries to produce more for export in order to offset the loss in copper revenues.³³ However, because these ISI industries were so inefficient and uncompetitive, they had little hope of selling abroad.³⁴ Because of all these poor administrative decisions, the economy eventually collapsed and, forty years later, Zambia is far poorer than it was at independence.³⁵ Thus, in summation, while effective domestic governance has often led to development success, poor and ineffective governance has most often led to persisting underdevelopment.

Finally, this essay argues that persisting underdevelopment has also stemmed from imprudent policies advanced by international institutions (mainly the IMF) that have inappropriately applied a blanket 'one-size-fits-all' development model while paying little attention to local conditions. As Joseph Stiglitz points out, all too often the IMF has applied a blanket 'one-size-fits-all' neo-liberal model that has ignored the local conditions of countries.³⁶ Specifically, this blanket orthodox model has erred in its often inappropriate advancement of the uniform and orthodox policies of fiscal austerity, privatization, and market liberalization, which it has "pushed too far, too fast, and to the exclusion of other policies that were needed."³⁷ Moreover, while these principles of the orthodox development model may not have always been wrong in and of themselves, their pacing and sequencing have been inappropriately applied or altogether ignored by the IMF.³⁸ Specifically, with imprudent pacing and sequencing, many of the blanket policies of the IMF have been quite damaging to developing countries and have actually exacerbated underdevelopment.³⁹ The important caveat is that such policies must be adapted to local conditions, and paced and sequenced in such a way that is appropriate to these conditions.⁴⁰ In fact, this is exactly what has occurred in many of the East Asian countries that have been so successful. In the area of liberalization, for example, while the successful countries of East Asia did open themselves to the outside world, they did so only in a slow and sequenced way whereby they dropped protective barriers carefully and systematically in a way that was compatible with local conditions (i.e. they dropped protective barriers only once new jobs were created to compensate for the ones that would be lost from greater openness).⁴¹ Once again,

we see how the effective domestic governance of these East Asian states was crucial for successful development.

In short, the key point is that, rather than simply adhering to the blanket model that is blindly and dogmatically advocated by the IMF, developing states would do (and have done) better by pursuing alternative strategies that are more contingent on local conditions. As Stiglitz puts it, “there *are* alternative strategies – strategies that differ not only in emphases but even in policies.”⁴² Unfortunately, the IMF has all too often looked upon such divergent and alternative policies in a negative light. These policymakers have harmfully placed too much emphasis on a particular orthodox vision of what constitutes desirable economic development policies and instead *should* allow “developing nations to engage the world economy on their own terms, not on terms set by global markets or multilateral institutions.”⁴³

Once again, the East Asian development success stories support this argument because, in these countries, the blanket ‘one-size-fits-all’ model advocated by international institutions was not followed. For example, both Japan and the other East Asian states developed with active government involvement in the economy, something to which the orthodox neo-liberal model advocated by the IMF is strongly opposed to.⁴⁴ As Stiglitz points out, the very things that led these Asian states to development success have been viewed pessimistically by the IMF: “If the IMF had an overly optimistic view of the markets, it had an overly pessimistic view of government; if government was not the root of all evil, it certainly was more part of the problem than the solution.”⁴⁵ But in these East Asian countries, it *was* the solution! Moreover, Stiglitz also shows how in almost every major area of the orthodox development model, the successful East Asian countries pursued policies that were either in stark contrast to this orthodox model or at least adapted to and made appropriate for local conditions.⁴⁶

Finally, the response of these East Asian countries to the Asian Financial Crisis of 1997 is also very revealing. Not only were IMF policies partly responsible for the onset of the crisis (specifically Stiglitz argues that excessively rapid financial and capital market liberalization was the *single* most important cause of the crisis), but IMF policies actually worsened this crisis.⁴⁷ In fact, the more a country adhered to the uniform orthodox policies of the IMF, the worse it fared: for example,

while Malaysia followed the IMF's policies the least and fared much better because of it, Thailand followed the policies almost to the letter and has continued to struggle as a result.⁴⁸ Thus, in all these ways, it becomes obvious that the IMF has actually contributed to persisting underdevelopment because it has imprudently applied a blanket 'one-size-fits-all' development model while paying little attention to local conditions. Instead, development based on local conditions is far more promising to the persistently underdeveloped.

In sum, this essay has argued that underdevelopment has persisted *mainly* because of a combination of (1) poor and ineffective domestic governance and (2) imprudent policies advanced by international institutions (mainly the IMF) that have inappropriately applied a blanket 'one-size-fits-all' development model with little concession to local conditions. Moreover, while the legacy of colonialism has been an important and significant factor in the persistence of underdevelopment, it has *not* been the decisive one. However, while the specific reasons for it may still be disputed, underdevelopment continues to persist and plague much of the world. Thus, the developed countries have both a moral and pragmatic responsibility to help put an end to such persisting underdevelopment, for the human price of such underdevelopment in the world is not something that the developed countries can continue to observe as a passive bystander.

¹ Wolfgang Sachs, *The Development Dictionary: A Guide to Knowledge as Power* (London: Zed Books, 1992), 1.

² Richard Peet "Poststructuralism, Postcolonialism, and Postdevelopmentism", in *Theories of Development*, Richard Peet ed. (New York/London: Guilford Press, 1999), 139.

³ David Abernethy, *The Dynamics of Global Dominance: European Overseas Empires 1415-1980* (New Haven: Yale University Press, 2000), 391.

⁴ Kenneth Kaunda, Quoted in Abernethy, 400.

⁵ Abernethy, 371.

⁶ Ibid., 388-389.

⁷ Ibid., 391.

⁸ Ibid., 388.

⁹ Ibid., 380.

¹⁰ Ibid., 390.

¹¹ Ibid., 394.

¹² Jeffry Frieden, *Global Capitalism: Its Rise and Fall in the Twentieth Century* (New York: WW Norton, 2006), 92.

¹³ Ibid., 93.

¹⁴ Ibid., 92.

¹⁵ Ibid., 452.

¹⁶ Ibid., 319-320.

¹⁷ Ibid., Ch. 14.

¹⁸ Dani Rodrik, *The New Global Economy and Developing Countries: Making Openness Work* (Washington, DC: Overseas Development Council, 1999), 1.

¹⁹ Ibid., 2.

²⁰ Ibid., 16.

²¹ Ibid., 2, emphasis added.

²² Ibid., 17.

²³ Ibid., 144.

²⁴ Chalmers Johnson, *MITI and the Japanese Miracle: The Growth of Industrial Policy, 1925-1975* (Stanford: Stanford University Press, 1982).

²⁵ Ibid.

²⁶ Ibid.

²⁷ Robert Wade, *Governing the Market* (Princeton: Princeton University Press, 1990).

²⁸ Ibid.

²⁹ Monica Tang, 2006. Book Review of Robert Wade, 1990. "Governing the Market". Unpublished Manuscript.

³⁰ Frieden, *Global Capitalism*, 445.

³¹ Ibid.

³² Ibid., 446-447.

³³ Ibid., 447.

³⁴ Ibid.

³⁵ Ibid., 448.

³⁶ Joseph Stiglitz, *Globalization and its Discontents* (New York: WW Norton, 2002).

³⁷ Ibid., 54.

³⁸ Ibid., 84.

³⁹ Ibid.

⁴⁰ Ibid., 87.

⁴¹ Ibid., 60.

⁴² Ibid., 87.

⁴³ Rodrik, *The New Global Economy*, 4.

⁴⁴ Johnson, *MITI and the Japanese Miracle*; Wade, *Governing the Market*.

⁴⁵ Stiglitz, *Globalization and its Discontents*, 85.

⁴⁶ Ibid., 92.

⁴⁷ Ibid., 89-90.

⁴⁸ Ibid., Chapter 4.

AMERICA, RUSSIA, AND THE BOMB: A PLAGUE UPON BOTH HOUSES

Damian Chan

The half-century long arms race that characterized the Cold War produced massive and unsustainable nuclear arsenals in both America and the Soviet Union. The end of the Cold War held great promise for proponents of nuclear disarmament; the United States and the new Russian Federation had initiated unprecedented initiatives in arms reduction. However, today much of this progress has stalled, and is indeed at risk of coming undone. The actions of the world's two major nuclear powers have great implications for the global nuclear disarmament. Their continued reliance upon nuclear weapons both harms the nuclear non-proliferation regime and threatens the international security order.

“We are achieving a new strategic relationship. The era in which the United States and Russia saw each other as an enemy or strategic threat has ended.”¹ So asserted presidents Bush and Putin in the spring of 2002. More than a decade after the Wall fell, however, the utility that both countries see in their nuclear arsenals has not diminished. Neither the United States nor Russia has moved significantly towards the abolishment of nuclear weapons. The policies governing their use are embedded in doctrines that maintain the prominence of these weapons. America’s War on Terror has renewed its interest in nuclear deterrence; in light of its deteriorating military, Russia is similarly developing new roles for its nuclear forces. The intransigence of both countries on the nuclear issue has buoyed the global nuclear currency – the utility states see in nuclear weapons. Indeed, each wave of proliferation further increases the value of nuclear weapons and further weakens international efforts at their abolishment. Together, these factors threaten the international non-proliferation regime and pose grave dangers to the international community.

The US currently possesses six thousand strategic and one thousand tactical warheads; Russia has approximately five thousand strategic warheads, and over three thousand tactical warheads.² American and Russian intercontinental ballistic missiles remain on high alert, fuelled and ready to be targeted and launched within minutes.³ The massive arsenals of the US and Russia speak to their disregard for the 1968 Non-proliferation Treaty, which demands the complete disarmament of its nuclear signatories.⁴ While the Duma has ratified the Comprehensive Test Ban Treaty,⁵ which makes illegal all nuclear test explosions, the US Senate has not;⁶ indeed the US is poised to break its self-imposed moratorium on nuclear testing. In 2002, the Bush Administration withdrew from the 1972 Anti-Ballistic Missile Treaty which made missile defence systems illegal, prompting Moscow's abandonment of the 1993 Strategic Arms Reduction Treaty. The 2002 Moscow Treaty contains poor verification measures and reversible reductions, demanding the dismantling and not destruction of the affected weapons. Far from providing leadership in nuclear abolishment, the world's two major nuclear powers have instead sought to undermine the global non-proliferation regime. Russia and the US are modernising their nuclear weapons and expanding the doctrines that govern their usage. This increases their already fearsome destructive capability while lowering the threshold for their use.

Initial Optimism

American-Russian cooperation is strong in the economic sphere. In the aftermath of the Cold War both countries are moving towards bilateral trade liberalisation. America's 2006 trade pact with Russia paves the way for Russian membership into the World Trade Organization.⁷ American-Russian military cooperation is also increasing. In the aftermath of the September 11th attacks, Russia has proven a vital ally in America's War on Terror. The interests of Washington and Moscow had merged in America's war on Islamic terrorism,⁸ and Russia has armed the pro-American Northern Alliance in Afghanistan, and allowed the movement of American forces in former Soviet States in which it still holds influence, such as Uzbekistan and Tajikistan.⁹

Despite these improvements in the relationship, the North Atlantic Treaty Organisation remains despite the dissolution of its major antagonist. NATO has shifted its role

from defensive military alliance to international peacekeeper, intent of bringing its notion of stability to the Balkans and beyond. Led by the US, NATO had invaded the sovereign state of Yugoslavia, intruding upon Russia's historical sphere of influence, without the authorization of the UN Security Council. NATO's 1999 Kosovo War had dealt a major blow to the relationship between Russia and the West.¹⁰ Forsberg claims that Russia sees these actions, emphasized by the Kosovo War, as an "aggressive act on the part of NATO to expand its strategic territory in Europe".¹¹

NATO's nuclear policy has always been consistent with that of the US. It neither proposes a no first-use policy nor offers negative security guarantees to non-nuclear weapons states.¹² At the 1999 Washington Summit, the US spearheaded the maintenance of the centrality of nuclear weapons in NATO's most recent Strategic Concept.¹³ NATO is assuming a new role as global peacekeeper, yet retains a nuclear policy that is perceived by Russia as belligerent and outdated. Russian public opinion reflects the view of NATO as a Cold War institution formed against them; NATO's expansion, both in membership and area of operation, is viewed as "encirclement and betrayal".¹⁴

Dangerous Doctrines

The 1968 Treaty on the Non-proliferation of Nuclear Weapons anchors the international nuclear non-proliferation regime. The NPT's Article VI demands that "each of the Parties to the Treaty undertakes to pursue negotiations in good faith ... a treaty on general and complete disarmament under strict and effective international control".¹⁵

Both the US and Russia are in clear breach of Article VI. Released in early 2000, the Russian National Security Concept emphasized a continuity of defence policy between the Yeltsin and Putin administrations;¹⁶ it held promise of a serious Russian effort at reducing its nuclear forces and meeting its START II targets. The 2000 NSC concentrated on modernization of Russia's deteriorating conventional forces, and Sokov interprets its continued reliance on nuclear forces as a temporary fix, until such force transformation is complete.¹⁷ The NSC also offered negative security guarantees to non-nuclear weapons states that were signatories to the NPT¹⁸, offering incentives for nuclear

have-nots to forego acquiring these weapons. Russia seemed serious about devaluing nuclear currency.

However, the 2000 NSC did present an obstacle on the path to full Article VI disarmament. Russia, unable to sustain the military it inherited from the Soviet Union, had undergone massive demilitarization in the 1990s.¹⁹ Four years after a humiliating defeat in the first Chechen War, and a year after being unable to prevent NATO's war in Kosovo, the NSC permitted the use of nuclear weapons to deter "smaller scale wars that do not necessarily threaten Russia's existence and sovereignty".²⁰ Russia was argued to require a more flexible nuclear response to compensate for its deteriorating conventional forces. The NSC thus retains the centrality of Russia's nuclear weapons.

The Bush Administration's doctrine on the use of its nuclear weapons is codified in the 2001 Nuclear Posture Review. The NPR establishes a new Nuclear Triad to replace the old Cold War Triad of intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and long-range nuclear-armed bombers.²¹ The new Triad thus composes nuclear and non-nuclear offensive strike systems, active and passive defences, and a revitalized defence infrastructure.²² As former Secretary of Defense Rumsfeld proclaimed, the NPR "puts the Cold War practices related to planning for strategic forces behind us".²³ Quite to the contrary, however, the NPR demonstrates the intransigence of the Cold War doctrine of deterrence. It moves America away from true nuclear disarmament and towards a modernised and permanent nuclear force more closely integrated with its conventional forces.

The NPR advocates maintaining a "substantial force of high-alert nuclear weapons for the indefinite future",²⁴ and emphasizes the continued utility of nuclear weapons in American military planning and operations.

Nuclear weapons play a critical role in the defense capabilities of the United States, its allies and friends. They provide credible military options to deter a wide range of threats, including WMD and large-scale conventional military force... A "new mix" of nuclear, non-nuclear, and defensive capabilities "is required for the diverse set of potential adversaries and unexpected threats the United States may confront in the coming decades".²⁵

The New Triad paves the way for development of a new generation of mini-nukes, "small build"²⁶ weapons such as the Robust Nuclear Earth Penetrator designed to defeat modern hardened or buried military facilities. This new generation of nuclear weapons requires a new round of nuclear testing, and the NPR pushes the US towards breaking its decade-long moratorium on nuclear test explosions.²⁷

The call for active and passive defences demonstrates the Bush administration's disregard for the Anti-Ballistic Missile Treaty. Agreed upon in 1972 between the US and the Soviet Union, the Treaty was aimed at maintaining the Cold War doctrine of Mutual Assured Destruction, strengthening nuclear deterrence by preventing either country from developing national defence systems. The US formally withdrew from the Treaty in 2002, insisting that the nuclear threat today comes not from the massive arsenals of major nuclear powers, but the smaller, limited ones of America's designated rogue states.²⁸ Finally, the new Triad's revitalized defence infrastructure proposes closer links in intelligence, communication, and force planning between conventional and nuclear operations. While this allows conventional forces to assume previously nuclear roles, it allows for the opposite as well, facilitating the use of nuclear weapons in previously conventional missions.²⁹ America's nuclear weapons are no quick fix but inextricably linked to its defence infrastructure, their persistence seriously threatens efforts at global nuclear disarmament.

Damage to the Non-proliferation Regime

The massive arsenals of both states exist in an anachronistic Cold War mindset; their large numbers are based on classic deterrence thinking. Large arsenals allowed either country to absorb a nuclear first strike and retaliate with massive destruction. However, today neither America nor Russia sees the other as an existential threat. Today their nuclear policies weaken the NPT, the CTBT, and the ABM Treaty; these documents anchor the non-proliferation regime and provide a legal basis for nuclear arms reductions. On June 14, 2002, one day after the US withdrew from the ABM Treaty, Russia withdrew from the START II treaty, calling it "meaningless" in light of America's determined pursuit of missile defence.³⁰

America's conventional forces are more than capable of deterring any potential aggressor. More than a decade after the

Cold War, its military budget is on the rise; with \$462 billion requested for 2007, the American war machine accounts for almost two-fifths of global military spending.³¹ The world's most powerful military power, both in nuclear and conventional terms, has insisted that it requires nuclear weapons to guarantee its security. It does not. This assertion instead prompts other states to pursue nuclear weapons to guarantee their security. Nuclear weapons have, since the Cold War, been perceived as a cheap and effective deterrent against both nuclear and conventional threats. This perception has prompted Iran and North Korea to pursue nuclear weapons to deter American incursions. America's reliance on the bomb perpetuates the nuclear security dilemma, whereby states pursue nuclear weapons to ensure their security, prompting other states to do the same.

America refuses to devalue the currency of nuclear weapons. It maintains its arsenal not to keep itself secure but to maintain its global hegemony. In previous NPT Review Conferences, it has chosen to focus on enforcing Article II requirements for non-nuclear weapons states while refusing to acknowledge its commitments within Article VI. It refuses to offer security guarantees to non-nuclear weapons states, and it has pushed for similar nuclear centrality in NATO doctrine.³² It has shared nuclear technology with India, who is not party to the NPT and has tested nuclear weapons in violation of non-proliferation norms. America's implicit acceptance of Indian and Israeli nuclear weapons is hypocritical in the eyes of those non-nuclear weapons states that seek the bomb; it perpetuates the notion of nuclear weapons as legitimate safeguards of core national interests and state survival. The threat that America sees in nuclear proliferation is only confined to acquisition by those states whose policies it disagrees with; its acceptance of nuclear-armed allies is incompatible with international norms that promote total nuclear disarmament. Its nuclear policy implicitly bolsters those voices in non-nuclear weapons states that so value nuclear weapons.

Unlike the US, however, Russia does not see as great a threat in horizontal proliferation, the increase in the number of nuclear weapons states. Russia's policy of nuclear arms and technology sharing with Iran secures Russia's influence in the region. Indeed, Moscow's closeness to Tehran is a major obstacle to US-Russian relations. Russia presumes that

regional nuclear powers pose no direct threat to itself, and its fostering of an anti-US alliance network offsets American unilateralism and strengthens its position as a major power.³³ The NPT allows for nuclear technology sharing for peaceful purposes. Russia's nuclear proliferation within the context of Iran does not qualify. Today, American and Russian networks have replaced the superpower patronage of the Cold War. Israel, India and Pakistan have nuclear weapons; just as importantly, they possess the means to deliver them. North Korea has tested, and Iran actively pursues them. While the first three are not signatories to the NPT, North Korea withdrew from the treaty in 2003. Iran's active acquisition of fissile material is done under the guise of peaceful use, through multilateral cooperation within the NPT. Today we face not proxy wars, but far more fearsome prospects of regional conflicts fought with nuclear weapons.

Accidental Nuclear War and Nuclear Terrorism

Both doctrines move the conditions for nuclear weapons use from core deterrence into a grey area, undefined future scenarios that blur the distinction between nuclear and conventional operations. America's mini-nukes are to be used as bunker-busters, meant to penetrate the hardened and buried bunkers of modern armies. Russia has similarly re-interpreted the purposes of its nuclear weapons. Today they ward off further NATO encroachment into its spheres of influence while Russia modernises its military. The NPR and NSC lower the threshold for nuclear use; they do not rule out the option of a nuclear first strike, either by tactical mini-nukes or the full and fearsome force of strategic nuclear weapons.

A nuclear attack on a nuclear-armed adversary risks escalation into full nuclear war. A Russian tactical nuclear weapon used against conventional NATO units would inevitably be met with a nuclear NATO response. McNamara believes the lessons of the Cuban Missile Crisis are instrumental to future engagements between nuclear powers. With any use of nuclear weapons, the possibility of a "limited nuclear exchange" is vastly outweighed by the danger of escalation into full nuclear war.³⁴ Despite joint efforts to secure Russia's poorly guarded nuclear arsenal, Russia's deteriorating command and control structure raises risks of accidental launch and theft. A nuclear terrorist attack would arrive in the form of a dirty bomb: radioactive

material dispersed by conventional explosives, and not a nuclear weapon to be defended against by America's proposed missile defence system.

America has grown increasingly belligerent in the aftermath of September 11th. The 2002 National Security Strategy asserts America's right to act unilaterally and pre-emptively in self-defence, aimed at stopping "rogue states and their terrorist clients"³⁵ before they are able to threaten or use weapons of mass destruction. September 11th had introduced the spectre of nuclear terrorism into the American psyche. In its quest for security, however, American policy and action have destabilised the international order by favouring unilateralism over multilateral diplomacy and commitments under international law. America and Russia have lowered the threshold for nuclear use, bringing the world closer to catastrophic nuclear war. Their intransigence on nuclear centrality sustains the global nuclear currency; meaningful disarmament cannot occur within this context. In a world of increasing intra-state conflict and decreasing inter-state war, today nuclear weapons possess even less military value than they did during the Cold War. As McNamara warns, "to launch weapons against a nuclear-equipped opponent would be suicidal. To do so against a nonnuclear enemy would be militarily unnecessary, morally repugnant, and politically indefensible."³⁶ For half a century the nuclear arsenals of America and the Soviet Union were a plague upon both houses, today they plague us all.

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¹² Martin Butcher, "NATO Nuclear Policy: Between Disarmament and Pre-Emptive Nuclear Use," [online] Nuclear and WMD, 1999, cited 22 November 2006, available from

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¹⁸ Yuri Fedorov, "Russia's Doctrine on the Use of Nuclear Weapons," *Pugwash Conferences on Science and World Affairs* : 3, 15-17 November 2002 [journal on-line]; available from www.ciaonet.org/wps/fev02/fev02.html; Internet; accessed 25 November 2006.

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²⁰ Nikolai Sokov, "Russia's New National Security Concept: The Nuclear Angle," [online] NTI Working for a Safer World, 2004, cited 25 November 2006, available from <<http://www.nti.org/db/nisprofs/over/concept.htm>>.

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THE CHEMICAL INDUSTRY AND ENVIRONMENTAL POLICIES: RESPONSIBLE CARE PROGRAMS

Jessica Lithwick

This paper focuses on the adoption of the Responsible Care Program by chemical industries in Canada and the United States. The willingness of the private sector to self-impose rules that are on the surface costly to implement, brings about questions of motivation and legitimacy. Studies of voluntary industrial self-regulation have primarily focused on the reliability and enforcement implications of such policies; there has been significantly less focus on the motivations of industry to form such programs in the first place. In order to properly understand how policy decisions are made, one must consider the underlying ideas, interests and institutions that guide these decisions.

The Responsible Care Programs adopted by the US Chemical Manufacturers Association (CMA) in 1985 and the Canadian Chemical Producers' Association (CCPA) in 1988, are examples of voluntary industry-self regulation that give rise to many questions respecting reliability of this form of regulation.¹ The willingness of the private sector to self-impose rules that are on the surface costly to implement, brings about questions of motivation and legitimacy. Studies of voluntary industrial self-regulation have primarily focused on the reliability and enforcement implications of such policies; there has been significantly less focus on the motivations of industry to form such programs in the first place. In order to properly understand how policy decisions are made, one must consider the underlying ideas, interests and institutions that guide these decisions.² In the case of Responsible Care, an institutional shift from a focus on short-term to long-term gains combined with ideas on regulation, affected the chemical industry's perceptions

of the optimal means to pursue their main interest: economic gain.

The Emergence of Responsible Care

Responsible Care was born in a time of increasing international disgust towards the chemical industry due to several high-profile incidents. The most prominent example is the chemical plant disaster in Bhopal, India at a Union Carbide plant that resulted in the deaths of thousands of people.³ The prevailing view was that the chemical industry had no control over their plants, did not listen to the public, did not prioritize safety and the environment and did not take responsibility for its processes and products.⁴ The industry was regarded by the public as a collective: "Public outcry was not limited to individual poor-performing firms, but was directed at all firms in the industry."⁵ Because of this, improvements in individual firms would not be enough; collective action was needed.

The response was Responsible Care. The program originated in the CCPA's *Statement of Policy on Responsible Care*.⁶ The statement was neither binding on CCPA members nor included codes of practice. These developments would eventually ensue.⁷ Today, key elements of the Canadian program are: community awareness and emergency response, research and development, manufacturing, transportation, distribution and hazardous waste management.⁸ The US CMA adopted its own version of Responsible Care in 1988. In the American case, public pressure was more acute due to the Toxic Release Inventory database. This was a government project that created a public record of companies' toxic emissions levels.⁹ "The impact of media reports was severe across the industry; even firms with impeccable safety and environmental records but sizable emissions were viewed as dangers to public health."¹⁰ Today, members of the CMA must also ascribe to Responsible Care; according to regulations repeated noncompliance can result in expulsion from the association.¹¹ Be it related to the environment, safety or health, Responsible Care policies are often more rigorous than existing laws.¹²

Responsible Care in the US and Canada have many similarities; they both came about in times of public outrage at the chemical industry, they profess similar core goals, they are voluntary, they are mandatory for membership in their national chemical industry associations, they practice self-evaluation and

use the rhetoric of "improvement" as opposed to setting explicit goals, etc. As the timelines and major tenets of Responsible Care in Canada and the US are similar, they can be considered together in analyzing the factors influencing their development in each country. The remainder of this paper will focus on the ideas, interests, and institutions of the chemical industry that lead to the adoption of Responsible Care in Canada and the US.

Ideas

Ideas are important because they represent the underlying assumptions that lead actors to make certain choices. As Goldstein and Keohane point out, even if actions are symptomatic of rational choices made by individuals to realize optimal incomes (the rational-actor model), "actions taken by human beings depend on the substantive quality of available ideas, since such ideas help to clarify principles and conceptions of causal relationships, and to coordinate individual behaviour."¹³ In other words, what an actor considers to be a rational choice is contingent upon his or her values and ideas of what constitutes the optimal outcome. The effect of ideas on policy decisions is however difficult to scientifically analyze because this would require much inference.

There are many different kinds of ideas, ranging from the moralistic to the scientific types.¹⁴ Keohane and Goldstein identify three different types of ideas: world views, casual beliefs and principled beliefs.¹⁵ The causal beliefs relating to the chemical industry are perhaps the most clear. A causal belief, which is often a science-based belief, is that chemical plants, especially those that are poorly regulated and monitored, are bad for the environment and threaten human health. In the US, the chemical industry is the country's largest industrial polluter; further, "the chemical industry produces more than twice as much pollution as the next most polluting industry."¹⁶ The potential threats to human health were made clear by incidents such as the Bhopal tragedy. This 'idea' has heavily influenced the development of Responsible Care, a program that reassures that public that the chemical industry is behaving responsibly while maintaining its autonomy.

Another form of idea that has influenced policy decisions affecting the chemical industry is a world view; for example the idea that due to mounting public pressure, the chemical industry may have assumed that the government would be forced to

regulate the industry. This world view, that in a democratic society the government is responsible to the electorate, clearly motivated the chemical industry to preempt governmental action by turning to self-regulation. Linked to this idea is the perception of government regulation as intrusive, expensive and inflexible and therefore necessary to preempt.¹⁷

Industries are comprised of individuals with principled beliefs (morals and ethics), as well as economic goals. Principled beliefs have also been a factor in the establishment of Responsible Care. It is possible that with increasing knowledge of the negative effects of the chemical industry's actions (or lack of action), important decision makers within the chemical industry were motivated by their morals in addition to business interests.¹⁸

Institutions

"Institutions are patterns of interaction established by human beings."¹⁹ These patterns are not simply the product of routine, but are partly due to "a belief that the practices and procedures employed by institutions have the quality of moral rightness."²⁰ In the opinion of Prakash, "firms are not profit maximizers; their policies reflect external pressures for legitimacy."²¹ While it is questionable to argue that firms are not concerned with maximizing profits, the fact remains that policies which ignore institutional norms will be viewed as illegitimate. It may be more appropriate to state that in order to maximize profits, firms must maintain their legitimacy. In the case of the chemical industry, once it became clear that the industry was to be held accountable by the public for the toxins it was releasing into the environment, policy action followed. The question here is, whether moral norms on environmental responsibility existed within the chemical industry regime, or whether environmental responsibility was a principled idea held by outside groups.

While most evidence points towards economic interests as being the primary force that lead to the development of Responsible Care, this does not mean that an institutional shift did not occur. It only means that the shift may not have been motivated by moralistic concepts. In the case of Responsible Care, the institutional change is better described as a shift from short-term to long-term perspectives. As explained by Gunningham and Rees, a common institutional norm among industries is "short-termism"; a preoccupation with short-term

results.²² Whether the goals are ethical or economic, the argument is that a focus on short-term benefits, often at the cost of long-term benefits, is an institutionalized practice for many industries.²³

Moffet, Bregha and Middelkoop argue that, "Responsible Care requires action with a long-term perspective...participation inevitably conflicts with the myriad of pressures facing companies to forego long-term environmental investments in favour of short-term profit."²⁴ It should be noted that at the time that Responsible Care emerged, the economic performance of the chemical industry in the US "was impressive in terms of sales, profits, exports, research and development expenditures, and workers' wages."²⁵ In terms of economic gains, the adoption of Responsible Care was certainly an institutional shift to focus on the long-term. While corporations are comprised of individuals with morals and ethics, the corporation is an economic entity. As such, moralistic policies will only be followed if they coincide with economic interests; they will not be pursued if they do not result in short or long-term economic gain. Therefore, it would seem that institutionalization of more long-sighted policies influenced the development of Responsible Care, whether Responsible Care has aided the institutionalization of industrial morals regarding the environment is up for debate.

Interests

The aforementioned ideas and institutions formed the basis of the decisions made by the chemical industry to pursue its interests: economic gain. As foreseen by these actors, an important benefit of Responsible Care is that it precluded the need for the government to intervene. Industry leaders were afraid that government regulation would leave them with little flexibility and huge costs.²⁶ Indeed, flexibility is a major tenet of Responsible Care: it outlines broad objectives but it does not regulate output levels.²⁷ Individual "firms establish performance targets, as well as the means they will use to meet them."²⁸ The CMA and the CCPA do not act as a replacement for government; they do not make demands or strictly monitor the program.²⁹ Responsible Care allows the individual chemical companies to avoid government regulation by regulating themselves, and thus maintain their autonomy

Another significant objective of the chemical industry in the adoption of Responsible Care was to improve public image. The popularity of the chemical industry in the 1980's was deteriorating. Rees traces the origins of negative press for the industry back to the first Earth Day in the 1970's and further notes that "the industry's public image went from bad to worse as it became increasingly associated with toxic waste dumps, poisonous spills and carcinogens."³⁰ Action was needed. While the chemical industry does not need to be particularly concerned about consumer boycotts, it is not exempt from the effects of negative public opinion.³¹ A bad image, or the appearance of market instability, could have two potential negative side effects: decreased interest in employment opportunities and decreased incentives for investors.³² As noted above, because public opinion did not differentiate amongst different chemical manufacturers, the industry realized that collective action was necessary.

Many ethical ideas have not been fully institutionalized in the chemical industry regime. Recent studies in the implementation of Responsible Care show that the industry's top priority is positive public image and not the ethics that were supposed to be behind the program. One tool of analysis is to examine the groups which joined Responsible Care. The research conducted by King and Lenox shows that larger companies with more familiar brand-names were more likely to join in the US.³³ A counterargument to this point is that these large well-known companies were also amongst the largest polluters in the study (which could be an argument for the institutionalization of ethics in the chemical industrial community). However, it was only when these emissions levels became known by the public through TRI that action was taken; therefore, it seems that public relations were the top priority.

The second mode of analyzing what truly motivated of the chemical industry to originally adopt Responsible Care is to analyze in reverse; by inferring ideas, interests and institutions from the implementation tactics used by companies. While this does not necessarily prove original intent, as discussed below, it seems to show that public image was a higher priority for the industry than actually addressing environmental damage.

The study conducted by King and Lenox provides that while between 1990 and 1996 an overall rate of improvement was seen in the chemical industry, "Responsible Care firms

improved more slowly over this time period.”³⁴ As hypothesized by Lenox and King, this is likely because non-members were scrutinized more carefully by stakeholders than members. If members of Responsible Care truly ascribed to its stated policies, one would think that they would have at least progressed as much as non-members.

A study conducted by Howard, Nash and Ehrenfeld also indicates that for the chemical industry, public image is prioritized over actual environmental and employee safety.³⁵ This study, relying on phone interviews instead of quantitative data, is less scientific than the studies conducted by King and Lenox, but helpful in analyzing the mindsets of Responsible Care members. While some members adopted the policies as a moral framework by which to guide their corporate policies, more than half restricted their involvement to the policies that improved their public image. Out of the sixteen companies interviewed, ten felt that Responsible Care did not raise environmental awareness, but only increased reporting and documentation; whereas, only six felt that they had truly internalized the policies of the program. The main areas where most of the companies’ policies converged were in those that most immediately affected their relations with the public: by setting up Community Advisory Panels (CAPs) and increased requirements on their carriers.³⁶ The reason for increased attention to carriers is that “the general public sees chemical transport vehicles more frequently than they see chemical plants, so their concerns about chemicals largely revolve around distribution issues.”³⁷ To sum up: very few of the companies that signed-on for Responsible Care actually internalized its policies. What can be inferred from this is that participants in the program placed a premium on public image over actual environmental concern.³⁸

There were also some more direct economic incentives to partake in Responsible Care. This not only includes incentives in the form of discounts provided by transportation and insurance companies.³⁹ Because, Responsible Care focuses largely on technological innovation and collaboration, research and development costs for firms partaking in Responsible Care would be reduced.⁴⁰ This is especially important to smaller firms. In addition to this, it is important to note that the industry did not know if Responsible Care would be effective in preventing government regulation. If the government did decide to regulate, then the industry would already have

processes established for reducing emissions which would likely greatly reduce the fines they would likely have to pay.

Conclusion

It is not the intention of this paper to suggest that the ideas, interests and institutions that lead to the development of Responsible Care are necessarily deterministic of its validity as a tool of environmental protection. Even if the program was developed primarily as a tool for protecting the chemical industries' economic interests, it does not mean it is not a positive development. Voluntary programs, regardless of their source of origins, can be beneficial for many reasons: "speed, flexibility, sensitivity to market circumstances and lower costs."⁴¹ The reason that it is important to examine the underlying ideas, interests and institutions that lead to the developments of certain policies is not because it allows for better analysis of their effectiveness, but because it will hopefully reveal the triggers that set self-regulation in to motion. Environmental issues are diverse and therefore diverse approaches to combating environmental degradation are required. As argued by Pacheco and Nemetz, "no one instrument is best in all situations."⁴² Because no policies have proven to be perfect yet, "alternative policy instruments should be viewed as a complement, rather than a substitute for traditional regulation."⁴³

The chemical industry's neglect became blatantly obvious though the dissemination of information and a few high-profile incidents, and the resulting public outrage lead the chemical industry to self-regulate. A complex conglomeration of ideas, interests and institutions lead to the adoption of the Responsible Care Program in Canada and the US. The interplay of different ideas, an institutional shift to a focus on long-term prospects and the industry's desire to maintain its independence from government intrusion while establishing a positive public image were all at work in the 1980's. Studying these factors can be instructive in teaching activists what will motivate industries to consider adopting more environmental policies.

¹ Aseem Prakash, "Responsible Care: An Assessment," *Business & Society* 39, no. 2 (June 2000): 183-4.

² While this paper will mention other players: government, environmental groups, and the general public, it will not address the ideas, interests and institutions that guided their actions (or lack thereof). Such a task goes beyond the scope of this

paper. They will only be mentioned in as much as they effected the policy decisions of the industry.

³ Andrew King and Michael Lenox, "Industry Self-Regulation Without Sanctions: The Chemical Industry's Responsible Care Program," *Academy of Management Journal* 43, no. 4 (2000): 699.

⁴ Roger Hirl, "Opening Address," Speech delivered to Senior Executives International Responsible Care Seminar of the International Council of Chemical Associations, Lisbon: October 6, 1992.

⁵ King and Lenox, 699.

⁶ John Moffet, Francois Bregha and Mary Jane Middelkoop, "Responsible Care: A Case Study of a Voluntary Environmental Initiative," in *Voluntary Codes: Private Governance, the Public Interest and Innovation*, ed. Kernaghan Webb, (Ottawa: Carleton Research Unit for Innovation, Science and Environment, Carleton University, 2004) 179.

⁷ Ibid.

⁸ Ibid., 206-7.

⁹ Prakash, 192.

¹⁰ Ibid.

¹¹ King and Lenox, 700.

¹² Prakash, 184.

¹³ Judith Goldstein and Robert Keohane, "Ideas and Foreign Policy: An Analytical Framework," in *Ideas and Foreign Policy: Beliefs, Institutions and Political Change*, eds. Judith Goldstein and Robert O. Keohane, (Ithaca: Cornell University Press, 1993) 5.

¹⁴ Ibid., 7.

¹⁵ Ibid., 8.

¹⁶ Joseph Rees, "Development of Communitarian Regulation in the Chemical Industry," *Law & Policy* 19, no. 4 (October 1997): 480.

¹⁷ Moffet et al., 180.

¹⁸ Neil Gunningham and Joseph Rees. "Industry Self-Regulation: An Institutional Perspective." *Law & Policy* 19, no. 4 (October 1997): 373.

¹⁹ Michel M. Atkinson, "Introduction: Governing Canada," *Governing Canada: Institutions and Public Policy*, Ed. Michael M. Atkinson, (Toronto: Harcourt Brace Jovanovich, 1993) 6.

²⁰ Ibid.

²¹ Prakash, 190.

²² Gunningham and Rees, 374.

²³ These authors allow for two types of short-term views. One is the "shareholder view" which focuses on industrial pressures for speedy results and economic gains. Shareholder pressure for immediate results causes corporate decision makers to adopt short-term goals, often at the cost of policies that would ensure industrial longevity. The other type of short-term view is described as the "stakeholder view", which acknowledges that "the corporation is both an economic and a social institution." While the reasons for action in the different views diverge, both focus on short-term results.

²⁴ Moffat et al, 183.

²⁵ Prakash, 191.

²⁶ Ibid.

²⁷ King and Lenox, 699-700.

²⁸ Ibid., 700.

²⁹ In the US, the CMA's only real source of power, which it has yet to use, is that it will "revoke the membership of any company that *persistently* conducts its

operations in manner inconsistent with Responsible Care" (emphasis added).
(Same source as footnote 28).

³⁰ Rees, 485.

³¹ Moffat et al., 193.

³² Ibid.

³³ King and Lenox, 707.

³⁴ Ibid., 30.

³⁵ Jennifer Howard, Jennifer Nash and John Ehrenfeld, "Industry Codes as Agents of Change: Responsible Care Adoption by US Chemical Companies," *Business Strategy and the Environment* 8 (1999): 281-295.

³⁶ Ibid., 291.

³⁷ Ibid., 292.

³⁸ Here is it important to point out that the industry interests in improving public image by adopting Responsible Care may not have been the symmetrical between large and small chemical companies. While chemical companies were viewed as a collective by the public, the larger and more recognizable companies were surely in the spotlight; therefore, the interests of public image mentioned above were more important to more visible companies. Smaller companies which did not receive as much media attention and had less flexible funds to spend on implementing Responsible Care were less inclined. This has been examined by several authors in my bibliography, especially Prakash. I believe that this is important to point out in examining interests; however, it is not vital to this paper which focuses on the development of Responsible Care and not incentives to join it later.

³⁹ Prakash, 196.

⁴⁰ Ibid.

⁴¹ Gunningham and Rees, 366.

⁴² Raul Pacheco and Peter N. Nemetz, "Business-Not-As-Usual: Alternative Policy Instruments for Environmental Management," 5th IRE Annual Workshop: Addressing the Knowledge Crisis and Water and Energy: Linking Local and Global Communities, Vancouver, B.C., Institute for Resources and Environment, UBC. 7.

http://www.politics.ubc.ca/fileadmin/template/main/images/departments/poli_sci/Graduate/rpacheco/Business_Not_As_Usual.pdf (accessed online: November 8, 2006)

⁴³ Ibid., 7.

COMMUNAL DIVIDE: THE RISE OF HINDUTVA IN INDIA

Nabila Pirani

India has often been termed 'the world's largest secular state and democracy,' and yet, Hindu nationalists have been able to gain a firm foothold in all levels of the state's government. Born from VD Savarkar's 1923 treatise, the concept of Hindutva, Hindu-ness, has given rise to fascist and anti-minority organizations such as the Rashtriya Swayam Sevak Sangh. As a result, religious divisions in the country have deepened and have spawned horrific levels of Hindu-Muslim communal conflict. The last time religious differences were so great, Partition occurred.

For centuries, religion has been considered a unifying force, one which has the capability of bringing diverse peoples together through a system of morals and beliefs; and yet, these same beliefs and morals are capable of creating deep divisions between various religions. At times, these disagreements have resulted in violence and, in cases such as India, partition of the country along religious lines.

After decades of the policy of 'divide and rule,' the British Raj decided to change its strategy to 'divide and flee.' On August 15, 1947, the Indian Subcontinent gained its much-awaited independence from Britain. But to do so, the major political parties of the Subcontinent had to agree to the vivisection of the areas under British rule into two distinct nations – India and Pakistan. A result of deadlock and distrust between the secular Indian National Congress and the, obviously, pro-Islam Muslim League, Partition occurred along religious lines. Pakistan was created as a Muslim homeland, while India became a Hindu-dominated secular state. One would think that the creation of Pakistan as a homeland for Muslims would have decreased religious strife and conflict in India. Instead, it seems as if Partition exacerbated religious tensions and allowed the rise, in the secular nation, of a rightist, pro-Hindu, and mainly anti-Muslim movement – Hindutva.

The policy of Hindutva, a Sanskrit word meaning Hindu-ness, is one that was enunciated before Independence and Partition by Vinayak Damodar Savarkar. In his short treatise *Hindutva: Who is a Hindu?*, Savarkar attempted to define a Hindu. To analyse the impact of Hindutva on India's politics and communal relations, one must first study the policy of Hindutva and look at its rise on the Indian political scene. After this has been done, one can look at Hindutva's effects on religious divisions in the country through events such as the Ram Janmabhoomi campaign, the 1992/1993 Bombay Riots and the Gujarat Riots of 2002.

An influential work, *Hindutva: Who is a Hindu?* prompted the creation of a variety of Hindutva-oriented organizations such as the Rashtriya Swayam Sevak Sangh (RSS) and the Hindu Mahasabha. For a few decades after Independence, these pro-Hindutva forces remained relatively latent on the political scene. In the late 1970s, during the years of the Congress Party's initial decline, Hindutva secured a place in Indian politics and began to increase its influence.¹ As it gained power and spread its doctrine, existing divisions between various religious communities in India became deeper, to the point that massive communal riots and killings occurred around the country.

Hindutva has often been considered a religious doctrine, one that distinguishes on the basis of religion. It may seem to be religious in nature, but this is due to its use of Hindu symbols and ideas in the formation of its political policy. As V.D. Savarkar espouses in his 1923 treatise *Hindutva: Who is a Hindu?*, although Hindutva is based on religion and spirituality, it is not concerned "with any particular theocratic or religious dogma or creed".² For Savarkar, a Hindu is not one who follows the Vedas and the Brahmanical system. Rather, a Hindu is one who satisfies the following requirements.

The first requirement for Savarkar is *Pitrabhoomi* – Fatherland. For a Hindu, India must be the homeland and a Hindu's ancestry must be Indian. This requirement is necessary as it creates a bond between the Hindu and India.³ The second requirement is cultural in nature and states that Hindus must have Indian *Sanskriti*. Loosely translated, this means Indian culture and tradition.⁴ The final and most important condition in Savarkar's treatise is *Punyabhoomi* – Holy Land. For Savarkar, since he believes that a person's final allegiance is to his place

of worship, it is absolutely necessary for India to be a Hindu's holy land.⁵

After having stipulated the above conditions and not having made any reference to Hindu-specific texts, Savarkar is able to say, without contradicting himself, that Jains, Buddhists and Sikhs are Hindus.⁶ Unlike Muslims and Christians, the aforementioned religions were formed in India, and therefore, India is their *Punjabhoomi*. Savarkar's distaste for Islam and Muslims, emphasised in his section on *Punjabhoomi* and expressed in the following quote, provided an anti-Muslim foundation for later proponents of Hindutva.

Look at the Mohammedans...Some of them do not make any secret of being bound to sacrifice all India if that be to the glory of Islam or could save the city of their prophet...their love is, and must necessarily be divided between the land of their birth and the land of their Prophets...the Mohammedans would naturally set the interests of their Holy-land above those of their Motherland...the Crusades again, attest to the wonderful influence that a common holy-land exercises over peoples widely separated in race, nationality and language, to bind and hold them together.⁷

The rise of Hindutva in Indian politics came at a time when the major player on the Indian political scene, the Congress Party, was entering a period of decline. Having ruled India for thirty years, the Congress Party finally gave way to the Janata Alliance in 1977. This short-lived government, formed by smaller parties such as the Jana Sangh, was the first non-Congress government since the formation of the country and gained power as a result of Indira Gandhi's policies during the Emergency period.⁸ It was during this time that the Rashtriya Swayam Sevak Sangh (RSS), with the assistance of the Jana Sangh, gained a foothold in Indian politics.

Founded in 1925 by Dr. Hedgewar in Nagpur, as an instrument for the mobilization and unification of India's Hindus and directly influenced by Savarkar's treatise, the RSS was initially run by Maharashtrian Chitpavan Brahmins, and therefore, was confined to the state of Maharashtra. But by 1945, the organization had *Shakhas* – branches – in most major cities and towns in the Hindi-speaking regions of India.⁹ By this time, the RSS had also started to propagate its own radical form of Hindutva. On many occasions, the organization's leader stated

that non-Hindus had to either revere and glorify Hinduism or risk subordination and the loss of citizenship rights.¹⁰

The RSS' hatred towards religious minorities in India was so great that it influenced one of its members, Nathuram Godse, to assassinate Mahatma Gandhi. Following this horrific act, the RSS was banned by the Indian government for its role in the assassination and for its hate-filled policies.¹¹ To counter increasing hatred for the organization following the assassination of the Mahatma, the RSS decided to form a political organization, one that would give the RSS a voice on the political scene, yet would allow it to remain in the background; thus, in 1951, the Jana Sangh was formed.¹² During the 1950s and 1960s, while the Sangh Parivar, the collective name for the RSS and its 50-plus offshoot organizations, retreated from the public political eye and became more involved in spreading its message through social welfare programmes, the Jana Sangh carried the doctrine of Hindutva to the Indian masses through politics.¹³

But the Jana Sangh's affiliation to the RSS was not seen in a favourable light once it became a part of the ruling Janata Alliance, as the RSS was seen, by many, as a fascist and dangerous organization. The factious Janata Alliance, concerned by the fascist tendencies of the RSS, ordered the Jana Sangh to cut-off ties with the RSS. When ordered to do so, Jana Sangh cabinet ministers, such as Atal Bihari Vajpayee and Lal Krishna Advani, decided to leave the alliance and to form their own party. This new political party was named the Bharatiya Janata Party (BJP).¹⁴

The BJP, like the Jana Sangh, was created as a front political organization for the cultural-based RSS. One of the more 'liberal' RSS offshoots, the BJP has continuously attempted to give an impression of secularism by stating in many of its policy documents that it is committed to equality of religion and to secularism. Yet at the same time, in a policy document from 2004, the BJP states that its goal is to "mount a powerful and sustained counter-offensive against all those ideologies and political forces, especially the Congress and the Communists, who reject Hindutva as the basic identity for the Indian nation..."¹⁵ Although Hindutva is not a religious doctrine, its policies are not secular, as it discriminates against those professing faith in religions such as Islam and Christianity. The policies of Hindutva and secularism cannot be followed at the

same time, and therefore, the BJP's claims of secularism are contradictory and false.

For any political party, garnering of votes is the premier concern, and the BJP has used communal politics for this purpose. High-ranking BJP officials such as its late-Secretary Pramod Mahajan have admitted to the BJP's use of this particular strategy. In fact, Mahajan attributed the relative success of the BJP in the 1991 elections to its use of "communal myths and allusions".¹⁶ In recent years however, realizing that pro-Hindu policies would hinder its ability to form the central government, the BJP has had to hide and downplay its Hindutva leanings and has distanced itself, at least publicly, from the RSS and its organizations. Not surprisingly, the BJP has also looked for support among non-Hindus. By appearing to become more moderate in its approach, the BJP was able to win the highest number of seats in the 1998 general elections and, therefore, formed the central government with the assistance of its coalition partners.¹⁷

Having now described the major players in the Hindutva movement, it is time to look at the effects of this policy. Although Hindutva was initially not an overtly-communalistic policy, it has become one through the actions of pro-Hindutva organizations and has led to the deepening of divisions between various religious groups in India. These differences have been especially apparent between Muslims and Hindus.

The Rama Janmabhoomi campaign is perhaps the most incendiary of the events related to the growth of Hindutva, as it has influenced every Hindu-Muslim conflict in the country since. Essentially, the conflict centres on the location and the construction, in honour of the Mughal Emperor Babar, of the Babri Masjid in Ayodhya. Ayodhya is credited as being the birthplace of the Hindu God Rama, and a segment of the Indian Hindu population believes that the Babri Masjid was built on the ruins of the temple marking the exact birthplace of Rama. And so, according to many Hindus, because Babar destroyed the Rama Mandir to build the Babri Masjid, the Babri Masjid needed to be demolished and a new Rama Mandir had to be built upon its ruins.¹⁸

The BJP was instrumental in inflaming communal tensions in the country during the lead-up to the eventual destruction of the Babri Masjid. As President of the BJP, RSS-member and hardliner Lal Krishna Advani set-out from the

Somnath Mandir in Gujarat on a *Rath Yatra* – Chariot Journey – to the disputed site in Ayodhya. Along the way, the *Rath Yatra* set-off communal riots and violence. Eventually, in 1989, the central government was forced to stop Advani's inciting journey and to arrest the BJP leader. As a result of this action, the BJP withdrew its support of the central government and joined the ranks of the opposition parties, from where it could follow its pro-Hindutva policies without fear of reprisal.¹⁹

As is expected, the RSS was also involved, somewhat directly, in the Rama Janmabhoomi dispute. The organization's religious wing, the Vishwa Hindu Parishad (VHP), was the most vocal Hindutva force during the conflict. Since 1989, the VHP had been collecting funds for the temple's construction and had been conducting special prayers to consecrate bricks for the Rama Mandir.²⁰

Once the government allowed access to the site of the Babri Masjid, communal tensions escalated to a phenomenal height. On December 6, 1992, the Sangh Parivar called for a Holy War to settle the Rama Janmabhoomi dispute. As a result, hundreds of Sangh Parivar supporters flocked to Ayodhya²¹ and tore down the Babri Masjid. Condemnation was heard from most political parties, including the BJP. Party president Atal Bihari Vajpayee also expressed his deep sorrow at the event.²² But, as before, the BJP stated contradictory views. While Vajpayee was showing his disappointment, a BJP publication called the destruction of the mosque "the greatest nationalist reassertion of India in its known history".²³

The Ayodhya issue did not die down after the destruction of the Babri Mosque. In fact, it led to some of the most horrific Hindu-Muslim violence seen since Independence and Partition. In 1993 alone, 2292 communal riots occurred and, as a result, close to 4000 people were either injured or killed.²⁴ The Bombay Riots, in December 1992 and January 1993, were the largest communal riots that occurred in the direct aftermath of the Ayodhya incident. Aided by the Sangh Parivar and the Shiv Sena, another Hindutva-based organization, the Bombay Riots claimed hundreds of lives. The intense anti-Muslim sentiments in the city over the two months of rioting alienated many Muslims and led to retaliation by the minority group in March 1993 through a series of bomb blasts.²⁵

The fallout from Ayodhya was so great that it assisted in the escalation of communal violence in Gujarat a decade after

the destruction of the Babri Masjid. On February 27, 2002, a group of Muslims set a Sabarmati Express coach on fire following an argument with pilgrims returning to Gujarat from Ayodhya. As a result, 56 pilgrims were burnt to death, while a further 43 were injured. The following day, the VHP announced a peaceful strike, which turned-out to be anything but peaceful. By the end of that day, 100 people had been killed.²⁶

The Bharatiya Janata Party State government, led by Chief Minister Narendra Modi, did nothing to stem the hatred and violence that erupted all over Gujarat. From March to May 2002, "the state of Gujarat simply burnt...because the state government controlled by the Hindus was not expected to protect the lives and property of the helpless Muslim minority".²⁷ After three months of violence, carnage and systemic murder, an estimated 2000 people were killed and a few hundred thousand were displaced from their homes.²⁸

The growth and spread of Hindutva as a political policy has occurred at a rapid rate since the initial decline of the Congress Party in the late 1970s. Aided by the Rashtriya Swayam Sevak Sangh and its multiple offshoots, Hindutva has become firmly entrenched in the Indian political system. The Bharatiya Janata Party is now the Indian National Congress' largest opponent and staunchest critic. Having formed the national government once before and many state governments as well, the BJP has the capability to gain power during any national or state-level election.

But what has been the effect of this policy? While Hindutva is a nationalistic policy and has increased these particular sentiments in India, it has also been extremely successful in alienating large segments of the Indian population, especially those that are comprised of minority, non-Hindu groups. Confrontations such as those in Ayodhya, Bombay and Gujarat have widened the differences between the Hindu and the non-Hindu populations of India and have created a deep sense of distrust between religious groups. In other words, Hindutva has integrated "Hindu religion-based culture with political power to create a polarised society".²⁹ The last time Indian society became this divided along religious lines, Partition occurred. The effect of Hindutva on India in the long-run is still to be seen; hopefully, moderate sentiments will dominate the Indian political scene and will help avert future conflicts.

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- ¹ Parvathy Appaiah, *Hindutva, Ideology, and Politics* (New Delhi: Deep & Deep Publications, 2003), 1.
- ² Vinayak Damodar Savarkar, *Hindutva: Who Is A Hindu?* (New Delhi: Hindi Sahitya Sadan, 2003 ed), 4.
- ³ Ibid., 110.
- ⁴ Ibid., 95.
- ⁵ Ibid., 113.
- ⁶ Ibid., 89.
- ⁷ Ibid., 135-6.
- ⁸ Appaiah, *Hindutva, Ideology, and Politics*, 153.
- ⁹ Ibid., 86.
- ¹⁰ Anand Kumtha, "Pseudo-Secularism vs. Pseudo-Hindutvawad!" *India's Saffron Surge: Renaissance or Fascism – A Collection of Political Writings* (Mumbai: Bharatiya Janwadi Aghadi, 1993), 170.
- ¹¹ Appaiah, *Hindutva, Ideology, and Politics*, 87.
- ¹² Partha Banerjee, *In The Belly of the Beast: The Hindu Supremacist RSS and BJP of India: An Insider's Story* (Delhi: Ajanta Books International, 1998), 13.
- ¹³ Appaiah, *Hindutva, Ideology, and Politics*, 88, 107.
- ¹⁴ Chandra Prakash Bhambhri, *Hindutva: A Challenge to Multi-Cultural Democracy* (Delhi: Shipra Publications, 2003), 7.
- ¹⁵ "National Executive: June 22-26, 2004," *Bharatiya Janata Party: Policy Documents – Party Document Volume 4* (New Delhi: Bharatiya Janata Party, 2005), 2.
- ¹⁶ Thomas Blom Hansen, "BJP and the Politics of Hindutva in Maharashtra," *The BJP and the Compulsions of Politics in India* (Delhi: Oxford University Press, 1998), 136.
- ¹⁷ Appaiah, *Hindutva, Ideology, and Politics*, 155-6.
- ¹⁸ Masooma Rana, "Ram Janmabhoomi-Babri Masjid Dispute – Religion in Danger?" *India's Saffron Surge: Renaissance or Fascism – A Collection of Political Writings* (Mumbai: Bharatiya Janwadi Aghadi, 1993), 24.
- ¹⁹ Appaiah, *Hindutva, Ideology, and Politics*, 164.
- ²⁰ Ghanshyam Shah, "The BJP's Riddle in Gujarat: Caste, Factionalism and Hindutva," *The BJP and the Compulsions of Politics in India* (Delhi: Oxford University Press, 1998), 247.
- ²¹ Ibid., 248.
- ²² Appaiah, *Hindutva, Ideology, and Politics*, 238.
- ²³ Ibid., 239.
- ²⁴ Ibid., 238.
- ²⁵ Ibid., 242-3.
- ²⁶ B.V Muralidhar, "Gujarat Riots- The Ugly Scar on Secular India," presented at *18th European Conference on Modern South Asian Studies* (Lund, 2004), 5.
- ²⁷ Bhambhri, *A Challenge to Multi-Cultural Democracy*, 18.
- ²⁸ Muralidhar, "Gujarat Riots- The Ugly Scar on Secular India," 5.
- ²⁹ Bhambhri, *A Challenge to Multi-Cultural Democracy*, 6.

CARROTS OR STICKS? COMPARING THE CLINTON AND BUSH APPROACHES TO NORTH KOREA

Teresa Tang

Since the Democratic People's Republic of Korea had first announced its dire threat of having capabilities of producing nuclear weapons in the 1990s, much of the United States' security concerns had involved the issue of the North Korean nuclear threat. The "more carrots" and "more sticks" policy initiatives have been exemplified by the Clinton and Bush administrations respectively, in the handling of affairs with North Korea. The paper compares the foreign policies of the two administrations which were adopted to counteract the North Korean nuclear threat. It argues using the success of warmed US-North Korea relations achieved by the Clinton administration, that adopting diplomatic processes to terminate DPRK's nuclear weapons production is significantly more effective than the Bush administration's strategy of implementing a hard-line course of action.

Despite the dominance of Iraq in US foreign policy in recent years, many scholars believe that the current unresolved and pressing international security concern for the US is the procurement of nuclear weapons by the Democratic People's Republic of Korea (i.e. North Korea). In the past decade, the US-DPRK relations are marked by strains in the diplomatic process of negotiating the terms under which North Korea will dismantle its nuclear weapons programs. While it is apparent that North Korea's possession of nuclear weapons is a critical threat to the stability of the Korean peninsula, its sales of the nuclear weapon technology to terrorist states and organizations have brought the issue into the limelight of the US foreign policy considerations. Examining the trend of US-DPRK interaction, one may notice that much of DPRK's actions were taken in response to US foreign policy and attitudes. The switch from the Clinton

administration to the Bush administration in 2000 brought about many immediate changes in the nature of the relationship between the US and North Korea. While the Clinton administration made considerable advancements in halting North Korea's pursuit of nuclear weapons through successful negotiations under its comprehensive diplomatic approach, the Bush administration reversed the process through its provocative rhetoric and procrastination of substantive talks with the DPRK. The progress made during the Clinton administration, and the deteriorating relationship fueled by the Bush administration, suggest that the latter must consider shifting its current approach to that of the former administration in order to improve the US relationship with the DPRK.

Before assessing each administration's approach to North Korea, it is important to first review the policies and events that occurred. The Clinton era in relation to North Korea is best characterized by the processes of productive bilateral talks. Nevertheless, what preceded the improved US-DPRK relations were the stubborn policies adopted during the early Clinton years that escalated the conflict towards a military showdown in 1994. In 1993, the first year of Clinton's first term in office, North Korea announced that it intended on withdrawing from the Non-Proliferation Treaty (NPT), expelling the international weapons inspectors, and removing fuel rods from the secured site to engage in plutonium processing.¹ In response, Clinton urged the UN Security Council to place sanctions on North Korea, while reinforcing the US military stationed in South Korea with additional troops, planes, and missiles.² This hard-line approach taken initially by the Clinton administration not only worsened the US's relations with North Korea and South Korea, but also led the US to the brink of war, despite warnings from North Korea of the devastating effects it could cause. Luckily, the crisis subsided when ex-US president Jimmy Carter was delegated in 1994 to negotiate with Kim Il Sung, the late leader of DPRK, on the terms of a peaceful conflict resolution.³

From this point on, the Clinton administration replaced its firm approach to North Korea with a more compromising and diplomatic one. On October 21, 1994, the Agreed Framework was signed by the US and DPRK under which the DPRK would revert its actions by resuming its commitment to the NPT, allowing International Atomic Energy Agency (IAEA) inspectors back, and securely storing away its fuel rods in exchange for two

light water nuclear reactors, fuel oil supply, and a promise from the US not to invade North Korea.⁴ In addition, the Agreed Framework also called for the normalization of diplomatic relations between the US and the DPRK. Despite the accord, the construction of the light water nuclear reactors and shipments of promised fuel oil were delayed, and the agreement to upgrade the US-DPRK diplomatic relations was not implemented.⁵ In protest of this, North Korea launched a ballistic missile over Japanese territory in August, 1998.⁶ Understanding the intentions behind this act, the US signed an agreement with DPRK in Berlin in 1999 that ensured increased humanitarian aid and lifting of economic sanctions placed against North Korea. North Korea then cooperated by agreeing to a moratorium on long-range missile tests.⁷ During the same time, North Korea also accepted US inspections on a suspicious site in Kumchang-ri.⁸ Toward the end of Clinton's term, US-DPRK relations were improved to the extent that an agreement was almost reached in which DPRK would dismantle its nuclear weapons and missile programs in exchange for energy resources, humanitarian aid, and upgraded diplomatic relations.

Drastic change took place in policy towards North Korea when George W. Bush and his administration succeeded Clinton's administration in 2000. Instead of reconciling with the DPRK on the agreement left off during the end of Clinton's term, the hardliner Bush administration did not address the situation with North Korea until six months after taking office. During a summit with ROK leader Kim Dae Jung in March 2001, President Bush openly criticized Kim Dae Jung's "sunshine policy" (intended on ending the cold war between South Korea and North Korea) by questioning North Korea's compliance with such a policy.⁹ Despite some increased tension between DPRK and US, the Armitage Report outlined the Bush administration's approach to North Korea which incorporated many aspects of the Clinton approach while placing emphasis on alliance consultation, conventional arms control, and North-South reconciliation, before taking any preemptive action.¹⁰ While there were many overlaps in the policy suggestions outlined in the Armitage Report and Perry Report (used during the Clinton years), the Bush administration adopted a "take it or leave it" approach that left little room for negotiation.

The September 11 attacks on America resulted in a severe change in US foreign policy. After the terrorist attacks,

North Korea promptly signed many international protocols condemning terrorism.¹¹ Nevertheless, the Bush administration undertook foreign policy towards the DPRK using an anti-terrorist logic. In the 2002 State of the Union Address, President Bush described North Korea as a component of the “axis of evil” along with Iraq and Iran, which reopened the wounds of US-DPRK relations.¹² Infuriated at the antagonistic label, North Korea revealed during diplomatic talks in October 2002 that it had commenced work on uranium enrichment.¹³ Interpreting this as evidence that DPRK was “evil” and untrustworthy, the Bush administration terminated the deliverance of light-water reactors under the provisions of the Agreed Framework, and rejected North Korea’s proposal to abolish its uranium enrichment program in exchange for a peace agreement.¹⁴ In January 2003, North Korea repeated the same actions undertaken in 1994 by withdrawing from the NPT, expelling the IAEA inspectors, and unblocking the stash of fuel rods while promising to reverse those actions if the US would recommit to the Agreed Framework.¹⁵ The Bush administration refused to engage in bilateral talks with the DPRK, but instead insisted on multilateral talks with China, South Korea, Russia, and Japan in hopes of asserting enough pressure to influence North Korea’s actions.¹⁶ However, subsequent plans presented to North Korea in 2004 were rejected and resulted in North Korea withdrawing from the multilateral talks in 2005, while demanding bilateral negotiations with the US.¹⁷

It is apparent from observing the policies and actions adopted by the Clinton and Bush administrations that there is a difference between the two in their perceptions of North Korea. The Clinton administration understands the DPRK and its leader, Kim Jong Il, to be rational actors, and hence was willing to make efforts to negotiate and make concessions.¹⁸ The Bush administration, on the contrary, identified North Korea as an irrational rogue state of the “axis of evil” that deserved no more than punitive action from the US. This view also led to the assumption that North Korea was taking advantage of the Agreed Framework to strengthen and expand its dictatorial regime to threaten world peace, which led to the termination of the Agreed Framework and lack of subsequent agreements made under the Bush administration.¹⁹

The apparent flip-flop of North Korea’s stance on its nuclear weapons development leads to the question—why does

North Korea act as a rogue state? Despite the commonly perceived threat of North Korea, North Korea can be likened to a failed state seeking through all channels for the means to survive. Faced with major socio-economic problems and a lack of resources, the DPRK cannot sustain its existence for long without economic aid from the West. While the claims of North Korea being a rogue nation are not unsubstantiated, becoming a nuclear threat is a rational decision for the DPRK as the possession and export of nuclear weapons is effective leverage for bringing parties to the negotiation table. Its exports of nuclear technology and missiles to Pakistan and Iran, although perceived to be acts in support of terrorism, may be interpreted as ways for DPRK to obtain revenue. North Korea's constant provocations of the US with its nuclear weapons programs indicate two things: that it desperately calls for the attention of developed nations to provide aid, and that the nuclear threat, being its only bargaining chip through which it can obtain aid, is hard to forsake. The negotiations with the Clinton administration indicate that the DPRK is willing to give up the production and export of nuclear technology for good if the right deal is arrived at. Until that is achieved, its "rogue state" image will be its core survival mechanism.

A crucial aspect in dealing with the North Korean crisis is to interpret DPRK actions in a way that reveals the objectives and rational concerns of North Korea. The Clinton administration's policies reflected such an understanding. They sought to comprehend DPRK's actions through its security dilemma with the US, and found that engagement through negotiations was the best path to reaching agreements, despite North Korea's roguish behavior. Seeing that nuclear weapons were the only viable option for solving North Korea's domestic problems, the Clinton administration resorted to accords such as the Agreed Framework, which built a sense of trust and security out of a formerly hostile relationship, and ended the nuclear threat for the time being. Clinton's plan for North Korea's nuclear disarmament is a step-by-step procedure in which aid would slowly be provided as North Korea gradually completes its dismantlement of the nuclear weapons programs. Under Clinton's engagement policy, the frequent negotiations between high profile American diplomats such as Jimmy Carter and Madeleine Albright²⁰ and the DPRK conveyed the impression that the US was sincere and willing to negotiate the terms of

agreements that addressed the needs of the DPRK. In addition, the promise made by the US in the Agreed Framework not to attack North Korea and the normalization of diplomatic relations ensured Kim Jong Il of his regime survival and lightened the atmosphere between the two countries, allowing for more appeasements that could be made on North Korea's part. The success of the Clinton administration's diplomatic approach is evident in DPRK's eager acceptance of the deals put forward by the US. The extent to which the US-DPRK relation improved by the end of Clinton's presidential term is agreeably unprecedented.

Despite the successes of the Clinton administration's policies toward the North Korean nuclear threat, critics have pointed out many weaknesses in the Agreed Framework. One criticism is that while the agreement froze nuclear activity at the Yongbyon reactor site, there was no mechanism to deter North Korea from continuing nuclear projects elsewhere, as exemplified by the uranium enrichment program DPRK revealed it had been working on in 2002, which violated the agreement.²¹ Another concern is that under the agreement, inspections were only to be carried out at the Yongbyon site. Such an agreement lacked any procedures that would monitor North Korea's compliance with it. Some critics feared that with the light-water nuclear reactors that were guaranteed under the Agreed Framework, North Korea would be capable of producing more plutonium than it previously could, which demonstrates the situational irony of rewarding a global menace with better weapons than the ones it had discarded in order to obtain the deal.²² Undoubtedly, all such criticisms hold substantial ground in showing that Clinton's Agreed Framework is flawed. However, conflict resolution often involves seeking out the best available rather than the perfect option. Although the Agreed Framework provided no guarantee of the complete dismantling of North Korea's nuclear capabilities, it had at least stymied the activities at the major Yongbyon reactor site, which otherwise would have produced many nuclear weapons in the past decade. If no aid was given to North Korea in exchange for freezing the activities of its nuclear reactor sites, North Korea would have continued to export its nuclear and missile technology to "terrorist" states and organizations, causing a greater potential threat to world peace.

Unlike the Clinton administration, the Bush administration demonstrated little understanding of the

circumstances facing North Korea, which prompted the hardliner perception of the DPRK as a terrorist-supporting rogue state. This inability to understand or make compromises with the opponent ultimately brought about the failures of the policies set out by the Bush administration. A major factor that caused this inaccurate perception of North Korea is the elements within Bush Doctrine: to fight against terrorism by taking preemptive action against any states that provide support for terrorist organizations. North Korea, which had a history of exporting missiles to “terrorist” regimes, is then deemed as a member of the “axis of evil”, against whom the US must be prepared to wage preemptive war. However, the Bush administration failed to address the root of the North Korea problem by overlooking the possibility that DPRK’s sales of weapons to terrorists was for economic sustainability purposes, and the fact that North Korea had vehemently denounced the terrorist attacks on America. With Kim Jong Il breeding a personality cult in the DPRK, the “hawks” among the Bush administration would sooner see Kim Jong Il’s “evil” empire topple than make concessions with the dictator. This hardliner approach towards the DPRK only intensified DPRK’s security dilemma and provided motivation for resumed production of nuclear weapons to secure North Korea’s leverage in the conflict.

Aside from the lack of understanding of North Korea’s motives, the most obvious error made by the Bush administration (and perhaps one that it is most oblivious to) is using offensive rhetoric when addressing North Korea. When a state afflicts another with malicious claims, it is easy to induce negative responses that propel a vicious cycle of counterproductive antagonism. For example, President Bush stated in his 2002 State of the Union address: “[S]ome of these regimes have been pretty quiet since September the 11th. But we know their true nature. North Korea is a regime arming with missiles and weapons of mass destruction, while starving its citizens [. . .] States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world.”²³ This occasion alone, on which Bush labelled North Korea as part of the “axis of evil”, immediately undermined Clinton’s efforts in building placid relations with DPRK and reinforced the insecurity which North Korea was just starting to overcome. Also, during his speech in Seoul on July 31, 2003, John Bolton, the Undersecretary of State for Arms Control and International Security, negatively

addressed Kim Jong Il more than 40 times.²⁴ The North Korean government responded by referring to Bolton as “human scum”.²⁵ These exchanges of offensive language, while seemingly petty, hastened the deterioration of US-DPRK relations.

Perhaps the biggest flaw in the Bush Administration's engagement policy is the expectation that North Korea would consent to abandoning its nuclear programs before securing any guarantees of commitments from the US (i.e. the more sticks and fewer carrots approach). The Administration officials claim that this approach would effectively test DPRK's “true intentions”.²⁶ But weren't the true intentions already apparent in the years prior to 2000 of no nuclear activity after the signing of the Agreed Framework? Despite the success of the containment of North Korean nuclear weapon production before the adoption of Bush's antagonistic policies towards DPRK, the Bush administration continues to mistrust North Korea and refuse to engage in bilateral talks. Up to date, the US continues to employ the strict policy of engaging in negotiations only after North Korea disposes of its nuclear facilities and weapons. Unless the Bush administration has no faith in negotiations, such an approach is irrational. Without the “bait”, North Korea will, out of rationality, disregard any demands to disarm. This negotiation strategy would require that the North Koreans give up its biggest asset and place tremendous trust in the possibility that the promised benefits would continue to be provided even after complete disarmament. Whatever trust towards the US that was built during the Clinton years had unquestionably vanished after the establishment of the Bush administration's confrontational policies of waging preemptive wars and abdicating “terrorist” regimes. What remains currently is a stalemate that can only be broken by a sincere effort from the US to engage in bilateral talks with the DPRK.

A brief overview of the recent events in US engagement with the North Korean nuclear crisis is enough to indicate that the Bush administration's policy towards the DPRK is in need of reform. While the years of Clinton's presidential term displayed notable improvements in the US-DPRK relations as well as progress towards the dismantlement of DPRK's nuclear weapons programs, the Bush administration has not signed a single agreement with North Korea on the issue. While the US continues to depend on exerting pressure on North Korea in a

multilateral setting, the Bush administration should consider learning from the lessons taught to its predecessor prior to 1994, and quickly adopt an engagement policy that resembles a balanced carrot and stick approach nestled in bilateral relations. For the time being, procrastination by the Bush government in sincerely engaging in bilateral talks with North Korea entails one thing: that while the hawks in America are inactively addressing the nuclear issue with North Korea whilst hoping for the collapse of Kim Jong Il's dictatorial regime, North Korea is continually pursuing the accumulation of its nukes.

¹ Fred Kaplan, "Rolling Blunder," *Washington Monthly*, 36 (5) (2004): 35.

² Ibid.

³ Ibid., 36.

⁴ Ibid.

⁵ Mark E. Caprio, "US-DPRK Diplomatic Relations under the Clinton Administration: Cycles of Conflict and Resolution," *American Asian Review*, 21(1) (2003): 75.

⁶ Ibid., 74.

⁷ Sebastian Harnisch, "US-North Korean Relations under the Bush Administration: From 'Slow Go' to 'No Go'," *Asian Survey*, 42 (2002): 862.

⁸ Ibid.

⁹ Jihwan Hwang, "Realism and U.S. Foreign Policy toward North Korea," *World Affairs*, 167(1) (2004): 16.

¹⁰ Harnisch, "US-North Korean Relations under the Bush Administration: From 'Slow Go' to 'No Go'," 864.

¹¹ Hwang, "Realism and U.S. Foreign Policy toward North Korea," 16.

¹² Ronald E. Powaski, "Many Sticks, Few Carrots," *America*, 193(1) (2005): 16

¹³ Ibid., 17.

¹⁴ Ibid.

¹⁵ Kaplan, "Rolling Blunder," 40.

¹⁶ Powaski, "Many Sticks, Few Carrots," 17.

¹⁷ Michael Duffy, "What Does North Korea Want?" *Time*, 13 February 2005, Retrieved April 3, 2006, from Factiva: <http://global.factiva.com/ha/default.aspx>

¹⁸ Peter Maass, "New Deal," *New Republic*, 229 (2003): 18.

¹⁹ Hwang, "Realism and U.S. Foreign Policy toward North Korea," 22.

²⁰ Ibid., 20.

²¹ Caprio, "US-DPRK Diplomatic Relations under the Clinton Administration: Cycles of Conflict and Resolution," 68.

²² Maass, "New Deal," 17.

²³ Hwang, "Realism and U.S. Foreign Policy toward North Korea," 15.

²⁴ Maass, "New Deal," 18.

²⁵ Ibid.

²⁶ Hwang, "Realism and U.S. Foreign Policy toward North Korea," 29.

ECO-FEMINISM AND CASTE: A USEFUL TOOL IN THE ANALYSIS OF WOMEN'S MOVEMENTS IN INDIA

Jacqueline Bell

The article Eco-Feminism and Caste attempts to offer a further refinement of Eco-Feminist analysis. Based on the experiences of women participants in direct action in India, it argues that the Eco-Feminist theory offers too broad a conception of women's special relationship with the environment. Instead, the theory is only correct in arguing for a woman's special relationship with the environment if that woman is dependent on her local ecosystem to satisfy her and her family's basic needs. The women that fall into this category tend to be of the unscheduled caste and tribes rather than those of the upper castes.

Local movements aimed at effectively managing common natural resources have a lengthy history in India. Uprisings seeking these goals date back to the Colonial period when British solutions to forestry development, namely felling, wreaked havoc on the delicate forest ecosystems essential to the survival of many rural Indians. Although the political situation in the country has changed tremendously since then, the interdependence of most rural Indians and local ecosystems remains. In recent decades, a number of grassroots movements for the protection of natural resources such as local forests and water supplies have emerged at the impetus of women, including the famous Chipko movement. Their struggle has pitted them against various levels of government, and at times, against their own male kin and other community members, revealing the oppositional nature of their interests.

Explanations for the emergence of gendered participation in local environmental movements in India have varied, but among the most popular is the Eco-feminist approach. This theory explains the trend as evidence of a special relationship between women and the environment. The

basis for this posited special relationship is manifold. Firstly, the Eco-feminist perspective equates the oppression of women with a correlative oppression of nature through patriarchal structures.¹ Unless the social and political structures in which patriarchy is entrenched are drastically altered, this dual Oppression of women and local ecosystems will continue to occur. Environmental degradation of a natural resource upon which women depend, will result in a decrease in their living standards, and must be rooted out, not through collusion with state or local authorities who are but servants in the patriarchal structure of the state, but through direct opposition organized by women at a grassroots level. Thus, this symbiotic relationship between women and nature does not relegate her to the role of the 'victim' of environmental degradation. Rather, it offers up a stronger incentive to act to protect natural resources and provides the impetus for collective mobilization. However, yet unexplored is the relationship between the Eco-feminist proposal and the possibility that a special relationship of a similar nature exists between certain castes and the common resource systems upon which their members depend; if this is true, the Eco-feminist approach can be further refined by including membership in certain castes and tribes as a potential criterion for action. Both caste and gender in conjunction then, may be a way of refining the explanation as to why some rural Indians have chosen to protest the mismanagement of their environmental resources, while others have failed to organize or identify with such causes.

The roots of the symbiotic relationship between women and the environment are found in dualist theory, in which the 'Other,' represented by both women and the environment, exists in opposition to the masculine and thus reflects characteristics opposite to those ascribed to the masculine. If the masculine represents the intellectual, knowledgeable and productive in dualist theory, women and the environment are both unproductive by default (reflected in the social norm that 'women's work' is generally unpaid and devalued). In a market system, the environment too is typically devalued, and treated as if devoid of any inherent worth, only to gain worth through commodification. Dualist theory ascribes many of the same characteristics to both women and the environment, which is at the heart of the argument for a symbiotic relationship between the two.

However this special relationship is challenged by empirical evidence. If all that was necessary for collective action was the existence of the symbiotic relationship between women and the environment, we would not find the plentiful examples of regions where the destruction of vital natural resources has failed to prompt a grassroots response. Rural women of the general castes, while they may be dependent in an indirect fashion on such natural resources, likely will not equate their very survival with that of a common resource, at least not in the short term. Thus these upper caste women would not have the same motivation to protect themselves by protecting the resource on which they depend, an impetus that is a key to the Eco-feminist explanation for women's involvement in these movements. These challenges suggest that the Eco-feminist response, when applied to rural India, is only correct when combined with caste analysis. Thus, it is not exclusively gender, but a coupling of the general caste and tribes with a female gender that constitutes the "special relationship" at the heart of Eco-feminist theory.

One question that might initially be raised is whether women are truly more dependent on these common natural resources than men. Eco-feminist analysis invariably highlights the disproportionate importance of these resources to the quality of life of the female population of a region. In one of the districts of Uttar Pradesh in which the Chipko movement took place, the percentage of women involved with food cultivation was 20% higher than that of men.² Women's dependency on common resources such as local forests for providing fuel, food, medicinal ingredients, and other necessities essential to fulfilling the basic necessities have been well documented. Indeed, Agarwal notes that such resources provide ninety percent of the fuel for the poor in some rural areas in India.³ In cases where women's access to these resources diminishes, so too does their quality of life. For example, when a woman must walk hours farther in search of firewood each day, this leaves her with less time to tend to her crops and can affect her family's income.⁴ This dependency is heightened by a women's restricted access to the marketplace itself. For many then, it is because they are forced to operate within the confines of the domestic private realm, without access to capital or a means of income other than as a low wage labourer, that they are forced to rely heavily on natural resources in order to fulfill basic needs. Thus, the fate of the two

are directly linked, and the degradation of one will lead to a drop in the quality of life or even survival of some rural women.

This dependence is explicitly linked to the fact that landowners in rural India are predominantly male. The privatization of vast tracts of land in the fifties only exacerbated the extent to which land ownership was gendered.⁵ While this fact in itself does not cause women's heightened dependence on natural resources of the area, insofar as land ownership and control is linked almost directly with income in a rural setting, it does correlate with the reality of the situation in which women are largely excluded from participating in a market economy. Many thus have no choice but to draw directly from common resources (owned or managed by the community) in order to meet their basic needs. Invariably, the largely gender biased nature of landownership contributes to the disproportionately heavy dependency of women on common resources.

Landownership is not solely a gendered phenomenon. In the rural areas of India in which this variant of collective action has occurred, landholding capacity is also highly reflective of the general castes, and exclusionary of the lower castes and tribes. It is widely known that the dominant castes tend to be the principle landowners. This contributes to their privileged position within the Jajmani system. Their landholding capacity then contributes to their heightened political power, which in turn creates a system in which a congruence between caste and class is made explicit.⁶ Although the overlap between class and caste is not complete, the lower classes tend to be members of the scheduled castes and tribes, while the general castes tend to be comprised of more affluent Indians. For this reason, an Eco-feminist analysis of these examples of collective action is only correct insofar as they take caste into account. The impact of this new variable to the Eco-feminist analysis is notable; for example, it is unlikely you will find a woman of a general caste rallying for the efficient management of a common resource, as is reflected in Oswald and Barar's study of the region of Orissa. They found that the difference between the participation in common resource management is much higher in men than women of the general caste than among the scheduled caste, with men being the more active in resource management. However, the difference in levels of participation based on gender was virtually nonexistent among the sexes of the scheduled tribes, who would arguably have the most

dependence on the resource given their lack of access to land or other resources with which to fill their basic needs. Thus, gender is not the sole variable necessary for the forging of a special relationship between a group of individuals and nature; rather, caste plays an important role in exposing that symbiotic relationship. Caste affiliation can typically increase or decrease the level of dependence on natural resources of an individual, regardless of the general decline of the Jajmani system or cases of nonalignment between caste and class.⁷ Eco-feminist analysis can no longer afford to ignore the congruence between caste related barriers and those related to gender.

The survey conducted by Oswald and Barar in the rural area of Orissa can help us gain insight into the complex relationship between gender, caste, and resource dependency that may help to strengthen the argument for the inclusion of caste as a criteria in Eco-feminist analysis. The study found that more women than men spent time engaged in forest related activities, which is consistent with the arguments made thus far for the existence of an increased dependency based on gender. However the women of the scheduled castes and tribes have a higher dependency than their female counterparts in the general castes. This supports the prior claim that gender itself is not an adequate explanation for the special relationship argument posited by Eco-feminists, and that caste must be included as a criteria if we are to forge a theoretical explanation for their heightened dependency. The general pattern that emerges from their research is that men and women in Orissa of the general castes do not depend as much on the forest, but had more control over its use, in contrast to the tribal groups who felt the impacts of its degradation more strongly, but had less control over its use.⁸ Thus, the findings of Ostwald and Burrar seem to support the notion that caste does in fact play an important role alongside gender in determining the level of dependency on common resources, and that gender as a sole criterion simply is not enough to determine the likelihood of the emergence of collective action based on a symbiotic relationship between women and the environment.

Eco-feminist analysis as it pertains to women's collective action in rural India often claims that women have a different kind of knowledge of the forest than men, which is gendered insofar as it is considered folk knowledge, and thus is not "valued" in the way other sorts of knowledge is under the dualist model. For

example, an understanding of which plants of the forest are edible and thus good food sources during famines, a type of knowledge that is essential during droughts and generally passed down from mother to daughter, is a highly gendered affair.⁹ It is often argued that the gendered nature of this type of knowledge is another strand of the argument in favour of recognition of a special relationship between nature and women.

However, this argument is false in assuming that all rural women who are dependent on the forest will share this type of knowledge. Caste may need to be taken into account to aid in determining whether a woman will have folk knowledge of a natural resource such as a local forest. This is because, unless there is a need to pass on this folk knowledge due to a strong dependence on the common resource, it will be lost. Thus, upper caste women, whose caste coincides with a middle or upper class economic situation, are likely to spend much of their time indoors.¹⁰ Without frequent interaction with the resource they may lose their inherited knowledge of it. However, lower castes who were traditionally barred from access to things like sacred knowledge, which was considered under the purview of the masculine according to a dualistic conception of knowledge, are excellent sources of folk knowledge. Many have preserved their understanding of forest agriculture, plants, animals, the weather, and other essential skills that may help constitute that special relationship between women and the forest, because of the applicability of said knowledge to their day to day lives.¹¹ Thus, just as a specialized knowledge of the forest is typically gendered, so too is it subject to caste differentiations. By promoting the protection of medicinal plants and resisting the planting of mono-crops of Eucalyptus, which was being argued for by the male population of the village, women in the Muvasa village in the Gujarat region fought for themselves while fighting for an ecologically sound forest policy.¹² This case points to the importance of allowing the primary users of a resource to have a measure of responsibility over the control of that resource in the long term. The folk knowledge that it constitutes is devalued by the "Other", be that an oppositional masculine figure or those representing the general castes.

Eco-feminist arguments for collective action by women are not solely based on a "women as victims" stance, but rather on the special role women have in protecting and engaging in the creation of community oriented approaches to resource

management as the principle users of the resource, and because of their specialized knowledge of the resource itself. While the Eco-feminist analysis provides useful insights into the gendered nature of resource dependency, it is lacking in its ability to explain variations in political mobilization across class and caste. Thus the inclusion of caste as a tool for understanding the mobilization of women against environmental degradation in India is a useful one, due to the similarities between the arguments for symbiotic relationships between gender and natural resources and caste and natural resources.

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³ Agarwal, B., "Environmental Action, Gender Equity and Women's Participation," *Development and Change* 28, no.1 (1997): 9.

⁴Ibid, 13.

⁵ Agarwal, "Environmental Action, Gender Equity and Women's Participation.", 6.

⁶ Chakravarty, U., *Gendering Caste through a Feminist Lens*. (Calcutta: Stree.):13.

⁷ Craig, J., "A fist is stronger than five fingers: caste and dominance in rural north India." *Journal of Historical Sociology* 17, no.2-3 (2003): 221.

⁸ Ostwald, M., & Baral, R., "Local Forest Protection, Gender and Caste - Dhani Hill, Orissa, India." *Natural Resources Forum* 29, no.3 (2005): 121.

⁹ Agarwal, "Environmental Action, Gender Equity and Women's Participation.", 13

¹⁰ Agarwal, B. "The Gender and Environment Debate: Lessons from India." *Feminist Studies*, 18, no.1, 119.

¹¹ Ibid, 199.

¹² Agarwal, "Environmental Action, Gender Equity and Women's Participation.", 24.