CORNELL INTERNATIONAL AFFAIRS REVIEW
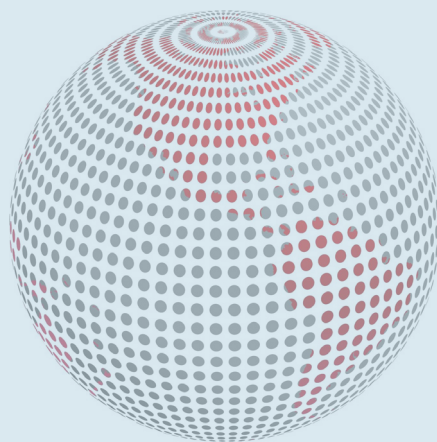
The Cornell International Affairs Review is a student-run organization aiming to provide an international, intergenerational, and interdisciplinary approach to foreign affairs.

Founded in 2006, the CIAR is proud to provide the Cornell community with a semesterly review, bringing together views from students, professors, and policymakers on the current events shaping our world.

It is our firm belief that true knowledge stems not just from textbooks and lectures but from engaging with others. Thus, the CIAR strongly emphasizes cooperation and dialogue amongst all our members, both on Cornell's campus and beyond.

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President's Letter

As CIAR continues to flourish, it is my pleasure to introduce the second edition of the fifth volume of our journal. I am happy to report that the Cornell International Affairs Review continues to adhere to its three-pillared approach of focusing activities in an international, interdisciplinary and intergenerational manner.

This semester's journal is a true testament to that focus. The most current issue of our journal is the product of the joint collaboration between undergraduates, graduates and faculty from within and outside of Cornell. The inclusion of graduate students in the editorial process is one more way in which we are continuously raising the quality of the journal, while at the same time, providing students with the opportunity to interact and learn from more experienced colleagues.

Consequently, our evolution as an organization is tightly related to the continued input from our members, the support from faculty and more importantly, the product of the work that results from that interaction. As we culminate our fifth year of existence, we have paid close attention to our endeavors to secure CIAR's role as "Cornell's forum for everything international."

We began this semester's activities with the kind consideration from the Emerging Markets Institute at Johnson, who gave us the opportunity to meet with Dr. Aleksey Shishayev, Head of Economic Section of Russian Embassy in Washington DC.

Moreover, members were able to meet through intimate discussions with Lord Skidelsky (University of Warwick, Political Economy), Abbas Maleki (MIT, Energy Policy), Peter Beinart (CUNY, Journalism and Political Science) and Peter Bergen (CNN, Bestselling Author). These events were made possible through our unremitting collaboration with the Mario Einaudi Center for International Studies, whose unrelenting support has been pivotal in many of our accomplishments.

In that spirit, we remain adamant about fostering discussion about international affairs. This semester, we hosted forums related to the violence in Syria and the implications of Iranian policy in American foreign policy. More importantly, the success of these events is only made possible by the constant support provided by faculty and other student organizations that share our mission of international discourse. Thus, I take this opportunity to thank all of you in the most sincere manner.

I could not end this letter without providing some insight on what lies ahead for the Cornell International Affairs Review. As I mentioned before, we remain true to our mission without being afraid of evolving into what fostering international affairs discussions requires. This is why I would like to direct your attention to our newly redesigned website: http://www.diplomacist.org. We hope that with this redesign, we expand from managing a blog, into providing a true hub for foreign policy discussion nurtured by the ideas constantly provided by both students and professors.

Joaquin Ponce
Cornell University
Arts and Sciences 2013
Government, Economics
President, CIAR

Editorial Letter

With this issue of the Cornell International Affairs Review, my first as Editor In Chief, we continue to expand upon the tradition of excellence that CIAR has displayed in the 5 years since its inception. This semester, we take a broad look at global security issues, the US Presidential Election, munitions prohibition, the effects of civil wars in Africa, security along the U.S. – Mexico border, and LGBT rights in Korea.

The journal begins with a transcript of CNN Security Analyst Peter Bergen's address at Cornell. Mr. Bergen paints a rich tapestry of his impression regarding the United States' War on Terrorism, the failures of Al-Qaeda, and President Barack Obama's efficacy as Commander In Chief.

We then transition to the U.S. Presidential Election where Professor Elizabeth Sanders, and Caroline Emberton, take a critical look at Mitt Romney's foreign policy advisors in advance of the upcoming election. The authors give us a clear picture of just what President Romney's foreign policy would look like, and the potential consequences of it.

Professor Denise Garcia, an international security expert at Northeastern University picks up the discussion with a paper arguing that the global ban on cluster munitions is a story of military doctrines being defeated by a powerful global humanitarian movement. Professor Garcia's paper shows us all how activist non-governmental actors and a handful of progressive state governments can overcome the seemingly unstoppable military agendas of many of the world's regimes.

I'm exceptionally pleased to present a strong crop of undergraduate authors alongside our distinguished faculty in this semester's journal. Starting us off is Elizabeth Dettke whose paper on the consequences of rape during the conflict in the Democratic Republic of the Congo is as informative as it is horrifying. I am especially pleased to use CIAR to shine a light on the all too often forgotten tragedies of central Africa.

Continuing our look at Africa, John Biberman's paper gives us a look at the how the Ivorian civil war can not be simply dismissed as a conflict between Muslims and Christians, or considered to be the result of a weak African state. Mr. Biberman shows us how the civil war is really the natural outcome of a series of rational economic and political choices.

Departing from Africa, we look at the U.S. - Mexico border through the eyes of Benjamin Schenk, who uses a process-trace approach to show how the heavy militarization of the Border came about. He shows us that the successful linkage between border and security occurred long before the events of 9/11 refocused our eyes on border security.

Finally, we take a hard look at a human rights drama that currently being waged around the world, the fight for LGBT equality. Jonathan Kim's paper tells us why there is no strong LGBT social movement in South Korea, despite a myriad of factors that might otherwise foster such a movement.

I would like to thank CIAR's Senior Advisors, Junior Editors, layout staff, the Mario Einaudi Center, and everyone else who contributed to the journal this semester. It could not have been completed without you. I would also like to dedicate this edition of the journal to my Grandmother, Claire Kaitin. Without her love and guidance I would not be in the position I am today.
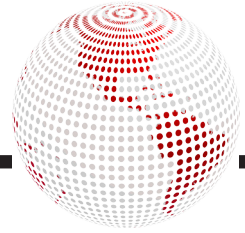
Noah Karr-Kaitin
Cornell University
Industrial & Labor Relations 2013
Editor In Chief, CIAR

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The Awakening:
How Revolutionaries, Barack Obama, and Ordinary Muslims are Remaking the Middle East

Peter Bergen
CNN National Security Analyst
Director, National Security Studies Program
New America Foundation

I will begin with Osama Bin Laden, because I'm one of the few people to have met him, which will remain the case going forward.

When we interviewed him in 1997, he said a number of things to us, which I think represent kind of an alternative vision of the Middle East that most Muslims have projected. And this vision you know during the course of this interview, which was difficult to arrange. He declared war for the first time against the United States, which was somewhat surprising. We didn't expect him to do that. Imagine if the Japanese in 1937 had gone on RKO or NBC and said, you know, "we are planning to attack the United States." Imagine how the events of Pearl Harbor might have turned out rather differently. Bin Laden warned us, and we just didn't process what he was saying very well. Partly of course because he wasn't a representative of the state, we didn't really understand that non-state actors, or Al-Qaeda groups, could inflict significant damage on us. Of course, on 9/11, Al-Qaeda did more damage in the morning than the Soviet Union had done directly to the United States during the decades of the Cold War, that was an unexpected development. So why were we attacked

on 9/11? What was Bin Laden trying to achieve? Did he achieve any of his goals?

One, why were we attacked? When Bin Laden talked to us in March of 1997, we asked him "why are you declaring war on the United States?" There were a lot of things he didn't say. He didn't say, "I'm attacking you because of your freedoms,
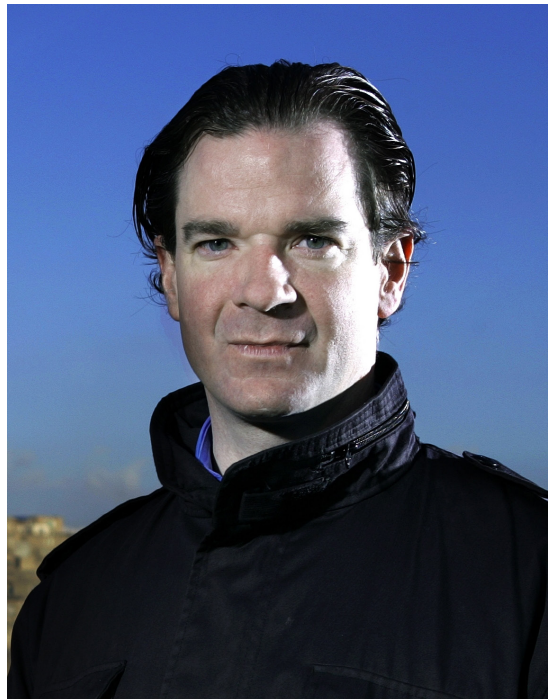
Peter Bergen

I'm attacking you because of the first amendment, I'm attacking you because of the Supreme Court, I'm attacking you because of Hollywood, I'm attacking you because of your policies on homosexuals, I'm attacking you because of feminism," he didn't mention any kind of cultural issue at all. It was a foreign policy critique of the United States and basically there were four reasons that he said that he was attacking us.

One, US support of Egypt and Saudi Arabia, regimes that he didn't think were sufficiently Islamic. Two, US support for Israel. Three, US support for sanctions against Iraq - which were then in place. Those were his key issues.

When we asked him "are you planning to attack American soldiers or American civilians" he said, "We are planning to attack American soldiers. If American civilians get in the way that's their problem." Obviously, over time Al-Qaeda became more militant.

After the interview was over, I thought that was all very interesting. How do you attack the United States from a mud hut in the middle of the night in Afghanistan? And the answer came the year later when they blew up two American embassies almost simultaneously, in Tanzania and Kenya, killing more than 200 people. Which was interesting for three reasons:

One, It demonstrated that Al-Qaeda was capable of attacking thousands of us from its space in Afghanistan

Two, it demonstrated that they had no compunction about killing as many civilians as possible. There's a very famous formulation about terrorism from the 1970s by Bryan Jenkins, one of the main academics to study terrorism in this country: you want a lot of people watching but not a lot of people dying.

Well on 9/11, you had a lot of people dying and a billion people watching. 9/11

was arguably the most viewed event in human history. The reason that previously terrorists didn't want to kill a lot of people, but wanted a lot of people watching, is that killing a lot of people either might dry up your popular support or it might provoke some massive response against you. This was seen in the behavior of the IRA in Ireland. Their largest massacre killed 29 people. Whereas Al-Qaeda, even before 9/11, was demonstrating that they were interested in killing as many people as possible.

The other aspect of the attacks in Africa that was especially interesting was that Kenya is a country with 30% Muslim population. The US lost a huge opportunity for propaganda by not framing Bin Laden

Bin Laden became more and more convinced that the United States was a paper tiger.

as somebody who has killed more Muslims than Americans. Twelve Americans died in Kenya in the embassy attacks and 200 other people died, a good number of them were Muslims. The US didn't use that propaganda advantage. President Clinton tried to respond aggressively. He launched cruise missiles at Al-Qaeda training camps, which were more or less ineffective.

Eventually, Bin Laden became more and more convinced that the United States was a paper tiger. In the interview that we did with him, he made the argument that the United States is very similar to the former Soviet Union and their withdrawal from Afghanistan. He based his analysis on the US withdrawal from Vietnam in the 1970s, the US pull out from Beirut in 1983 (after the marine barracks attack), and the US pullout overnight in Somalia after the Black Hawk Down incident - where eighteen US servicemen were killed.

Bin Laden's arguments were based on a naïve view of America. The United

States was not going to pull out of the Middle East because we were attacked in Washington or New York. Bin Laden believed that the US was so weak that an attack, on the scale of 9/11, would inflict so much pain on the US that they would pull out of the Middle East. He believed that the Arab regimes he opposed, particularly the Egyptians and the Saudis, would crumble without the US there to support them.

Not one part theory made any sense. In fact, a number of the smarter people within Al-Qaeda who weren't 'yes-men,' argued to Bin Laden that attacking the United States is not such a smart idea. Some of them argued that the attack was actually not in keeping with Islam. They argued that the attack will be bad news for the Taliban, who were hosting them. Bin Laden had even sworn an oath of allegiance to the Taliban, and his advisors warned him that he could be indirectly harming their hosts in Afghanistan.

Bin Laden ran Al-Qaeda like a dictatorship. There are many differences between Al-Qaeda and the Nazis. But one similarity that is important is that, when you join Al-Qaeda, you swore a personal oath of allegiance to Bin Laden. When you joined the Nazi party you didn't swear an oath of allegiance to the Nazis, you swore an absolute oath of loyalty to Adolf Hitler. Bin Laden made all the decisions, and he ignored all the good internal advice that he got.

9/11 attacks succeeded in their primary objectives. The attacks proved to be Pearl Harbor, in a sense, for Al-Qaeda. Just as Pearl Harbor was a great tactical victory for Imperial Japan, within four years as a result of Pearl Harbor, Imperial Japan ceased to exist. So with 9/11, it looked like a huge victory for Al-Qaeda but in fact it was a disaster. For several reasons:

First of all, what does Al-Qaeda mean? Al-Qaeda means "the base" in Arabic.

What happened? On October 7th,

George W Bush launched an operation with 300 US Special Forces and a hundred CIA officers on the ground in Afghanistan, and won one of the great unconventional victories of the modern era.

The US overthrew the Taliban government in three weeks, and Al-Qaeda lost their base in Afghanistan. They have never recovered a similar base. They migrated to Western Pakistan to some degrees in the tribal areas, and they tried to reform a base there, but it was nothing on the scale of the pre-9/11 Afghanistan.

In Afghanistan, Al-Qaeda ran a parallel state to the Taliban. They had their own foreign policy; attacking U.S. embassies, warships, and American cities. They had thousands of people graduating

US soldiers board a CH-47 Chinook helicopter during a military operation in Afghanistan.

from their training camps. They have never revived a similar base of operations.

By that standard, 9/11 was a devastating failure for them. In fact, a number of them publically made post-facto rationalizations to say it was a great victory. They claimed that the whole plan all along was diabolically clever to draw the United States into Afghanistan, to bleed us dry economically.

There's no evidence for that being the case at all. There was no evidence that they planned for that scenario. That argument provides a very naïve view of the United States, and the size of the American economy. Even though 9/11 was a pretty

big economic cost to the United States - it cost $500 billion as a general consensus, the US's $13 trillion dollar economy allowed us to shrug it off. You could even make the argument that it was actually, from a Keynesian point of view, very good for the American economy. It's not an accident that 6 out of 10 of the richest counties in the United States are around Washington right now. Wars are very good for the American economy. It was true for World War II, and it was true for Vietnam. Wars tend to be a Keynesian pump. I'm not saying that's a good thing or bad thing, I'm just noticing that Al-Qaeda's economic understanding of the United States didn't make a lot of sense.

So Al-Qaeda didn't read us right economically, they weren't trying to bamboozle us into invading Afghanistan in order to replay the Soviet debacle there. Their whole strategy was based on fallacies. Instead of pulling out of the Middle East, the US actually occupied and continues to occupy Afghanistan. We also occupied Iraq for many years. Furthermore, we have created vast American bases in places like Bahrain, and Kuwait, and Qatar. Al-Qaeda's strategy was a failure for both the organization and the larger strategy

The book that I wrote, *The Longest War*, was written before the death of Bin Laden and before the events of the Arab Spring. I say in the book that Al-Qaeda basically lost the longest war. They lost for several reasons that go beyond what I've just said. They lost the war of ideas in the Muslim world not because the United States won them; as you know, the United States is widely disliked. President Obama himself is hated about as much as President Bush was in the Arab world. I think its mostly because of the Arab-Palestinian issue in which the Obama Administration has not played a principally constructive role, particularly not if you're in the Arab world.

President Obama rather eloquently said at one point that Al-Qaeda were small men on the wrong side of history. President Bush also rather eloquently said, 9 days after 9/11 that Al-Qaeda would be, at a certain point, consigned to the graveyard of discarded lies, just as Nazism and Communism had been before. That process was already happening before the Arab spring and the death of Bin Laden because of the four issues I'm going to now mention.

One, Al-Qaeda and its allies were killing a lot of Muslim civilians. This wasn't very impressive for a group that positioned itself as if they were the founders of Islam. That argument was undercut by, among other examples, the atrocities Al-Qaeda in Iraq perpetrated during the insurgency. Those acts were very widely covered in the

[Al-Qaeda] claimed that the whole plan all along was diabolically clever to draw the United States into Afghanistan, to bleed us dry economically.

Arab world (particularly by Al Jazeera).

West Point has done a fascinating study of Arab language news accounts of terrorist attacks in the Arab world, and they found that the Arab language news accounts of these terrorist attacks routinely pointed out how many Arabs or Muslims had died in these attacks. It became clear, particularly in the 2006 period when Al-Qaeda in Iraq was at its absolute worst peak, that Al-Qaeda was beginning to be seen as a group that wasn't defending Muslims. Al-Qaeda was the essential motor that created the civil war in Iraq. Especially because Al-Qaeda was supplying the suicide bombers that were driving the civil war, and that most of the suicide bombers were actually foreigners coming from Libya or Saudi Arabia. We have studied documents to show that those were the two most important countries that were driving the attacks, and they weren't Iraqis

they were foreigners. So the fact was that Al-Qaeda was killing many Muslim civilians across the Middle East. For example, in 2005, Al-Qaeda attacked three American hotels in Amman, Jordan, and almost all the victims were Jordanians attending a wedding.

Now if you were to construct the absolute worst operation that Al-Qaeda could come up with, killing a lot of civilians attending a wedding would be that operation. And even the complete psychopath Abu Musab al-Zarqawi, who was the leader of Al-Qaeda in Iraq at the time, had to justify the Amman bombings by saying that the reason they attacked there was because Israeli spies were staying at the hotels. Even he had to do a quasi-apology for this attack. It wasn't just in Jordan and Iraq, Al-Qaeda had started attacking Saudi Arabia. Most of the victims of these attacks were Saudi civilians. The Saudi Government, which had up to that point had a sort of acquiescent approach to Al-Qaeda, then really turned against them. The Saudi population turned against them as well. We also saw that in Indonesia. In 2002 there was the attack in Bali that killed mostly Western tourists at two nightclubs. After that, Al-Qaeda's affiliate in Indonesia went on a spree of terrorist attacks, which killed mostly Indonesians at hotels in Jakarta. Then they went back to Bali in 2005 - just as the very important Bali tourism industry was recovering. That was another attack that killed mostly Indonesians. I can give you many other examples but the point is that Al-Qaeda was killing a lot of Muslim civilians, and this was not impressive to most Muslims.

The second point as to why Al-Qaeda lost the war of ideas in the Muslim world was that they had no positive vision. There're a lot of problems in the Arab world that need to be dealt with, and yet Al-Qaeda and Bin Laden never had any ideas of how to fix them. With Bin Laden, you knew what he was against, but what

was he for? What did he want to achieve?

If you were to ask him, he would say that he wanted the restoration of the Caliphate. By that, he didn't mean the restoration of the Ottoman Empire - a relatively rational group of people that treated minorities fairly well - he meant Taliban-style theocracies from Indonesia to Morocco. Most Muslims don't want to live under the Taliban. As we see the Arab spring develop, clearly there are some people who would like elements of Taliban-style theocracy, but it's largely a minority position in most of these countries.

Two other quick points on Al-Qaeda and why they lost the war of ideas: they made a world of enemies, which is never a winning strategy. They kept

US President Barack Obama

adding to their list of enemies instead of adding to their list of allies. Eventually Al-Qaeda was saying that anybody who is Shia can be targeted, or that any Muslim who doesn't precisely share our views can be targeted. For instance, Al-Qaeda in Iraq would kill people for smoking. Or it would kill people who used ice because the Prophet Mohammad didn't use ice in 7th century. These are ridiculous kinds of policies. Al-Qaeda said it's against every middle-eastern government, the

U.N., international media, Russia, China, India. There wasn't a category, institution, person, or government that they haven't said they were against.

The final point is Al-Qaeda has said, and when I say Al-Qaeda I mean Jihadist militant groups in general, that they will not engage in conventional politics. They will not turn themselves into Hezbollah or Hamas and begin providing quasi-government services.
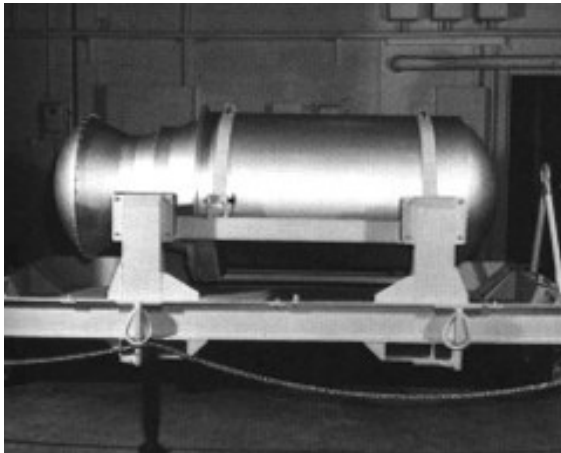
Casing of a U.S. W53 thermonuclear warhead

An "Al-Qaeda hospital" is an oxymoron; an "Al-Qaeda school" is an oxymoron. Clearly Hezbollah and Hamas do engage in conventional politics and have a social welfare component. Al-Qaeda and groups like it do not and will not. All that was true before the Arab Spring.

What I've found interesting, as a Bin Laden observer, was his silence about the Arab Spring. Why would he be silent when, since 9/11, Bin Laden has released over 30 videotapes and audiotapes? He has commented on any issue of any interest to the Muslim world at large. In 2010, he talked about the catastrophic floods in Pakistan; in 2009 he talked about the Israeli incursion into Gaza; last year he talked about the French banning the wearing of the burka in public; he talked about every issue, but the one thing he didn't talk about was the Arab spring, which is, after all, the most significant event in the middle east since the collapse of the Ottoman empire after World War I, and he had nothing to say about it. Why did he have nothing to say about it? Because here was exactly what he wanted to happen, yet it had nothing to do with his ideals and it had nothing to do with his men.

During the Arab Spring, I never saw a single protester holding Bin Laden's picture up, and only a few of the protestors were spouting anti-American rhetoric. In large measure, the United States wasn't really part of their conversation. There wasn't much anti-Israeli rhetoric, in any of these revolutions. It was much more about things that Arabs want for themselves; an accountable government, an independent judiciary, and a free press. These were all demands that anyone in the world would conceivable desire. The demonstrators weren't protesting problems outside the Middle East itself. Bin Laden had nothing to say because he didn't know what to say.

Then, all of a sudden, he was killed. As I indicated earlier, Al-Qaeda was a group that he personally founded by Bin Laden. His followers fused him, part and parcel, with the whole group. It is again similar to the Nazis. When Hitler died, Nazism died with him. It's an interesting question, to what extent Bin Ladenism or Al-Qaedism will die with Bin Laden? Or, to what extent it was already dying? His successor, the Egyptian Aymen Al-Zawari, is not the same charismatic leader. He will manage what remains of the group into the ground.

The other reason why Bin Laden didn't have much to say about the Arab Spring is that it undercut his two principal ideas. One, change could only come through violence. Of course, in Tunisia and Egypt, the revolutions were largely non-violent. Two, change can only come through attacking the United States. As I've mentioned, the United States really wasn't part of the conversation during the Arab Spring. Now can Al-Qaeda and groups like it try to take advantage of the Arab Spring,

and what's going on? In some countries, the answer is yes.

Yemen is the one where the most opportunities exist. There were already two civil wars going on in Yemen, before the recent events there: one in the north with the Houthi minority, and one in the south with the secessionists there. Now, there are essentially three civil wars going on.

Al-Qaeda tends to thrive in chaotic situations. Especially those where there is a lack of centralized control. Yemen has a serious lack of central government control. It's the poorest country in the Arab world, it is running out of both oil and water, half the population is chewing khat - which means that half the population is high after two o'clock in the afternoon, it's very tribal, and it's very mountainous. All this adds up to making Yemen a great place for Al-Qaeda to set up shop. After all, Al-Qaeda is an Arab organization and so they will try to institute themselves into what is going on in the Arabian Peninsula.

Sgt. 1st Class James Tembrock, platoon sergeant of 1st Platoon, fires his M-4 rifle during a firefight with al-Qaida in Iraq operatives near an insurgent safehouse south of Hussein Hamadi village, Diyala province, Iraq, Oct. 29, during Operation Ultra Magnus. Coalition forces killed four AQI members who were using the home as a base of operations to conduct terrorist activities in southern Diyala province.

This can already be seen in the group Al-Qaeda in the Arabian Peninsula, which is the outfit that was responsible for the attempt to bring down Northwest Airlines Flight 253 over Detroit. Al-Qaeda

groups like it have actually been able to seize territory in parts of Yemen over the past several months.

Could Al-Qaeda try to take advantage of what's going on in Syria? I think the answer is maybe. The Director of National Intelligence, James R. Clapper, recently testified and said that Al-Qaeda in Iraq is moving into Syria. They have long used Syria as a place where they could transfer suicide bombers from around the Middle East, so they have connections to Syria.

In Libya, I think it's unlikely that Al-Qaeda, or groups like it, will have much of a role. That said, one of the leaders of the Libyan government is somebody who is a part of the Libyan Islamic Fighting Group. The Libyan Islamic Fighting Group, until recently, was an Al-Qaeda related group. They agreed to a peace deal with the Gaddafi Government in which they rejected Al-Qaeda. Could that change? Maybe.

Moving now to the Arab Spring, during which Al-Qaeda had little role in, and hopefully will have little role to play in the future. The question is, how will the Arab Spring play out in different countries?

Clearly the monarchies are going to survive much better than the dictatorships. They have the option of becoming a constitutional monarchy. The dictatorships cannot become constitutional dictatorships; there is no such thing. This provides a way out for monarchies, who already tend to have more legitimacy. For example, the King of Jordan claims to descend from the Prophet Muhammad, and the King of Morocco claims to descend from the Prophet Muhammad. By the way, I'm not a mathematician, but almost all of us could claim to descend from the Prophet Muhammad. If you think about the math, we are about thirty generations away from the prophet Muhammad, maybe the mathematicians in the room could tell me

but I am sure that two to the power of thirty is a very large number.

These monarchies claim that since they descend from the Prophet Muhammad they ought to be afforded some measure of legitimacy. The Saudi Arabian monarchy is the defender of the two holy places, it's the third monarchy we now have, and it's been around since the 18th century. The Qatari royal family has been on the throne since 1825. These are established ruling parties. These monarchies also have a significant amount of economic power; they are some of the richest countries, per capita, in the world. Saudi Arabia has the world's largest oil reserves. They can attempt to bribe their populations, using their oil wealth, as a quid pro quo for not having a liberal state. I do think the monarchies will evolve. Kuwait already has a parliament that is somewhat effective. The Al-Sabah royal family has been on the throne in Kuwait since the 18th Century. They are more or less here to stay. Where you will see big change, and have already seen big change, are the dictatorships.

Dictatorships tend to not have much oil, they don't have religious authority, and they also haven't been around for very long. If you look at the dictatorships in Yemen, Libya, or Syria, you will see that they are a relatively recent phenomenon.

Egypt is a very interesting case. It reminds me a little of Romania. It reminds me a little of Romania. I was in Romania when the revolution happened against Chauchesku.

During the Romanian Revolution, the people around Chauchesku realized that it was time for him to go, but they continued to control the government. So Romania didn't really become a representative democracy in the classical sense, it was Chauchesku's circle who retained a lot of the power. Egypt looks a lot like that right now. The military staff and the military high command realized they had to throw Mubarak overboard.

With Mubarak gone, they seem to want to preserve their power.

Egypt has the tenth largest army in the world, 450,000 soldiers. They are a major part of the Egyptian economy. The army is, in a sense, the regime. So the question in Egypt is, will Egypt become more like Turkey - whose strong army checked itself and allowed a moderate Islamist government to develop? Or will they become like Pakistan, where the military retains a total veto over all elements of national security and also controls large chunks of the economy? We do not know the answer to that question. I was very surprised at how well the Islamists did in the parliamentary elections. I thought the Muslim Brotherhood would get thirty

Al-Qaeda tends to thrive in chaotic situations. Especially those where there is a lack of centralized control

percent of the vote, and they got a little bit more than that. I did not predict that the Salafists would get twenty-five percent of the vote. Salafists are ultra-conservative, ultra-fundamentalist Muslims. There is really nothing inherently wrong with that. There is no doctrine in Salafism that says you need to engage in violence, but we will have to see how this develops.

I'm also not terribly perturbed by the Muslim Brotherhood. I've met a lot of leaders in the Muslim Brotherhood, they have always seemed to be quite rational people to me. They tend to be doctors or lawyers. Firmer conclusions will be drawn as Egypt's future becomes clearer will, but we can already say that it does not look good for Israel.

Egypt has ended the political blockade in Gaza and an Egyptian mob attacked the Israeli embassy. Furthermore, Israel can no longer make the claim that it is the only democracy in the Middle East - which was a frequent claim that it used to justify its special status. As the old regime

disappears, and the new regime springs up and more accurately reflect the feelings of the Egyptian population, I think the cold peace between Egypt and Israel might turn into something more hostile. That certainly could be the case if the presidential election gives the Islamists even more control of the government than the seventy percent stake of parliament they have already won. The peace agreement between Egypt and Israel may, in fact, not stand.

Osama bin Laden

I have asked people in the Muslim Brotherhood, "what about the peace agreement with Israel?" They have given a rather ambiguous answer, which is that they will observe the truce, but if the population wants us to amend it, then we will change.

Another big Loser in all this I think is Iran. They are about to lose their critical Syrian ally. That means that they will not be able to resupply their militia in Lebanon, because there's no overland supply route. They can no longer claim that they are the only revolutionary state in the Middle East since 1979, and I think they will be on the losing side of all this.

I think The Arab Spring is probably a net neutral for the United States. The rebelling populations are more anti-American than the dictatorial or authoritarian regimes. We may see a Middle East that is less inclined to go along with what we would like going forward.

The final big loser is Al-Qaeda, for the reasons I've already outlined.

While the Arab Spring could be a fairly good thing for Al-Qaeda in Yemen, the United States still has a pretty aggressive campaign against them. The United States was able to kill Anwar Al-Awlaki, the American cleric in Yemen. It is very interesting that, Obama is the first American President to authorize the assassination of an American citizen.

This is just pure speculation on my part, but imagine if George W. Bush had quintupled the number of drone strikes in Pakistan and was authorizing the assassination of American citizens. I think left side of the Democratic Party and the human rights organizations would be making a much bigger fuss about it then they are now. I think Obama has largely been given a pass on this. Part of the reasons for this is that these operations are very secretive, and it is hard to understand the legal authorizations.

Attorney General Eric Holder has begun to explain why it is okay for the government to kill American civilians, and I think his explanation can be summarized as: this guy was part of Al-Qaeda, and Al-Qaeda is at war with the United States. Therefore it does not even matter if he is American, or not, because the Authorization for Use of Military Force, which was in place after 9/11, allows us to attack and kill these people.

We are still at a strange point where the authorization of assassinations of American citizens is happening. In fact, Al-Awlaki's sixteen-year-old son was also killed in the drone strike, so now drone strikes are killing American minors overseas.

Al-Qaeda in Yemen is under a lot

pressure from drone strikes, and from U.S. Special Operations forces that are working there. That said, the bomb maker that tried to get the bomb onto Flight 253 is still out there. He tried to hide bombs in toner cartridges on two American cargo planes flying to Chicago. They were found in Dubai, and the only reason they were found is that the Saudis actually gave the United States the routing numbers of the packages. It was incredibly specific information. This very skilled bomb maker, who can make bombs that can be smuggled onto planes which are virtually undetectable, is still out there.

Al-Qaeda in Iraq is experiencing a very predictable resurgence. The fact that we left hasn't hurt them and that they have learned from their mistakes, during the 2006 time period, has been beneficial to them. Whenever there is a very large attack in Baghdad, it is almost certainly Al-Qaeda in Iraq, and they will continue trying to attack the Shi'a government going forward.

Lashkar-e-Taiba, who perpetrated the Mumbai attacks in 2008, may well try to attack another major Indian city. That would be a possible prelude between a war between India and Pakistan, two nuclear-armed nations.

One of Bin Laden's most toxic legacies was to infect other groups with his beliefs. One of those groups is the Pakistani Taliban, which is known by its initials TTP. This manifested itself in Faisal Shahzad, who worked as a financial analyst at the Elizabeth Arden Company in Connecticut before he took up arms on behalf of the Taliban. He is an American citizen who was trained by the Pakistani Taliban, and came back to the United States. Shahzad was living a middle class lifestyle, and was married with kids. He then bought an SUV, drove it to Times Square on May 1st 2010. He checked video footage to determine when the best time to detonate a bomb would

be, and found that he could kill the most people by detonating a bomb on Saturday at 6 p.m. One could hardly imagine a better place to inflict maximum damage.

Luckily it didn't work, but the Pakistani Taliban have showed some interest in wanting to attack the United States. There are other groups too, the Islamic Movement of Uzbekistan, for example. Also, the Islamic Jihad Union, who have training bases in western Pakistan, and tried to attack Ramstein Air Force Base, in 2007.

These groups will continue their efforts. Some of them we will die off. Some will grow as Bin Laden's ideas continue to percolate. Even though he lost the war of ideas in the Muslim world, writ large, there will always be some takers, some a disaffected young man or woman, who will be sympathetic to these ideas not only in the Muslim world but here in the United States. Just think of Major Nidal Hasan, who was influenced by Al-Qaeda in the Arabian Peninsula, and then killed 9 of his fellow soldiers at Fort Hood.

So, Going Forward, What Can We Expect the Threat of Terrorism to be?

I am concerned about a second, Mumbai-like, attack. I am concerned about an attack along the lines of the anthrax attack in 2001. A somewhat skilled microbiologist in the Muslim world in Indonesia or Pakistan, motivated by some Al-Qaeda like ideas, could put together an anthrax weapon or something like it. That's not a 'chicken little' scenario, it is plausible.

Future small-scale attacks in the United States are also very plausible, and they will continue to happen. One thing that might be a game changer would be the bringing down of a commercial airliner with a surface-to-air missile or a plastic explosive bomb. That would have a devastating effect on commercial aviation. It wouldn't be a second 9/11 to be a significant attack. Those are the kinds of

things that, going forward, people should be concerned about.

The threat from terrorism is still very small. I speak as somebody whose expertise is terrorism, so I should naturally try to inflate the threat. You are much more likely to die in the bathtub drowning than to die in a terrorist attack in almost any given year in the United States. Around 300 Americans accidentally drown in their bathtubs, and we do not respond with an irrational fear of bathtub drowning. In the same way, we should not have an irrational fear of terrorism. On 9/11 Al-Qaeda got very lucky, those fifteen people hijackers got very lucky. There was no TSA and there was no Department of Homeland Security.

President Barack Obama salutes at Andrews Air Force Base before departing for Columbus, Ohio in March of 2009

On 9/11, the FBI and CIA were barely talking and there were very few joint terrorism task forces, now there are over 100, including the National Counterterrorism Center.

The US has put forth a giant amount of resources to the problem of terrorism. When the ship of state turns, it takes awhile, but I think we have the problem more or less covered. It is very hard for a politician to make that kind of statement, because what if your wrong? It is easy for people who are national security experts to say terrorism no longer a national security problem, it is more of a 2nd order threat. We did not treat the Oklahoma City attack where 168 Americans were killed, as an event that required us to revise our entire national security policy. We will see those kinds of attack in the future, maybe not on the scale of Oklahoma City.

Terrorism is one of the oldest forms of warfare, and it is exceedingly difficult to stop lone wolves. Timothy McVeigh, the perpetrator of the Oklahoma City attack was not technically a lone wolf, because he had at least one coconspirator, but he was not operating as part of a large group – it's very hard to stop that. Major Nidal Hasan, the Fort Hood shooter, was operating as a lone wolf. Faisal Shahzad was a lone wolf with help from overseas.

It does not matter how many resources you put at the problem, you can never eliminate the threat from lone wolves. Think about it, there is no more heavily policed place in the world then Times Square on a Saturday night, but Shahzad still tried to carry out his attack. You can put up all the deterrents you want, but when people are on a mission it's hard to stop them. But I think the threat of terrorism is receding, but you wont hear a politician say it… because what if they're wrong?

I wanted to talk a little bit about Pakistan and Afghanistan. Pakistan is a country that is very easy to be negative about, but let me just throw out some positives because you don't hear that so often. Pakistan had an Arab Spring before there was an Arab Spring. They got rid of their military dictator; it was a civil society movement, and the media was very much a part of it.

10 years ago, in Pakistan, there was one TV station, which was essentially government propaganda. My understanding is there are now eighty-nine TV channels in Pakistan. All of them are very anti-American, but many are very anti-Taliban, and many are pro-democracy. This media diversification and liberalization is a very good thing for Pakistan going

forward.

Pakistan also has an independent judiciary. The whole dispute that got Nawaz Sharif out of office was he sacked the Chief Justice. Before the Arab Spring was cresting, the Pakistanis rose up and got rid of Sharif. The judiciary has proven itself to be quite independent, both in terms of asking for the ISI military intelligence to produce prisoners who've mysteriously disappeared, and at the same time insisting that cases against President Zardari go forward in a Swiss court.

Recently, something very unpredictable happened. Pakistan granted "most favored nation" status to India on trade, which was something that two years ago no one would've thought possible. I think there's a growing sense in Pakistan, where the economy's doing pretty poorly, that if they don't attach themselves to the Indian engine of growth they will be left behind. So the fact that there are growing trade links between Pakistan and India is a very good thing. 2% growth rate is obviously a very big problem for them. Only 2% of their population pays taxes, another big problem. But I think Pakistan will muddle through, it's done so in the past.

On Afghanistan, again you know what all the negatives are, but I just wanted to emphasize some positives. I was there under the Taliban, so I have a certain civil war sense of what it looks like over time. Afghanistan, under the Taliban, a doctor ran about $6 a month, which is not a lot of money. The Taliban, obviously, incarcerated half the population in their homes, didn't allow girls go to school, and the economy basically dematerialized. Last year the there was a 10% GDP growth rate, a change from a very low growth rate in Afghanistan under the Taliban. Under them, there were only one million kids in school and there are now eight million; 37% are girls, under the Taliban it was zero. It's very interesting to me: on the left, people really want us to get out of Afghanistan, and I remember, before 9/11, on the left there was a lot of criticism of the Taliban for their despicable treatment of women. I don't really here any discussion on the left right now about what the Taliban resurgence would do to women's rights and girl's rights in Afghanistan, and I think it would be a disaster for them, quite clearly.

The Taliban haven't said anything about what their plans are for the country. Not that they control the whole country, but if the right certain set of circumstances happen they will certainly come back to power in parts of the south and east of Afghanistan.

Afghans are very optimistic about their future. One of the most common polling questions you can ask is "is your country going in the right direction?" Seven out of ten Afghans think theirs is. That's not true in the United States. If you go back to 2008, I think only 20% of Americans thought the country was going in the right direction, but we were in the middle of this huge recession. So Afghans are positive about the future. Why are they positive?

Well they lived through the Soviet Invasion, the civil war, and the Taliban. Any one of those would be pretty bad; in combination, this has really damaged Afghanistan very much. They know, with all the problems that exist, that what is happening is better than the past. If you go to Kabul, there are traffic jams now. Under the Taliban, there was no traffic because there were no cars. It was like driving into Phnom Penh under the Khmer Rouge perhaps. There was no economic activity; there was no phone system, now one in three Afghans has a cellphone. I can count off a whole list of indicators that show Afghanistan is doing better than we think. I think often people think Afghanistan is sort of like Iraq because we have American

troops there and it seems to be a very bad situation. In Iraq, when the violence peeked in 2007, you were twenty times more likely to be killed in Iraq than you are to be killed today in Afghanistan. In Iraq, the violence was off the charts. You are still more likely to be killed in Iraq, by the way, today than you are to be killed in Afghanistan. The war in Afghanistan is just not that violent.

The administration has put a lot of faith in Taliban negotiations. I think it's a pipe dream. There are some powerful reasons for that. Mullah Omar is not Henry Kissinger. He's not a rational actor. When Omar came to power, he anointed himself as Commander of the Faithful. This is a rarely invoked religious title, dating back to the time of the Prophet Mohammad, suggesting that he's not only the leader of the Taliban, or the leader of all Afghans, but that he's the leader of all Muslims. So he's a delusional religious fanatic, and the history of negotiations with delusional religious fanatics is not impressive. I think that we will find that he's had an opportunity to reject Al-Qaeda; Bin Laden's death should've been the moment to distance himself from Al-Qaeda and he didn't take it.

I think we put too much psychic energy into the idea that negotiations with the Taliban are going to yield anything. I think it would be much better if we put our energy and thoughts into the 2014 election in Afghanistan. If that can be a reasonably free and fair election, I think that can be a big signal to the Afghan people.

So just one final thought on President Obama. Surely a lot of people who voted for him have been surprised by the fact that he's actually been one of the more aggressive Commanders in Chief that we've ever had. In 2011, we were fighting 6 wars in Muslim countries: Iraq, Afghanistan, Pakistan, Libya, Somalia, and Yemen. This was the anti-war candidate, and yet he came in and he has waged war. So I think that he's been a surprise, and perhaps he should not have been a surprise. If you go back to 2007, he was roundly criticized for saying that we will do a unilateral action in Pakistan to get Bin Laden. Hilary Clinton, John McCain, and Mitt Romney - who accused him of being Dr. Strangelove – decried Obama's stated Pakistan policy at the time.

In fact, Obama was serious; he did do a successful unilateral operation. National security turns out to be his strong suit. If you look at polling data, he's at 65% approval on his handling of national security, which is not what people thought he would be. I think that he's been quite unexpected. I think it doesn't fit with the narrative of the Democratic Party being weak on national security.

It doesn't fit with the Nobel Peace Prize winning President Obama, and is a case of cognitive dissonance. He quintupled the number of drone strikes in Pakistan, he tripled the number of American troops there, and he said were going to be there from 2009 until 2014. When we leave Afghanistan in 2014, we will leave as many troops in Afghanistan as George W. Bush had there at the end of his eight years.

Obama has been very interesting. It's a very different kind of presidency then perhaps many people thought. I think history will record that this has been the president who's been very liberal in his use of special forces - in Yemen and Somalia for example; this is a president who's been very liberal in his use of drones; this is a president who amped up our presence in Afghanistan very substantially. I think all those things are not what people thought when they voted for him about three years ago.
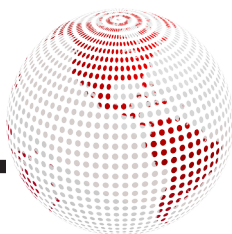
The War Lovers (Again):
What the Foreign Policy Advisers of Presidential Candidates May Tell Us About Future U.S. Foreign Policy

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Evan Thomas's recent book, The War Lovers, chronicles the "monumental turning point" of the U.S. declaration of war against Spain in 1898, and the small circle of men who pressed for war, and for an American empire. The central figures, for Thomas, were Theodore Roosevelt, Assistant Secretary of the Navy; his friend Henry Cabot Lodge, hawkish senator and foreign policy adviser to President McKinley; and William Randolph Hearst, editor of the New York Journal, whose paper did its upmost to fan war fervor in 1897-8. These men were inspired by, and had the strong support of Alfred Thayer Mahan a naval officer, history professor, and influential author of The Influence of Sea Power Upon History. Though President McKinley hesitated about war with Spain, Roosevelt and Lodge had long dreamed of a war that would establish the United States as a major player on the world stage. When another prominent politician, Speaker of the House Thomas Reed, opposed substantial increases in naval funding that he thought "invited conflict," Lodge promptly accused him of harboring "extreme pro-Spanish prejudices."[1]

The U.S. did declare war on Spain in 1898, won a six-months war, and then became bogged down for 14 years in a war against Philippine insurgents who had expected independence after Spain's defeat. In the process of "pacifying" the insurgency, the occupation officers developed methods of surveillance and torture that Americans would use again, both in the U.S. and abroad.[2] The episode calls up obvious analogies. In other times there have been enthusiastic, often romantic war advocates who discounted the risks and costs of wars--wars that seldom turned out as the "war lovers" intended.

Three Varieties of Engagement with the World

From at least 1898, one finds in U.S. foreign policy three distinct threads of argument and action propagated by presidents and their circles of advisers: unilateralist expansionism (as in the Roosevelt-Lodge argument for the Spanish American war); isolationism (represented by, among others, Speaker of the House, Thomas Reed); and the more recent liberal internationalism

enunciated (if not always practiced) by Woodrow Wilson. The three doctrines are not always easy to label and disentangle, of course.[3]

Nevertheless, the point cannot be missed that small circles of advisors, chosen by presidents precisely because they share with him fundamental perspectives on the world, often become very influential sources of foreign policy advice. And whether or not the president subscribes overtly to unilateralist principles, presidents since 1946 have engaged in many wars, most without congressional declarations, and many without any real consultation with allied democracies or even the U.S. Congress. These facts draw our attention to the advice groups that support presidential foreign policy stances.

The most notable since WWII have been the group of well-educated and urbane "Wise Men" who guided the post-war transition to U.S. superpower status and Cold War in the 1940s;[4] the architects of the Vietnam War in the Kennedy and Johnson Administrations,[5] and the George W. Bush advisors (including the Vice President) who

planned and executed the "global war on terror."[6]

From the beginning of American world power to the most recent stage of hegemonic dominance, these four groups were all men (with the exception of Condoleezza Rice in the Bush advisory group) who aspired to make their country powerful, and who themselves clearly relished the power that came with designing a new world. But there are critical differences.

The first group of architects (the 1898 empire builders around TR) and the fourth (the 2001 Bush advisors, or "Vulcans" as the core group called themselves), represent episodes of nationalist unilateralism in Republican administrations. The second

Former Governor Mitt Romney of Massachusetts

group of advisers, The Wise Men (as historians have dubbed them) were different, internationalists of a more cooperative bent, whether because they had just seen a cataclysmic war won by a determined alliance of democracies, or because the years after 1945 were clearly both transitional and critical (if war focuses the mind, so does

making a lasting peace amid the rubble). They served a Democratic administration in which the Wilsonian commitment to multilateral, institution-centered internationalism was still a constraint on unilateralism.

In addition, the two aggressively unilateralist advisory groups (of 1898 and 2001) saw the *military* as the central institution of American foreign policy. The Wise Men of 1946 who constructed (with a lot of help) the post-war world saw alliances, diplomacy and new international institutions as the central mechanisms of U.S. influence in the world. If the first and last advisor groups were War Lovers, the Wise Men were not. They were not dewy-eyed pacifists, by any means. They were tough-minded, hard-eyed calculators of national advantage at a time when U.S. economic interest and the goals of rebuilding Europe, integrating the world economy, creating new rules to deter war, and democratizing the defeated Axis nations were all quite compatible.

But, however suspicious they were of the communists who by late 1946 were morphing into designated national enemies, and however narrow the vision developed in their mostly privileged families and toney universities, the 1946 cohort of foreign policy advisors were far more flexible in their strategic calculations, and the end-states they worked toward, than the 1898 empire builders, the Vietnam architects of 1964-68, or the Bush Vulcans of 2001. Even by the time they became, in the most fundamental way, anticommunists, the Wise Men differed from the first group by being less motivated by capitalist exigencies, and from the last group, by being less *ideological.* As Isaacson and Thomas describe the 1940s group, "ideological fervor was frowned upon; pragmatism, realpolitik, moderation, and consensus were prized. Nonpartisanship was more than a principle, it was an art form."[7]

Thus it seems accurate to say that the Wise Men, though they served a Democratic president, were less partisan than the two

unilateralist groups, which contained few if any members from the other party and did not value pragmatic non-partisan collaboration. The words "partisan," and "ideological" have different implications. While partisanship may lead to policy gridlock (IF it strongly coincides with ideological fervor, which is not always the case), and may have other unfortunate consequences, ideologues make more worrisome foreign policy advisors. Or so argues political scientist Thomas Langston.[8]

Why Ideologues Make the Most Dangerous Foreign Policy Advisers

Langston has constructed an insightful typology that distinguishes partisans, ideologues, and other "people with ideas" who fall in neither of those camps. Many people interested in policy find a place in government because they have ideas for programs, usually centered on a set of goals that are valued by their party, and they have a set of logical means to achieve them. Many of these people are academics, technocrats, or simply pragmatists who have worked in real-world settings, in experimental ways, and want to carry those lessons and methods to the national level.

But ideologues are more than just people *with* ideas. They are people *of* ideas. And that is the characteristic that can make them dangerously inflexible and close-minded, certain that the ends they insist upon justify whatever means can accomplish them.[9]

Regular partisans are seldom as inflexible as ideologues; they want to win elections. Ties to the general electorate give partisan officials a grounding in popular politics that ideologues in think tanks usually lack. Academics, whose numbers in government increased after the inauguration of Franklin D. Roosevelt, usually plan to return to their universities after government service, and, one might suggest, want to protect their scholarly reputations from charges of extremism; tenure demands may also act

to moderate extremism, as do classes full of questioning students. Ideologues, on the other hand, live their lives surrounded by other ideologues, often in think tanks that are far more insulated than universities or campaigns and elected offices.

In Langston's definition, "ideologues" are people of ideas who:

1. Claim absolute certainty about truth; have a comprehensive explanation of current and past reality. Explanation flows form a set of first principles or a priori assumptions. Their policy preferences are thus very predictable.
2. Ascribe value to a particular state of being, rather than a process, like democracy.
3. Have a historical consciousness (sense of historical evolution).

President Reagan and the Soviet General Secretary Gorbachev at a morning meeting in the Oval Office during the Washington Summit in December of 1987.

4. Have an epistemology -- a way of learning.
5. Are affiliated with like-minded persons, in clubs, organizations, journals of opinion, think tanks, or similar institutions.[10]

Thus, ideologues value end-states above process, and adhere closely to those end-state values, even in the face of changing circumstances and new information. They are not very open-minded, in part because they do not have to be. They spend much of their time in think tanks and media outlets with

like-minded pe ople, and are clever enough to insinuate themselves, in a kind of "chain migration" into presidential administrations where they may achieve great influence.

The Expansion, Defeat, and Return of Ideology

The number of ideologues in the executive branch has grown remarkably since the late 1970s.

The essential cause is probably found on the supply-side: the growth of think tanks funded by a new breed of strongly ideological foundations. The total number of independent think tanks increased by over 400 percent between 1970 and 2001.[11] Favorable tax incentives for contributions to nonprofits, dissatisfaction with the Carter administration, and particular unhappiness among businessmen and hawkish intellectuals about increasing regulation and taxes, post-Vietnam military cutbacks, and rising criticism of Israel after 1967-- all these developments facilitated the expansion of conservative think tanks.[12]

The new think tanks differed from earlier ones by their overt political advocacy, according to the author of the major recent study of think tanks. Rather than focusing on the scholarly research and policy analysis encouraged by earlier funding sources (particularly the older Ford and Rockefeller foundations), the new breed of think tanks were aggressively ideological. As Andrew Rich reports, the large majority of think tanks in 1996 were "avowedly ideological" (165 of the 306 in his study, or 54%), and two thirds of those were conservative. Furthermore, "the rate of formation of conservative think tanks (2.6 each year) was twice that of liberal ones (1.3 each year).[13] As the older foundations began to decline funding requests from think tanks with a political cast, the new conservative foundations—like the Bradley, Smith Richardson, and Sarah Scaife foundations-- demanded active promotion of conservative economic and foreign policy ideas. And the difference in orientation to political advocacy ("aggressively promoting their ideas") is what has made the conservative think tanks so much more influential, according to Rich.[14]

By the 1990s, the largest think tanks, measured by annual budgets, included the Heritage Foundation, The American Enterprise Institute, and the Brookings Institution, all with budgets of around 20-25 million dollars, and the Urban Institute, with a budget of over $55 million. The first two were categorized by Congressional Quarterly's *Public Interest Profiles* as "conservative," the Brookings Institution as liberal. The Urban Institute last was classified by PIP as "politically balanced" or "non-partisan."[15]

Arguably the largest think tank of all is the Rand Corporation, founded in 1946 (and made independent of the Defense

South Carolina State Treasurer Curtis Loftis campaigns with Gov. Mitt Romney during a September 2011 event in North Charleston, South Carolina.

Department two years later) to produce technological and strategic policy studies for the armed services. It is still (like the Urban Institute) a major recipient of government contracts.[16] If Rand were classified as a think tank, it would be listed on the conservative side, based on its policy orientations and funding sources; indeed, several prominent hawkish ideologues have been affiliated with Rand, as was an important neoconservative mentor, Albert Wohlstetter, a mathematician and strategic analyst.[17] But even without Rand, growth in the 1980s and 1990s was robust for the 11 wealthiest conservative think tanks,

leaving them with significantly more assets than the 11 wealthiest liberal institutions by the early 2000s.[18]

The Reagan administration was the first to reflect the surge in conservative think tanks. Langston describes it as the most ideological presidency in American history.[19] Its closest competitor, the administration of Franklin Roosevelt (the previous realignment leader), was leavened with partisans, social workers, and competing ideologues, making its "ideological density" less notable. It is not surprising that a president with little experience in foreign policy would be willing to rely on a network of ideologues that could furnish ideas and rationales for his hawkish foreign policy orientation. One may perceive a pattern in the reliance of inexperienced presidents on ideologues, one that connects the Reagan and G.W. Bush administrations but skips the administration of the more experienced and assured George H. W. Bush.

The Reagan administration, then, on taking office, reflected the "supply side" growth of available conservative ideologues from the new aggressively conservative think tanks. He also recruited heavily from a group of Cold War hawks that came together to protest cuts in the defense budget (The Committee on the Present Danger).[20] Prominent among them were Richard Perle, Fred Ikle (both in Reagan's Defense Department), Eugene Rostow (an opponent of arms control appointed to head the Arms Control and Disarmament Agency), and John Lehman, Jr.(Secretary of the Navy), all colleagues from the CPD; and William Casey, heading the CIA. All were, to put it mildly, "opponents of détente." Casey, according to his executive assistant, Robert Gates, saw his purpose there as "primarily to wage war against the Soviet Union."[21] The administration did have its share of divergent ideologues and traditional partisans, but the Iran-Contra scandal illustrated the potential for disaster when weakly supervised ideologues run amok.

In the last years of his administration,

however, Reagan abandoned the strident bellicosity and brinksmanship of the first three years and entered negotiations with the Soviet leader that led, in 1987, to the most important nuclear arms control treaty of the Cold War. The new Reagan posture allowed Gorbachev the maneuvering room to introduce dramatic reforms without fear of attack from the U.S., and then to dismantle the Soviet empire itself. But before that

The resurgent hawks have apparently pinned their hopes on Romney.

happened, the most inflexible foreign policy advisers left the Reagan administration in disgust, allowing relieved pragmatists to do their momentous work unimpeded.[22]

The end of the Cold War removed the major rationale for a highly militarized foreign policy, leaving the Reagan-era hawks rather at sea. They returned to their think tanks to regroup and await a new opportunity.[23] That opportunity arrived in 2001.

The George W. Bush administration was a second act for the extreme hawks. The modalities and apocalyptic discourse of the Cold War were easily adapted to a long-term war on terror. The neoconservatives, brought into the administration by Vice President Cheney, Defense Secretary Rumsfeld, and Cheney's former DOD colleague, Paul Wolfowitz, recruited scores of like-minded people to manage the administration's foreign policy. President Bush wryly apologized to AEI for stripping its ranks of over 20 conservative thinkers for his administration.[24] Bill Kristol boasted that every week one of the Vice President's aides dropped by the *Weekly Standard* offices to pick up 30 copies.[25]

The results of the ideological occupation of the executive branch in 2001 are well known. The Bush administration mismanaged two costly wars, each longer than any before 2001; launched a final surge of deregulation that freed financial institutions to take excessive risks; and cut

taxes sharply during war (for the first time in American history). The U.S reputation abroad fell dramatically, debt mounted, and deaths rose.[26]

One might have thought that the conservative ideologues would quietly return to their think tanks after 2008 and keep a low profile. But surprisingly, they began to reappear in 2010. The Republican Party, grown even more conservative, surged back in the low-turnout midterm elections as the economy recovered too slowly and the health care, financial reforms, and economic stimulus policies angered conservatives. The ideologues who had guided a disastrous foreign policy and presided over an economic debacle again appeared in policy debates, and on university lecture circuits. In 2012, the Republican primary contenders were anything but contrite about the Bush record. The war lovers were back.

The Foreign Policy Advisers of Mitt Romney

On foreign policy, the 2012 Republican contenders exhibit few differences. All but Ron Paul favor expanding, rather than contracting, military budgets, bases, troops, and weapons systems. The three major candidates (Romney, Santorum, and Gingrich) would slow withdrawal from Iraq and Afghanistan, reduce cooperation with international institutions, cut foreign aid, and offer uncritical support for Israel. The candidates (except for Paul) express no hesitation about the possibility of a new war with Iran, and criticize President Obama for pursuing diplomacy.

But the resurgent hawks have apparently pinned their hopes on Mitt Romney. His team of foreign policy advisers announced in 2011 abounds with hawks from the Bush and Reagan administrations.[27]

In introducing the group, Romney appeared to consciously use language that echoed the1990s Project For The New American Century, whose grand plan, first proposed in 1992, would assure U.S. global dominance with reliance on an

unchallengeable military able to preempt any competitors: "I am deeply honored to have the counsel of this extraordinary group of diplomats, experts, and statesmen. Their remarkable experience, wisdom, and depth of knowledge will be critical to ensuring that the 21st century is another American Century."[28]

Table I lists the affiliations and experience of Romney's most notable advisers. Almost all are linked to the most conservative think tanks—PNAC, AEI, Heritage, and PNAC's successor, The Foreign Policy Initiative; some have multiple affiliations. In view of the biographies of the Romney foreign policy team, and the Republican consensus on major issues, it seems reasonable to conclude that if he is elected, his administration will be predisposed to return to the foreign policy ideas and policies of the Bush administration. As a candidate with little foreign policy knowledge or experience, Romney may follow the Reagan-Bush pattern of relying on ideological networks for administration staffing and policy development.

Most contemporary foreign policy hawks have not engaged in war themselves, but show the same enthusiasm for military prowess, and the same lack of attention to costs as earlier ideologues. It has been common among the Bush administration advisers to defend war expenditures and deaths as quite modest in comparison to previous wars.

In an NPR debate on U.S. foreign policy in 2011, Romney's most prominent advisor, Eliot Cohen, noted that "The United States today spends something on the order of about five percent of Gross Domestic Product on defense, maybe a little bit more. During the Kennedy administration, that figure was over eight percent, during the Eisenhower administration, over 10 percent." He argued that domestic social spending was a far greater budgetary concern than military spending.[29]

Cohen's debate partner, Elliott Abrams, argued that the military budget had

already taken "great hits" and that further cuts would benefit U.S enemies and threaten its role in the world, making the entire world less safe. And, he argued, "there are hundreds of millions of people around the world who rely on American power for their safety." He defended the moral purpose of the war in Iraq, and referenced the nation-building successes in Germany and Japan after WWII as analogies.

As for the human costs of war, Eliot Cohen noted that "Using force is a terrible thing. You're going to kill innocent civilians. You're going to make mistakes.   You'll probably get some of your own people killed. And those are real people. Are you going to avoid something worse? That's really the fundamental reason why we do go to war,

Chief of Naval Operations (CNO) Adm. Mike Mullen listens to Commanding Officer of Riverine Squadron One, Cmdr. William J. Guarini Jr., explain the features of the combat vest during a visit of Riverine Group One (RIVRON-1) and Riverine Squadron One on board Naval Amphibious Base Little Creek.

and we should go to war."

Cohen has criticized the deficiencies of counterinsurgency policy in both the Bush and Obama administrations and suggested that a better model for the occupations that follow American wars can be found in the most controversial policy of the Reagan administration. Applied in Central America to shore up right wing dictators and fight insurgencies through surrogates—American-trained and armed soldiers and paramilitaries-- this strategy has been dubbed the "El Salvador Option" by Cohen and others. It has suggested to some critics the resurrection of a policy

that supported conservative, pro-American dictatorships, terrorized civilians and political dissidents in Guatemala, Honduras and El Salvador, and lead to the deaths of thousands, from entire peasant villages to Archbishops murdered while saying mass.[30]

"We did counterinsurgency very well in Salvador," Cohen has said;[31] In a late-2009 article featured on the AEI web site, Cohen continued to tout the Salvador Option as a promising strategy for dealing with insurgencies.[32]

War hawks now press for preventive war on Iran, either on U.S. initiative, or in the course of U.S. backing for an Israeli strike. Their war campaign again suggests over-optimistic assumptions about the speed and efficacy of bombing to prevent Iran's acquisition of nuclear weapons,   and little concern for the risks and costs of war.[33] Their arguments, and the drumbeat of exaggerated threat echoed in the media, recall similar arguments made for the Iraq war in 2002-3. In the present Iran case, as in Iraq, there is insufficient intelligence about the nuclear program, and insufficient examination of what it would mean for the United States or Israel (the principle advocate of such an attack) if Iran DID develop nuclear weapons. Diplomatic initiatives are again given too little weight by war advocates. If Iran's nuclear program is a response to prolonged threats from Israel and the United States, then non-aggression pledges and moves toward a de-nuclearization of the Middle East (including Israel) merit serious consideration. At the least, multilateral diplomatic negotiations-- of the sort that were successful in persuading Libya to abandon its nuclear and chemical weapons programs—should be undertaken as alternatives to war.[34]

But is there reason to fear that the bellicose rhetoric of a presidential candidate with a team of very hawkish foreign policy advisers will inevitably, if elected, lead the country into more unnecessary wars, and favor military force over "soft power" in foreign

policy? Should campaign rhetoric be taken seriously as an indication of foreign policy strategies and goals? Political science theory suggests that there is.

First, there is the consistent finding that presidents do devote their first two years (at least) to the achievement of the policy platforms on which they run.[35] That may well be, as Rahul Desai has argued, a major reason for midterm losses.[36] And the prospect of midterm and presidential year losses at the polls tempts presidents to "diversionary war."[37]

But Benjamin Fordham adds plausible complexity to his study of diversionary war: party difference. Democratic presidents, he shows, are more likely to go to war when inflation is high; Republicans, when unemployment is high. The rationale rests on left-right party differences in democracies around the world. The left party is more concerned with unemployment, which its constituents experience more than the affluent constituents of the right party. If unemployment is high, Democratic presidents will meet it with stimulus and social welfare programs. However, if inflation is high, that won't be as feasible. Shorn of opportunity to enact its favored domestic policies, Democratic presidents will then go to war to distract the public from economic woes and elicit a rally effect. Republican constituents do not favor stimulus policies; So, if unemployment is high, they will instead go to war. Different economic problems carry different risks of war, depending on the party of the President. The evidence shows that there is, in fact, evidence of such patterns in the many wars presidents initiate.[38]

If Romney wins, adopts stringent deficit-cutting policies and cuts social spending to pay for the large military he and his foreign policy advisers have pledged to support, a slide back into recession would be an occasion for diversionary war…. which would doubtless have the approval of the hawkish advisers, who would wrap ideological goals in electoral interest . The neoconservative Iraq war initiative was, in fact, justified by President Bush's political adviser and GOP leaders as a way to forestall midterm election losses in 2002.[39]

Stephen Skowronek's theory of the presidency[40] seems to predict that an "articulator" (a president who is affiliated with the "regime" (dominant) party—clearly the Republicans now—will be more warlike than presidents in other "political times." These post-realignment presidents face increasing tensions within their party coalitions and also personal frustrations with the obligations of the "faithful son" to the regime founder. They are anxious to break out and make a record for themselves, while uniting their increasingly restive party. War serves both purposes. Romney would be an articulating president, in Skowronek's scheme.

Finally, my own concept of "novice macho" argues that new presidents, especially those who have no military experience, will, in their first year, initiate a military attack to prove their mettle. For Obama, it was a dramatic obliteration of a group of Somali pirates. For Clinton, it was bombing Iraq early in 1993. For George W. Bush, of course, it was war in Afghanistan. For Romney, the most likely pre-election target, given his advisors and his own statements on Iran and Israel, would be an attack on Iran: unilaterally, or by backing up an Israeli attack.

If, on the other hand, Obama is reelected and Israel does not initiate an attack on Iran, he will be unlikely to start that war. Its risks are great; his foreign policy advisers, both civilian and military, do not favor a third war, and a spiking oil price will slow recovery—which is his main ticket to reelection.

A careful 1993 study of presidential war-making, in another honors thesis at this university, demonstrated that if presidents are going to make war in their own reelection year, it will likely be in the first six months of the year, becoming less likely in the six months before the election. The later restraint seems to arise from fear of provoking opposition

from Americans suspicious of a politically-motivated war. Should Obama be reelected without involvement in a third war, which is probably his preference, war becomes steadily less likely in the second term. The last two years of an eight-year presidency are the most peaceful of all. Presidents no longer have electoral incentives to make diversionary wars, and are likely to be concerned with leaving a positive legacy.[41] This is probably the reason that George W. Bush resisted entreaties from Israel to attack Iran during his last two years. Instead, he pursued new foreign aid programs and diplomatic negotiations with North Korea and Libya.[42]

Conclusion: Breaking the Habit of War

The use of the Evan Thomas phrase "war lovers" to describe both the late 19th century imperialists and the Bush era defenders of a robust, military-centered foreign policy might seem a bit reductionist, but in fact both groups of empire advocates have revealed little hesitation about war making, or acknowledgement of its costs-- in deaths (both to American soldiers and foreign soldiers and civilians), life-changing injuries, forced population migrations, institutional collapse, huge financial commitments, growing national debt, and environmental devastation.

Teddy Roosevelt and the 1898 war hawks embraced war with the enthusiasm of schoolboys. Roosevelt himself delighted in his brief war adventure, and urged his sons to be warriors. He "abhorred weakness, in himself or anyone else," and "craved dangerous adventure in an almost pathological way." He "felt blessed to send his sons to war," remarking that he would prefer that his children "die than have them grow up weaklings." His son Archie reported, to apparent paternal approval, "the sensation of shooting a German and then, in a rage, stomping on his face, staining his boot with blood up to the ankle," all the while feeling "like a creature 'of the stone age.'" When his younger son Quentin shot down a German plane in WWI, and was himself wounded, TR delighted that "The last of the lion's brood has been bloodied!" He was not, however, prepared for Quentin to die in the war. When it happened, writes Thomas, "The romance of war, at long last, gave way to heartbreak."[43]

In the 21st century, war threatens to become an American addiction, despite abundant evidence of the toll that extended war takes on the human mind and body, and the lessons of past occupations.[44] The human toll has been tragically underlined in the killings of civilians in Afghanistan and Iraq, at the hands of Americans who, but for long participation in a war of occupation, would probably have lived normal lives.

Speaking of an Army sergeant accused of killing 16 Afghan civilians in a small village in March, 2012, a military psychiatrist told the New York Times that "With his multiple deployments and wounds, [he] seems emblematic of bigger problems: an overstretched military battered by 11 years of combat; failures by the military to properly identify and treat its weary, suffering troops; and the thin line dividing 'normal' behavior in war from what later is deemed 'snapping.' This is equivalent to what My Lai did to reveal all the problems with the conduct of the Vietnam War," Dr. Xenakis said. "The Army will want to say that soldiers who commit crimes are rogues, that they are individual, isolated cases. But they are not."[45]

Is it not time for the United States to find more positive ways to develop its human resources and exert its influence in the world than in the endless military conflicts envisioned by the war lovers? Should we interrogate our presidents and their foreign policy advisers before elections, to discern exactly how they view the world, the benefits of peace, and the costs of war?

Table 1   Romney Foreign Policy Advisers: Positions and Affiliations (think tanks in bold)

Name	Positions, Affiliations
Cofer Black	CIA, State Department Counterterrorism (2002-2004); an executive at the private security firm Blackwater in 2005; then founded his own intelligence company. (*http://www.pbs.org/wgbh/pages/frontline/bushswar/interviews/black.html#ixzz1mlyeeV4x*)
Christopher Burnham	Burnham served at the United Nations under President Bush, closely associated with US Ambassador to the UN John Bolton. *(The Atlantic,* http://www.theatlantic.com/politics/archive/2011/10/romney-foreign-policy-bench-impresses/246450/*)*
Michael Chertoff	Bush administration Secretary of Homeland Security and strong defender of Bush administration anti-terror policies. (Michael Chertoff, "Make No Mistake: This Is War," *Washington Post, April 22, 2007)*
Eliot Cohen	Founding Signatory of **PNAC** *(Project for The New American Century,* http://www.newamericancentury.org/Bushletter.htm*);* member of the **American Enterprise Institute**'s Council of Academic Advisors (*American Enterprise Institute,* http://www.aei.org/about/council-of-academic-advisers/). Cohen teaches at Johns Hopkins University's School of Advanced International Studies. He was a protégé of Paul Wolfowitz in the early 1990s, and served as counselor to the State Department during the last two years of the George W. Bush administration. After 9/11, Cohen referred to the new era as "World War IV" in the Wall Street Journal. "The analogy with the Cold War does, however, suggest some key features of that conflict: that it is, in fact, global; that it will involve a mixture of violent and nonviolent efforts; that it will require mobilization of skill, expertise, and resources, if not of vast numbers of soldiers; that it may go on for a long time; and that it has ideological roots." *(*Eliot Cohen, "World War IV," *Wall Street Journal,* November 20, 2001.*)* He strongly supported the Iraq war, though later criticized the execution of the occupation as "incompetent." Cohen signed a PNAC letter to President Bush on 9-20-2001, joining 40 other PNAC activists, which urged that, after Afghanistan, the next goal should be regime change in Iraq, which country was led by "one of the leading terrorists on the face of the earth," Saddam Hussein. "Failure to undertake such an effort will constitute an early and perhaps decisive surrender in the war on international terrorism." In addition, the letter argued, "any war against terrorism must target Hezbollah. We believe the administration should demand that Iran and Syria immediately cease all military, financial, and political support for Hezbollah and its operations. Should Iran and Syria refuse to comply, the administration should consider appropriate measures of retaliation against these known state sponsors of terrorism." The letter also urged strong support for Israel and a hard line on Palestinian attacks, as well as a large increase in the defense budget to prosecute the war on terror while remaining "capable of defending our interests elsewhere in the world." (*PNAC,* http://www.newamericancentury.org/Bushletter.htm*)*

	Cohen has disparaged the Obama administration's focus on diplomacy in an August 2, 2009 *Wall Street Journal* op-ed: "It has also committed itself to the fantastic notion of abolishing nuclear weapons. It took the first step along that path to nowhere by starting an arms control process with Russia, without any evidence that doing so would produce Russian cooperation on anything at all, although it would further degrade America's nuclear arsenal…. The Iranian policy shows a faith in diplomacy that might be understandable coming from process-obsessed diplomats who live for démarches, talking points, working groups, back channels, dialogues and summits…. Abhorring Bush's freedom agenda, it will avoid anything of the kind until, of course, being Americans, the president, the vice president or the secretary of state blurt out their faith in universal ideals, and their indignation at the behavior of thugs, dictators and tyrants." *(*Eliot Cohen, "What's Different About the Obama Foreign Policy?" *Wall Street Journal, Opinion Journal,* August 2, 2009. *http://online.wsj.com/article/SB10001424052970203946904574300402608475582.html* Cohen is a prominent hawk on Iran. ("There are only Two Choices Left on Iran," *Wall Street Journal*, September 27, 2009).
Paula Dobriansky	Signatory of **1998 PNAC** letter to President Clinton advocating removal of Saddam Hussein. (http://www.newamericancentury.org/iraqclintonletter.htm) Dobriansky serves on the board of Freedom House, **National Endowment for Democracy** (Vice Chair), American Council of Young Political Leaders, and the American Bar Association Central/East European Law Initiative. *(Harvard,* http://belfercenter.ksg.harvard.edu/experts/1979/paula_j_dobriansky.html)
Eric Edelman	Advisor to Dick Cheney **(**Principal Deputy Assistant to the Vice President for National Security Affairs); Under Secretary of Defense for Policy, 2005-9. In 1992, Edelman was appointed by then Defense Secretary Cheney to draft, with Paul Wolfowitz and Scooter Libby, the 1992 Draft Defense Planning Guidance, a document meant to serve as a post-Cold War framework for U.S. military strategy. A precursor of the Project for the New American Century, and the Bush National Security Strategy of 2002, the 1992 strategy document advocated that the U.S. tolerate no competition for global dominance. (Patrick Tyler, "U.S. Strategy Calls for Insuring No Rivals Develop," *NYT,* March 8, 1992 (http://www.nytimes.com/1992/03/08/world/us-strategy-plan-calls-for-insuring-no-rivals-develop.html?pagewanted=all&src=pm; Nicholas Lehman, "The Next World Order," *New Yorker*, April 1, 2002). Edelman serves on the Board of the conservative **Foreign Policy Initiative** think tank with William Kristol, Robert Kagan, and Dan Senor, and is also on the Board of Directors of the United States Institute of Peace. He is currently a Distinguished Fellow at the Center for Strategic and Budgetary Assessments, a senior associate of the International Security Program at the Belfer Center for Science and International Affairs at Harvard University, and a visiting scholar at the Philip Merrill Center for Strategic Studies, directed by Elliot Cohen. *(*United States Institute of Peace, *http://www.usip.org/experts/eric-s-edelman)*

Aaron Friedberg	Founding Signatory of **PNAC** (*http://www.newamericancentury.org/statementofprinciples.htm*) Professor of politics and international affairs at Princeton; Deputy assistant for National Security Affairs and Director of Policy planning for VP Cheney 2003-5. (*Princeton*, http://lapa.princeton.edu/peopledetail.php?ID=305)
Nile Gardiner	Director of The **Heritage Foundation**'s Margaret Thatcher Center for Freedom; former aide to PM Thatcher. *(Heritage Foundation,* http://www.heritage.org/about/staff/g/nile-gardiner) An advocate of "rebuilding America's defenses," he accuses the Obama administration of "overseeing and implementing the biggest decline in American global power since Jimmy Carter." *http://www.heritage.org/research/reports/2011/05/the-decline-of-us-leadership-threatens-americas-position-as-the-worlds-superpower*)
Michael Hayden	**CIA Director,** 2006-9; Joined other directors of the CIA in opposition to a proposed investigation of interrogations by the Obama administration. He was said to have been the principle architect of VP Cheney's NSA eavesdropping plan. *(NYT,* http://query.nytimes.com/gst/fullpage.html?res=9407E5DB1439F93AA2575AC0A96F9C8B63&ref=michaelvhayden; *and* http://www.nytimes.com/2006/05/14/washington/14nsa.html?pagewanted=2&adxnl=1&ref=michaelvhayden&adxnnlx=1329595253-UacgMq44XyJKbP80YGYzMg *)*
Kim Holmes	**Heritage Foundation** Vice President, Foreign and Defense Policy Studies, *(*http://www.heritage.org/about/staff/h/kim-holmes*)*
Robert Joseph	Joseph holds the position of Senior Scholar at the National Institute for Public Policy. (*Missile Defense Advocacy Alliance,* http://www.missiledefenseadvocacy.org/web/page/703/sectionid/574/pagelevel/3/interior.aspx*)*. He served on President Bush's National Security Council and as Under Secretary of State for Arms Control and International Security in 2005-7. In May 2010, Joseph wrote a *National Review* article with Eric Edelman arguing against President Obama's new START Treaty with Russia (*http://www.nationalreview.com/articles/229704/new-start-weakening-our-security/robert-joseph?pg=4*). In 2002, Joseph was aligned with the hawkish Cheney-Perle-Edelman faction in the Bush administration http://articles.orlandosentinel.com/2002-05-26/news/0205260165_1_perle-foreign-policy-scowcroft*)*, and was involved in the insertion of a disputed claim (about an Iraq attempt to purchase uranium in Africa) into the president's State of the Union speech. http://www.nytimes.com/2003/07/18/world/after-the-war-cia-uproar-new-details-emerge-on-uranium-claim-and-bush-s-speech.html?pagewanted=all&src=pm
Robert Kagan	Leading **PNAC** activist, *Weekly Standard* columnist, and author of numerous books on foreign policy, including *Present Dangers: Crisis and Opportunity in America's Foreign and Defense Policy*, with William Kristol, which laid out the concerns of neoconservatives on the eve of the Bush administration (2000); and "Toward a Neo-Reaganite Foreign Policy," (with William Kristol), *Foreign Affairs* July/August, 1996. Kagan is now a senior fellow in foreign policy at the **Bookings Institution**

	http://www.brookings.edu/~/media/Files/experts/kaganr/kaganr_bio.pdf) Kagan, like other PNAC activists, insists that the U.S. must remain the preeminent superpower, with "a number of roughly equal but lesser other powers." http://www.brookings.edu/interviews/2012/0215_america_power_kagan.aspx)
John Lehman	Secretary of the Navy under Ronald Reagan. Led Paine Webber, Inc. Aerospace and Defense Group. Signatory of **PNAC** 2001 letter to President Bush. http://www.newamericancentury.org/Bushletter.htm). Served on the board of the **Committee on the Present Danger**, a hardline defense advocacy group that worked to roll back détente policies with the Soviet Union and increase defense spending in the 1970s. (http://www.historycommons.org/entity.jsp?entity=committee_on_the_present_danger_1) Lehman served as president of the Abington Corporation, a lobbying firm that employed Richard Perle and received subcontracts from large defense contractors such as Northrop Corporation, Boeing, and TRW. *(Philip H. Burch, Reagan, Bush, and Right-Wing Politics* (Greenwich, CT: JAI Press, 1997), pp. 19, 123, 72-73; Jeff Gerth, "Aide Urged Pentagon to Consider Weapons Made by Former Client," *New York Times,* April 17, 1983. Member of the Center for Security Policy *(*http://centerforsecuritypolicy.org/Home.aspx?CategoryID=47&SubCategoryID=50*.);* the Board of Trustees of the **Foreign Policy Research Institute;** and the **Partnership for a Secure America** http://psaonline.org/userdata_display.php?modin=51&uid=18). Advocate for expansion of the Navy and harsh critic of "detentists" in the 1980s. (David Isenberg, *"The Illusion of Power: Aircraft Carriers and U.S. Military Strategy,"* Cato Institute, June 8, 1990).
Walid Phares	Currently on the advisory board of a pro-Israel film group that creates controversial documentaries on "Radical Islam," the **Clarion Fund**. (*Clarion Fund,* http://www.radicalislam.org/content/about-clarion-fund (shown to NYC police trainees, among others). In the 1980s, Phares was a high-ranking official in a right-wing Christian Lebanese militia allied with Israel. It was accused of massacring Palestinian refugees (Adam Serwer,"Top Romney Official Tied to Militia that Massacred," *Mother Jones,* Oct. 27, 2011. http://motherjones.com/politics/2011/10/walid-phares-mitt-romney-lebanese-forces; http://politics.salon.com/2011/10/07/romneys_scary_middle_east_advisor/ Phares is associated with the neoconservative **Foundation for the Defense of Democracies**. (http://www.defenddemocracy.org/media-hit/walid-phares-testimony-before-house-subcommittee/)

Dan Senor	A Fox News analyst and author of *Start-up Nation: The Story of Israel's Economic Miracle,* Senior was a founder of the conservative think tank, *the Foreign Policy Initiative*, with prominent neoconservatives, William Kristol, Robert Kagan, and Eric Edelman (http://www.foreignpolicyi.org/node/79) Senor served in the Bush administration White House and Defense Department, but his most high-profile position was as spokesman for the Coalition Provisional Authority and adviser to its director, L. Paul Bremer.*(The Jewish Daily Forward,* March 24, 2010. http://www.forward.com/articles/126843/)*
Jim Talent	Distinguished Fellow at the **Heritage Foundation** (Heritage Foundation, http://www.heritage.org/about/staff/t/jim-talent)*; a former GOP Senator from Missouri, specialist on military affairs, and an opponent of reductions in the defense budget. *(http://www.heritage.org/research/reports/2009/06/obamas-2010-defense-budget-top-five-worst-choices-for-national-security*)
Vin Weber	Signatory of **PNAC** letter to Bush in 2002 *(*http://www.newamericancentury.org/Bushletter.htm*).* Weber was Republican Representative from MN, 1981-93, and then president and co-director with Jack Kemp, Jeane Kirkpatrick and Bill Bennett, of Empower America, a public policy advocacy group. He has recently been described by Washingtonian magazine as no. 5 of the country's 50 top lobbyists.*(*http://www.clarkandweinstock.om/our_team/id.32/staff_detail.asp*)*
Dov Zakheim	Adjunct Scholar at the **Heritage Foundation** (*Defense Business Board,* http://dbb.defense.gov/bios/Dov_zakheim.html)*Zakheim contributed to a 2000 **PNAC** paper, "Rebuilding America's Defenses," which "proceeds from the belief that America should seek to preserve and extend its position of global leadership by maintaining the preeminence of U.S. military forces." *(*http://www.newamericancentury.org/RebuildingAmericasDefenses.pdf*).* In 1998, he signed a **PNAC** open letter to Clinton about the crisis in Kosovo. *(*http://www.newamericancentury.org/balkans_pdf_04.pdf*)* From 2001-2004 he was Under Secretary of Defense and Senior Financial Officer at the DOD. He also served on a number of government boards in the Bush administration. *DOD,* http://dbb.defense.gov/bios/Dov_zakheim.html

Endnotes

1 *The War Lovers* (New York: Little, Brown and Company, 2010), 188. Warren Zimmerman presents a slightly different cast of characters (though all historical accounts show great overlap in these identifications). For Zimmerman, the Five Americans who "Made their Country a World Power" were TR, Lodge, John Hay, and Elihu Root (the latter two both Secretaries of State under TR; and Root was Secretary of War before, New York Senator after holding that post). Zimmerman, *First Great Triumph* (New York: Farrar, Straus, and Giroux, 2002).

2 Alfred W. McCoy, *Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State* (Madison: University of Wisconsin Press, 2009); Gregg Jones, *Honor in the Dust* (NY: New American Library, 2012).

3 In one example of the controversy around "Wilsonianism," Tony Smith, a prominent historian of Wilsonian liberal internationalism, proclaimed Ronald Reagan a Wilsonian democracy promoter. To most critics, Reagan failed the test of multilateralism and collective security advocated by Wilson, and represented more clearly the unilateralist internationalism that relies on force rather than diplomacy. However, it is true that, toward the end of his administration, Reagan dramatically reversed his early bellicose style in favor of bilateral negotiation with Mikael Gorbachev. (Tony Smith, America's *Mission: The United States and the Worldwide Struggle for Democracy in the Twentieth Century* [Princeton, NJ: Princeton University Press, 1994]). For one critical review of Smith's book, see

David C. Hendrickson in *Foreign Affairs*, November-December, 1994).

4 Walter Isaacson and Evan Thomas, *The Wise Men: Six Friends and the World they Made* (NY: Simon and Schuster, 1997). The group chronicled were Dean Acheson, Charles Bohlen, Averell Harriman, George Kennan, Robert Lovett, and John McCloy, Jr.

5 On presidents and their Vietnam policy advisors, see in particular Fredrik Logevall, *Choosing War* (Berkeley, CA: University of California Press, 1999*;* David Halberstam, *The Best and the Brightest* (NY: Ballantine Books, 1992); Gordon M. Goldstein, *Lessons in Disaster* (NY: Henry Holt and Co., 2008); David Milne, *America's Rasputin* (NY: Hill and Wang, 2009); John Acacia, *Clark Clifford* (Lexington: University Press of Kentucky, 2009); and Andrew Preston, *The War Council* (Cambridge, MA: Harvard University Press, 2010).

6 On the George W. Bush advisers, see, for example, Jane Mayer, *The Dark Side* (NY: Doubleday, 2008); Justin Vaisse, *Neoconservatives: TheBiography of a Movement* (Cambridge, MA: Belknap Press of Harvard University Press, 2010); Bob Woodward, *State of Denial* (NY: Simon and Schuster, 2006); and James Mann, *Rise of the Vulcans* (NY: Viking, 2004).

7 *The Wise Men*, 29. See also Robert L. Beisner, *Dean Acheson* (NY: Oxford University Press, 2006), chapter 7.

8 Thomas Langston, *Ideologues and Presidents* (Baltimore: Johns Hopkins University Press, 1992), xii-xx.

9 *Ibid,* 4-10; see also, Thomas Langston and Elizabeth Sanders, "Explaining Ideological Intensity in the Modern Presidency: The Case of George W. Bush," unpublished conference paper, 2005, especially tables 1-4.

10 Langston, Ideologues and Presidents 1-2.

11 Andrew Rich, *Think Tanks, Public Policy, and the Politics of Expertise* (New York: Cambridge University Press, 2005), 4. Rich, writing in 2005, identifies 306 "independent" think tanks not affiliated with universities or government, 81 percent of them formed since 1970 (pp. 13-16).

12 This discussion draws on John Ehrman, The Rise of Neoconservatism (New Haven: Yale University Press, 1995); Langston, *Ideologues and Presidents;* and Langston and Sanders, "Explaining Ideological Intensity."

13 Ibid., 20.

14 Andrew Rich, "War of Ideas: Why Mainstream and Liberal Foundations and the Think Tanks they Support are Losing in the War of Ideas in American Politics," *Stanford Social innovation Review, Spring 2005* http://www.ssireview.org/pdf/2005SP_feature_rich.pdf, 18-24. "Think tanks on the left tend to be organized by issue area – around women's issues, poverty, or the environment – rather than taking on the broad range of issues with which Congress and the president deal," the author writes (22). A research director at a new progressive think tank told Rich, "If you're on the left, you have to go to the foundations and say you're neutral, unbiased – not politicized. You're certainly not liberal. If you're ideological, they don't want to support you. It's frustrating – because, by contrast, if you're on the right, the foundations will only fund you if you toe the ideological line, if you want to do battle for the conservative cause." (24).

15 Foundation for Public Affairs, Public Interest Profiles, 1988-89, and 1998-99 (Washington, D.C.: Congressional Quarterly, Inc., 1989, and 1999). Henceforth cited by year of publication and page number.

16 Donald E. Abelson and Evert A. Lindquist, "Think Tanks in North America," in James G. McCann and R. Kent Weaver, *Think Tanks and Civil Societies* (Piscataway, New Jersey: Transaction), table 46-47.

17 Fred M. Kaplan, *Wizards of Armageddon (Palo Alto, CA: Stanford University Press, 1983)*. AEI has a 12th floor conference center named for Wohlstetter.

18 Langston and Sanders, table 4. By our calculations, using data from *Public Interest Profiles*, conservative think tank net assets were about $480 million in 2002, compared to 350 million for the liberal think tanks.

19 Langston, *Ideologues and Presidents,* xi-26.

20 Thirty two members of the CPD (including the president himself) served in the Reagan administration. Lawrence Wittner, "Reagan and Nuclear Disarmament," *Boston Review*, April/May, 2000. http://bostonreview.net/BR25.2/wittner.html

21 Frances Fitzgerald, *Way Out There in the Blue: Reagan, Star Wars, and the End of the Cold War* (New York: Touchstone, 2000), 108-109, 156-57.

22 The remarkable story is told compellingly by Beth Fischer, *The Reagan Reversal: Foreign Policy and the End of the Cold War* (Columbia, MO: University of Missouri Press, 2000)*;* Francis Fitzgerald, *Way Out There in the Blue, 416-17;* and Matthew Evangelista, *Unarmed Warriors: The Transnational Movement to End the Cold War* (Ithaca, NY: Cornell University Press, 2002). The extreme hawks who left the Reagan administration in 1987 were Richard Perle, Kenneth Adelman, and Frank Gaffney. Among the "relieved pragmatists" were Secretary of State George Schultz, National Security Adviser

23 The role of conservative think tanks in providing a home and income for ideologues when the times are not propitious for them calls up Verta Taylor's term, "abeyance structures," in her article, "Social Movement Continuity: The Women's Movement in Abeyance," *American Sociological Review*, vol. 54, no. 5 (Oct. 1989), 761.

24 White House release, http://georgewbush-whitehouse.archives.gov/news/releases/2007/02/20070215-1.html.

25 http://rightweb.irc-online.org/profile/weekly_standard.

26 On the fatal errors made by Defense Department ideologues in Iraq, see, for example, Thomas E. Ricks, *Fiasco* (New York: Penquin Press, 2007).

27 Josh Rogin, "Romney Creates Shadow National Security Council," *The Cable,* October 6, 2011 (http://thecable.foreignpolicy.com/posts/2011/10/06/romney_creates_shadow_national_security_council);
"An American Century: A Strategy to Secure America's Enduring interests and Ideals." A Romney for President White Paper, with a Foreword by Eliot Cohen, October 7, 2011 http://www.mittromney.com/sites/default/files/shared/

AnAmericanCentury- WhitePaper_0.pdf;

Stephen M. Walt, "Romney Flunks Foreign Policy—Again," *Foreign Policy* online , November 1, 2011 (http://walt.foreignpolicy.com/ posts/2011/11/01/romney_flunks_foreign_policy_again;

28 Rogin, "Romney Creates Shadow National Security Council." Conservative think tanks are among the strongest voices in opposition to cuts in the defense budget, according to Josh Rogan. See his "Conservative Think Tanks oppose Republican Efforts to Trim Defense Budget," *Foreign Policy*, Oct 4, 2010. http://thecable.foreignpolicy.com/posts/2010/10/04/conservative_think_tanks_oppose_ republican_efforts_to_trim_defense_budget

29 (Transcript) NPR Staff, "Is It Time to Clip America's Wings?" Intelligence Squared U.S. Debate at New York University, April 5, 2011. On the left in the debate were Peter Galbraith and Lawrence Korb. Elliott Abrams, one of the most controversial of the Reagan hawks, was convicted in 1991 of two misdemeanor counts for withholding information from Congress in the Iran-Contra investigations; he was pardoned by the first president Bush, and went on to serve in the administration of George W. Bush. Abrams was apparently too controversial for formal inclusion in the Romney team, but he has contributed to the campaign with an aggressive, and (other conservatives claimed), misleading, attack on Newt Gingrich in the *National Review*. (Jeffrey Lord, "Elliott Abrams Caught Misleading on Newt," The Spectacle Blog, http://spectator.org/blog/2012/01/27/elliott-abrams-caught-misleadi/print).

30 Jonathan D. Tepperman, "Salvador in Iraq: Flashback," *Foreign Affairs* April 5, 2005 http://www.cfr.org/iraq/salvador-iraq-flash-back/p7988. Writes Tepperman, "During El Salvador's bloody twelve-year civil war, which ended in 1992, the United States had used American trainers and vast amounts of cash to strengthen the Salvadoran military in its battle against leftist guerrillas. It hadalso allegedly supported the use of right-wing paramilitaries and death squads to liquidate the leaders of the rebellion. And it was this latter policy, the [New York Times] articles claimed, that was now being contemplated for Iraq: the creation of elite commando units, trained by American Special Operations Forces, and made up of Shia militiamen and Kurdish *peshmerga*, to hunt down leaders of the Sunni insurgency. When asked, Defense Secretary Donald Rumsfeld stopped short of categorically denying the Salvador option, but refused to comment further."

31 Ibid, 2.

32 Eliot Cohen, "Obama's Coin Toss." AEI, December 6, 2009. http://www.aei.org/policy/foreign-and-defense-policy/regional/india-pakistan-afghanistan/

33 Mark Mazzetti and Thom Shanker, "Pentagon finds Perils for U.S. if Israel Were to Strike Iran," *New York Times,* March 19, 2012. http://www.nytimes.com/2012/03/20/world/middleeast/united-states-war-game-sees-dire-results-of-an-israeli-attack-on-iran.html?_r=1&hp; John Mearsheimer and Stephen Walt, "Why Mr. Obama Must Take a Stand Against Israel over Iran," *Financial Times*, March 5, 2012.

34 After Moammar Gaddafi announced in December of 2003 his willingness to negotiate, "inspectors from the United States, United Kingdom,and international organizations worked to dismantle Libya's chemical and nuclear weapons programs, as well as its longest-range ballistic missiles. Washington also took steps toward normalizing its bilateral relations with Tripoli, which had essentially been cut off in 1981," Arms Control Association, "Chronology of Libya's Disarmament and Relations with the United States," http://www.armscontrol.org/ factsheets/LibyaChronolog

35 Gerald Pomper, with Susan S. Lederman, *Elections in America: Control and Influence in Democratic Politics, 2nd Ed.* (New Yok: Longman, 1980).

36 Rahul Desai, "Midterm Loss: Examining the Relationship between Presidential Agendas and Midterm Election Outcomes." Unpublished Honors Thesis, Department of Government, Cornell University, 2010.

37 One of the most comprehensive and persuasive studies confirming this sort of political war making is Benjamin Fordham, "Partisanship, Macroeconomic Policy, and U.S. Uses of Force,1949-1994," *Journal of Conflict Resolution* 42 (August1998), 418-39.

38 Ibid.

39 Dan Balz, "Rove Offers Republicans a Battle Plan for Elections," *Washington Post*, January 21, 2006. According to the Post, the same war-focused campaign was planned for the 2006 midterms. http://www.washingtonpost.com/wp-dyn/content/article/2006/01/20/AR2006012001853.html

40 Stephen Skowronek, The Politics Presidents Make (Cambridge, MA: Belknap Press of Harvard University Press, 1997).

41 Mark Kesselman, Rally Around the Calendar, unpublished honors thesis, Department of Government, Cornell University, 1993.

42 Jonathan Steele, "Israel asked Bush for Green Light to Bomb Nuclear Sites in Iran," *The Guardian* (UK), September 25, 2008. http://www.guardian.co.uk/world/2008/sep/25/iran.israelandthepalestinians1

43 Thomas, *The War Lovers*, 404-6.

44 David M. Edelstein, *Occupational Hazards: Success and Failure in Military Occupation* (Ithaca: Cornell University Press, 2008). Edelstein finds only 7 successes in 26 military occupations by single or multiple nations since 1815.

45 James Dao, "Town Asks How 'Our Bobby' Became War Crime Suspect," New York Times, March 18, 2012 (Quoting Dr. Stephen Xenakis). http://www.nytimes.com/2012/03/19/us/sgt-robert-bales-from-small-town-ohio-to-afghanistan.html?hp.
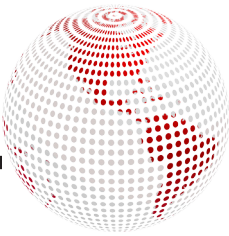
Banning Evil:
Cluster Munitions and the Successful Formation of a Global Prohibition Regime

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The rise and entry into force of the 2008 Convention on Cluster Munitions (CCM) that prohibits cluster bombs constitutes a global prohibition regime. I argue that this new prohibition regime and the arising new international norm set by the CCM, i.e. the prohibition of the use, development, production, acquisition, stockpiling, retention or transfer of cluster munitions developed due to a strong moral opprobrium, initially elicited by commanding moral force of International Humanitarian Law as a robust and compelling previously existing normative structure and then by the success of the ban on landmines that acted as a model of activism and fast-track diplomacy a decade before. The ban on cluster bombs is about military doctrines succumbing to the higher authority of moral and humanitarian concerns propelled by activist non-governmental actors and a few forward-looking states.

Cluster munitions constitute a substantial part of the military arsenals of all major powers. Their development, procurement and stockpile are a central hard component of national security. Yet, in less than two years, cluster munitions were banned by an international treaty negotiated outside the normal channels, the United Nations (UN), and spectacularly, in less than two years. The treaty is the Convention on Cluster Munitions (CCM) signed in Oslo in December 2008, by almost one hundred states, and quickly enforced force (August 2010). Realists would dismiss such cases and say that the politics of national security is impervious to change and influence. A few prominent scholars have demonstrated the role of other actors beyond the state in bringing change to other issues that are close to the national security of states. The case of the powerful convention that banned landmines in 1997 proved to be the first hard case in which an issue of national security was brought to change by the penetrating and coordinated influence of non-governmental organizations (NGOs) worldwide. Differently from landmines, cluster munitions are a highly profitable industry and have a

vital place in the military doctrines of the North Atlantic Treaty Organization (NATO) allies and others. One element that fundamentally differentiates landmines from cluster munitions is economic. The latter are much more costly to produce and

Marchers at the May 2008 Dublin Diplomatic Conference on Cluster Munitions that produced the Convention on Cluster Munitions

the trade is substantially more profitable. A major part of global artillery arsenals is made up of cluster bombs. Eighty per cent of United States (US) artillery ammunition, for instance, consists of such munitions. Russia, China and the US are the biggest producers.

I argue that the ban on cluster

munitions was brought to life by a stout global prohibition regime by a more complex set of arrangements and coalitions than the landmines case and it represents a moral prohibition regime. In the cluster munitions ban case, few states were as progressive as NGOs. The ban was brought to fruition by the exceptional combination of state and non-state activism, a new form of diplomacy for the 21st century, and the commanding moral force of international humanitarian law (IHL) as a robust and

Demonstrators at the May 2008 Dublin Diplomatic Conference on Cluster Munitions that produced the Convention on Cluster Munitions

compelling previously existing normative structure. Clearly, the Convention that banned cluster bombs went beyond IHL but benefited from this powerful normative framework.

The ban of cluster bombs is about military doctrines succumbing to the higher authority of moral and humanitarian concerns. In 1997, the International Campaign to Ban Landmines (ICBL), led by Nobel Peace Laureate chief negotiator Jody Williams, leading civil society worldwide, successfully banned antipersonnel landmines with the Ottawa Treaty. Yet once again, another set of weapons, namely cluster munitions, has gained prominence on the international agenda. Jody Williams, said upon receiving the Nobel Peace Prize: the landmine does not recognize the peace, after the war is over, it keeps on killing.

Cluster munitions also present the same indiscriminate elements with the same 'unnecessary suffering' component to civilian populations.

In summer 2006, the world watched in dismay, the brief but devastating war between Israel and Hezbollah when the Israeli army fired as many as four million cluster bombs into Lebanese territory during the short-lived war. Unfortunately, de-mining experts say, up to 1 million cluster bombs failed to explode immediately and continue to threaten civilians. Although the war ended in a month, Lebanese citizens continue to live in fear of leftover munitions; unexploded cluster bomb remnants that remain scattered across the country. Due to anti-personal characteristic of cluster munitions, which often leaves children as victims, advocates for banning the weapons created a united voice. The international outcry for the catastrophic humanitarian consequences of deploying these weapons in densely populated areas, in the summer 2006, helped spark the global movement to ban cluster munitions and to create a global prohibition regime. Some of the other serious precedent situations include during the Cold War, Laos, most prominently. After the end of the Cold War Afghanistan, Iraq, Chechnya, Kosovo, and the Ethiopia-Eritrea conflict were some of the most notable cases. It is important to notice that the process towards a ban is more than a century old. However the focus of this article will be since the summer 2006. What happened then in Lebanon constituted the shock event that triggered all the action for global prohibition treaty-making.

I use primarily the framework of the illuminating theory of global prohibition regimes to start explaining how this has happened. The ban process started with the creation of the "Oslo Process", a track-two diplomacy course of action, i.e. with the government of Norway's call to negotiate a ban on clusters outside the UN

in November 2006. The Oslo Process started with 46 states who committed to begin negotiations in February 2007 towards creating an international instrument to ban the use of cluster munitions (Oslo Conference on Cluster Munitions, 2008). Over the following year and a half, several conferences around the world were held to continue to craft the prohibition regime on banning cluster munitions. Three months after Oslo, states met again in Lima in May 2007, and again in Vienna in December. Discussions were held to work towards creating a treaty, with negotiations that spanned from specific definitions of cluster munitions to the extent of the assistance to victims. By February 2008, states met in New Zealand reaching an agreement known as the Wellington Declaration. This was a commitment by states to attend the Dublin conference three months later, setting final negotiations for a treaty to ban cluster munitions. The conference in Dublin lasted 10 days in May 2008 resulting in 107 states that signed and decided upon a final treaty.

The global prohibition regimes literature usually deals with activities that must be suppressed, such as piracy, slavery, and drug trafficking. I will start out using this literature's mostly known framework (Nadelmann and Andreas, 2006). For the purposes of my argument, the activities to be suppressed and subsequently prohibited are the use, development, production, acquisition, stockpile, and transfer of cluster munitions (CCM, article 1). Nadelmann and Andreas have pointedly observed that most global prohibition regimes follow a common evolutionary pattern that usually has five stages (Nadelmann and Andreas, 2006, 20-22). In the first stage, the activity is still viewed as legitimate and normal. The state is usually the most common accomplice or protagonist. If any constraints are in place, they derive from bilateral treaties or political caution. At this stage, moral notions or evolving international norms play no role. The second stage entails the framing of the activity as a problem and as an evil. This framing, or "redefinition" as they say, is done by moral entrepreneurs, legal scholars, or religious groups. The redefinition or reframing is gradual and
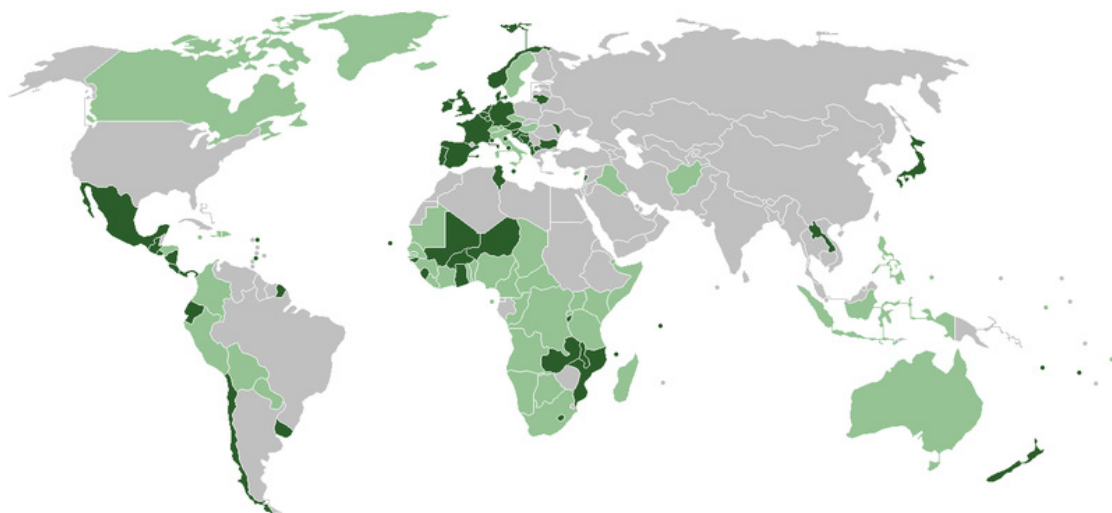
States Parties to the Convention on Cluster Munitions (light green: signatory states, dark green: state parties)

at this stage, government officials are still involved to some degree in accepting or even serving as guarantors of the activity to be suppressed. In the third stage, regime change advocates and activists begin to protest and campaign vigorously using many tools ranging from diplomatic pressure to campaigning to military intervention. They spouse suppression and criminalization through international treaty making. These advocates include, for Nadelmann and Andreas, governments that typically exert hegemonic influence in an issue area as well as moral entrepreneurs. If victorious, the process reaches a fourth stage that is the one of a fully existing prohibition regime: the activity becomes the subject of criminal laws (and police action) and institutions and treaties form to coordinate. This stage means that some states will not have the political will or legal and financial capacity to implement and carry out the treaties' obligations. At this stage, criminal organizations still engage into the suppressed activity. In certain cases, the regime reaches a fifth stage. At this stage, the activity perhaps only exists in some areas. The reason why I chose this framework is summed up by:

> "global prohibitions regimes are more likely to involve moral and emotional considerations than are most other global regimes. Like many criminal laws, they seek not to regulate but to ban; the underlying assumption is that certain activities must be prohibited because they are evil. Transnational moral consensus regarding the evil of a particular activity is not, however, sufficient to ensure the creation of a global prohibition regime" (Nadelmann and Andreas, 2006, 228).

Nadelmann and Andreas' framework will only be partly useful for the purposes here because of the strong criminal law component leading to regime formation in their theory (Nadelmann, 1990), perhaps still absent in this emerging prohibition regime against cluster munitions. However, this framework is pertinent here because this new regime is indeed about deciding on an issue out of moral conviction and this is what happened to banning the evil caused by cluster bombs. I argue that two complementary theoretical frameworks will be needed to fully explain the rise of this new regime: one is the constructivist framework of international norms, and the other is from a branch of International Law, namely, International Humanitarian Law (IHL), also called the Laws of War. It is generally accepted that the definition of international norms is: a standard of right or wrong, a prescription or proscription for behavior "for a given identity." (Katzenstein, Wendt, and Jepperson, 1996). This is pertinent because the prohibitions set by the CCM were based upon a few powerful norms laid out by IHL (distinction between civilians and combatants, choice of weapon consistent with the need to avoid collateral damage, and weapon that is proportional to the desired military objective). It is also probably true that the CCM already started prescribing behavior for the non-signatories with an ongoing significant stigmatizing effect. It can also be said that the ban is not yet a taboo as some observers are saying. An authoritative normative view of taboos, vis-à-vis issues that are closely related to national security, advances that a taboo is not the behavior of non-use itself but rather the normative belief about the behavior (Tannenwald, 2005, 4). A taboo is an intensely powerful kind of prohibition that is concerned with the protection of individuals from behavior that is associated with peril. A taboo is larger than a norm and it has characteristics of prohibition, danger, and its non-observance involves consequences (Tannenwald, 2005, 4). The nuclear taboo, for example, is a de facto taboo not a de jure taboo because there is no prohibition on the use based on an international treaty (the

Non-Proliferation Treaty does not contain express references). The case of the cluster bombs ban includes a de jure prohibition and the subjective element about it is the possible political opprobrium that will result on the use. However, this subjective element and the strong ascendance of the political opprobrium occurred because they were based on the force of the existing concrete and usually adhered to IHL norms. The four Geneva Conventions and their Protocols are the most widely ratified international treaties in international law, and clearly represent the moral framework for the conduct of security relations vis-à-vis the use of arms in international relations.

Cluster Munitions

Cluster Munitions, or cluster bombs or weapons, are conventional weapons that may be used against a number of targets, invented for large theater wars during the Cold War, which never occurred. They consist of a container or dispenser projected when airborne, land or sea-based that scatter clusters of bomblets over wide areas. They are theoretically designed to detonate prior or right after impact.

Cluster bombs are a threat to civilians in particular because a large number of unexploded bomblets consistently fail to detonate and the operation area usually covers a wide radius. Even a single fired container of cluster bombs that was launched and failed to detonate, the failure would scatter two hundred to six hundred hazardous bomblets over a large area. Furthermore, functioning like landmines, duds or unexploded bomblets without self-destruct devices are sentinels that could remain dangerous for decades after the end of a conflict and remain a serious menace to civilian populations. Due to the destructive and lethal potential of cluster bombs, international efforts have gained momentum that led to successful multilateral negotiations to prohibit cluster

munitions at the end of 2008. Most cluster munitions have not been used, they are still in stock of the great producers' arsenals: United States, Russia, and China.

First stage: the activity is still viewed as legitimate and normal.

Prior to the Convention on Cluster Munitions (CCM), there were no restrictions on the production, use, and transfer of cluster bombs as well as no legal international means of protecting potential victims against the use of cluster munitions. Historically, the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, also known as the Convention on Certain Conventional Weapons (CCW) was the first tentative albeit ineffective step. The CCW was negotiated by 51 states in 1980. Its key goal is the protection of combatants from inhumane injuries and the prevention of non-combatants from accidentally being wounded or killed by certain types of arms. It applies to both international and intrastate conflicts. It entered into force in December 1983 and now has 111 high contracting parties. The CCW was a response to the Vietnam War by the international community, where the suffering caused by the indiscriminate use of the weapons with which the CCW deals was immortalized by the photo of Phan Thị Kim Phúc that was taken just after South Vietnamese planes bombed her village. AP Photographer Nick Út and NBC cameraman Le Phuc Dinh filmed her and her family emerging from the village after the air strike, running for their lives. This photo became one of the most famous photos to emerge from the Vietnam War and it received the Pulitzer Prize in 1972.

When the states parties to the CCW failed in November 2006 to agree on a mandate to continue on a path to

negotiations addressing the humanitarian problems caused by cluster munitions, Norwegian Foreign Minister Jonas Gahr Støre invited interested states and organizations to a meeting in Oslo. On 22–23 February 2007, Norway hosted the Oslo conference in which a group of 46 states met and, except for Japan, Romania and Poland, agreed on a process to develop and conclude a new treaty that would prohibit cluster munitions by 2008. The aim of the meeting was to start a process towards an international instrument on cluster munitions together with other concerned states and humanitarian actors. The 46 key states agreed to define key users, producers and stockpilers, and the countries mostly affected by cluster munitions were present (CMC 2007a).

Many previous initiatives throughout the last century attempted to set standards for the use of cluster munitions, thus paving the way for these processes (Prokosch 1995, Borrie 2009). Major NGOs and the International Committee of the Red Cross (ICRC) have been campaigning on this issue for many years. However, pressure for controls on cluster munitions had been building for years by the use of such munitions in a large number of conflicts, including Afghanistan (during the Cold War and in 2001), Albania (1998–99), Bosnia and Herzegovina (1992–95), Cambodia (1969–73), Chechnya/Russian Federation (1994–96), Croatia (1995), Eritrea (1998), Ethiopia (1998), Iraq (1991 and 2003–06, where the almost three thousand casualties reported overshadows the problem of unreported casualties, and clearance is made difficult by the bad security situation), Israel (2006), Kosovo (1999, where NATO forces used cluster munitions with widespread humanitarian consequences, including placing a heavy burden on public health systems), Kuwait (1991), Laos (1965–73), where over 50 million cluster bombs were dropped within a kilometer of villages),

Lebanon (2006, where total casualties reached 587 by April 2007), Montenegro (1999), Nagorno-Karabakh/Azerbaijan (1992–94), Serbia (1999), Sierra Leone (1997), Sudan (1996–99), Syria (1973), Tajikistan (1992–97), Vietnam (1965–75, where by 1975 approximately 300 cluster bombs had been dropped per square kilometer), and Western Sahara/Morocco (1975–88) (HI 2007). The worst-affected countries were Afghanistan, Cambodia, Iraq, Laos and Vietnam.

Throughout 2007, a group of approximately 15 like-minded or counter-core states appeared: Australia, Canada, the Czech Republic, Denmark, Finland, France, Germany, Italy, Japan, the Netherlands, Slovakia, Spain, Sweden, Switzerland and the UK. Their main concern was that the generation of a norm against the use of cluster bombs would cause them a legal conundrum vis-à-vis joint operations with the US and other non-high contracting parties, especially within NATO (Borrie 2009: 173).

A discussion held in November 2008 to finalize negotiations towards a sixth

The 46 key states agreed to define key uses, producers, and stockpilers, and the countries mostly affected by cluster munitions were present.

CCW Protocol that would address cluster munitions failed to reach an agreement. All in all, the CCW is an important process because it brings together all the producers and users, many of whom had no role in shaping the language agreed upon in Oslo. However, the CCW High Contracting Parties were very reluctant to even pursue a new international commitment that represented a move away from their traditional balance between military and humanitarian considerations that the CCW always struck.

However the proper starting of a rejection of the norm deeply held until then – i.e. the retention of cluster bombs in arsenals – meant moving away from this balance and actually embrace a new realization: the use of cluster bombs and its accompanying humanitarian impacts outweigh military necessities.

Second stage: gradual re-framing as a problem and as an evil by moral entrepreneurs.

Two key recent events led up to the drawing up and signing of the CCM: in the fall of 2005, Norway elected a government that held a majority in parliament that eventually embraced the concept of a ban. In March 2006, Belgium passed legislation banning cluster bombs (Borrie 2009: 64). Both processes were catalyzed by the same shock event, namely the brief but devastating war between Israel and Hezbollah in Lebanon in the summer of 2006. Even though the conflict only lasted for a month, it killed almost 300 people, contaminated an area of approximately 37 million square meters and left hundreds of thousands of unexploded munitions. One of the parties to this conflict clearly and severely violated the principle of the choice of a proportional weapon according to IHL. This breach of this important principle produced a lasting tragic humanitarian disaster (Kellenberger 2007).

From 2006 through 2008, two disarmament diplomacy processes potentially dealing with cluster munitions gathered speed. One was aimed at prescribing regulations for the production, use and transfer of cluster bombs, and the other at proscribing all these activities. The former negotiation track took place within CCW. The latter negotiation track was a typical track-two diplomacy negotiation process outside the United Nations, called for by one country, Norway, known as the Oslo Process. Throughout 2007 and for part of 2008, the CCW and the Oslo Processes overlapped, and were entangled politically and diplomatically (Borrie 2009: 160). This is because the former included all the major producers and users of cluster munitions and the latter included member states who were not at the CCW negotiations, the states worst affected by contamination, and the UK (as a major user and producer) and other NATO allies. The CCW NATO states hoped to maneuver the CCW negotiations (held in Geneva) towards a result that would not substantially harm their newer stocks of cluster bombs and at the same time allow them to claim the "humanitarian high ground" (Borrie 2009: 161).

The Oslo Process represented a broad moral coalition amongst states, civil society and UN agencies that brought together a new standard to protect civilians and helped to cement a new form of diplomacy. The UN Secretary General welcomed it, accepted the depositary functions for the treaty that was the result of the process and offered assistance with regard to treaty obligations for the CCM. The treaty was based on the principle that the necessities of war ought to yield to humanitarian considerations and to do so unfalteringly on behalf of humanity (O'Ceallaigh 2008). The CCM represents the irresistible moral compelling force that the existence of these weapons is incompatible with life in the 21st century, at a time when the nature of war has changed so dramatically:

Achieving the broadest possible support for international humanitarian law norms is an important objective .... But historically the highest levels of State participation have been achieved by the adoption of clear and morally compelling agreements. We urge States to reflect carefully on these procedural issues which are an integral element of ensuring the effectiveness and credibility of international humanitarian law agreements in the field of arms (Kellenberger 2007, emphasis added).

Endorsements against the use of cluster munitions signaled an emerging stigmatization pattern and the real path to reframing the issue. NATO affirmed in July 2007 that it would not use cluster bombs in Afghanistan because of apprehension regarding the potential humanitarian effects, as well as possible contraventions of IHL (Rappert 2008). Rapidly, the re-framing as an evil accompanied by the stigma against use of the weapons broadened, deepened and intensified (Nash 2008).

Beyond the pioneering domestic legislations passed by Belgium and Norway, in March 2009 the US Congress passed a one-year moratorium on the transfer of cluster munitions with a failure rate of less than 1%, which represents the majority of the American arsenal (Mines Action Canada 2009). In the 2008 hostilities between Georgia and Russia, Human Rights Watch concluded that both sides used cluster munitions. What followed was both sides trying to deny the weapons' use and justify their conduct on moral grounds (HRW 2009). It appears, therefore, that by 2009, the reframing of the use of cluster munitions as an evil activity not to be conducted by civilized nations was complete. In the Ottawa landmines treaty and probably also with regard to the CCM, even though many important producer states have not ratified the multilateral mandates arising from the two agreements, two facts emerge as a result: one is the drying up of demand for the weapons and the second is a considerable reduction in the number of victims per year. This latter fact helps strengthen the case for the moral force of the rising prohibition, and a firm path towards the construction of the prohibition regime.

The events in Lebanon were a turning point for the ICRC position on cluster munitions to turn into taking a stand and acting vigorously towards contributing to the re-framing of production, use and transfer of cluster bombs as an evil (Borrie 2009: 241). The background was the Ottawa landmines process, which has fundamentally contributed to changing behavior. The media have been sensitized and the landmines ban has meant the construction of a taboo that makes it almost unthinkable for states to use them. For example, the Israeli government wanted to mine the wall separating Israel from the Palestinian territories, but it was dissuaded from doing so at the highest level; so even though Israel had refused to ratify the Ottawa treaty, it decided not to use landmines (Hiznay 2008). The most startling example of non-use has been the US, which has not deployed landmines since the first Gulf War and is pressured not to use them because of joint NATO operations. Four million landmines have been cleared and destroyed, and the trade is dead (Hiznay 2008). The Ottawa treaty is a striking example of the development of a taboo that prevents the use of a particular weapon.

The role of particular individuals was vital to the moral reframing of all activities associated to cluster bombs to be considered evil. John Borrie advances the idea of an "informal network of individuals" or a group of "humanitarian disarmers" who were significant to the achievement of the prohibition treaty. Prominent in the category of influential individuals was Ambassador Steffen Kongstad, deputy secretary general for humanitarian affairs at the Ministry of Foreign Affairs in Norway. He had been involved in the Ottawa landmines process and therefore was instrumental via the legacy and wisdom he brought to the cluster ban process. From the NGO standpoint, there was a genuine coalition of individuals, involving Thomas Nash, coordinator of the Cluster Munitions Coalition (CMC) that is a network of civil society organizations, including NGOs and faith-based and professional groups, that has been participating in the CCW and Oslo Process; Steve Goose, director of the Human Rights Watch Arms Division;

and Grethe Østern of Norwegian People's Aid, co-chair of the CMC. This 'triumvirate' worked hard to spread the word broadly, working both locally and globally. They provided assistance to the campaign, set up parliamentarian groups and in particular targeted David Miliband, the then UK foreign secretary by getting inside the space where Miliband and his staff walked (including metro stations near work), and using the local media, the BBC and working with grassroots movements (like women's groups). The UK domestic scene contributed to all this as Gordon Brown was unpopular at home and wanted to seize the limelight through support of a good cause (Conway 2008).

Initially, Mexico (through Ambassador Pablo Macedo) and New Zealand (through

A B-1B Lancer unleashes cluster munitions. The B-1B uses radar and inertial navigation equipment enabling aircrews to globally navigate, update mission profiles and target coordinates in-flight, and precision bomb without the need for ground-based navigation aids.

Ambassador Don Mackay) were the first to join Norway in setting up the first off-the-UN conference. Following them were Austria, Ireland and Sweden, forming a core group. Other interested states included Belgium, the Holy See, Lebanon and Peru (Borrie 2009: 141). At the end of the Oslo conference, the group consolidated around Austria, Ireland, Mexico, New Zealand, Norway, and Peru. The Holy See later joined as a fully fledged member. The resulting benefits were the use

of the moral clout and extensive diplomatic networks in the developing world by this core group (Borrie 2009: 162). On the other side of the coin, the US, Brazil, China, India, Israel, Pakistan and Russia, all major cluster munitions users, rejected the Oslo Process throughout (Borrie 2009: 149). They were still accepting the activities and were acting as guarantors of the continued uses of cluster bombs.

An important step achieved during the moral reframing was during one of the preparatory conferences to the CCM, the Vienna conference. The Norwegian's People's Aid, an influential NGO, presented a report, entitled M-85: An Analysis of Reliability. It exposed the fact that, despite the incorporation of high-quality self-destruction mechanisms, M-85 bomblets presented a higher-than-anticipated level of failure rate that did not prevent contamination (Borrie 2009: 189). This report struck down the argument by some states that technical improvements had reduced failure rates, since the M-85 bomblets were lauded as among the best models. As the conference concluded, there was a sense of optimism for continuing discussions at the next major meeting in Wellington, New Zealand. The dramatic increase in participation and support for the Oslo Process was an acknowledgement of the growing stigmatization of cluster munitions and a sign that the process was irreversible, with the majority of the international community fully supporting a total ban.

The dwindling bond among like-minded states (the counter-core group of guarantors) attempting to weaken the treaty proved to be vital in the lead-up to Dublin where the CCM was cinched. Three factors led to this loosening of the raison d'être of this group. The first was the French military review of the utility of the cluster bombs it possessed in its arsenal. The review, carried out before Wellington, ascertained that

the cluster bombs the French had were of limited utility. Substitute capabilities that would not engender the same humanitarian setbacks like the BONUS sensor-fused system (a type of cluster bombs) would be able to fill the gap (Borrie 2009: 251). This led the French to start a back-channel bilateral consultation with Norway, which had the same interest in maintaining the sensor-fusing munitions. Secondly, not all of these like-minded states had cluster munitions; for instance, Australia did not. In addition, among the ones who had such weapons, the capabilities and types of weapons varied considerably. Thirdly, interoperability, still an outstanding issue, was less of a concern for those countries that were not part of a military alliance, such as Finland, Sweden and Switzerland. Thus, the reasons for the solidarity of this group of states began to dissipate (Borrie 2009: 255-277).

Third stage: activists campaign for change through campaign for international treaty making.

Moral reasons and a humanitarian legacy led Belgium to ban cluster munitions, since it was also the first country to pass legislation banning landmines, despite opposition from and resentment on the part of its NATO allies. The action was led by NGOs in Belgium, especially Handicap International (HI), despite strong resistance from arms manufacturers. Surprisingly, Belgium played no leadership role in the CCW or in the Oslo Process; it only joined the latter later on. What resulted from the Belgian ban, nonetheless, was an impetus for the Norwegians to enact legislation and eventually become the champions of the international process banning cluster bombs (Borrie 2009: 64–70).

Norway spearheaded the Oslo Process to achieve an international treaty in the wake of failed arms talks in Geneva at the end of the CCW meeting in 2006 after the conflict in Lebanon. The Norwegian government took an active stance by including its commitment to work for an international ban on cluster munitions in its election platform (Norwegian Ministry of Foreign Affairs 2007b). After failed attempts during CCW negotiations in 2006 in Geneva, the proactive Norwegian government declared its commitment to establishing an international ban on cluster munitions (Norwegian Ministry of Foreign Affairs 2007a).

After Norway, Austria, and Bosnia and Herzegovina announced moratoria banning the use of cluster munitions, additional countries joined their efforts. In the following months, some three dozen countries formally declared their support for a new treaty on cluster munitions. Parliamentary initiatives to regulate or prohibit cluster munitions in about a dozen countries, including the US and UK, two of the biggest users of cluster munitions, followed. The UK quickly imposed a partial ban. In Oslo in February 2007, the UK was one of 46 countries that committed to be part of a process aimed at concluding in 2008 an international treaty to prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians. Norway and Austria had already on humanitarian grounds declared a moratorium on the use of artillery cluster munitions with M85 submunitions in their arsenals. Belgium was the first country to ban cluster bombs, doing so at the beginning of 2006.

The partnership among the ICRC, states, the UN Development Program (UNDP) and civil society was invaluable, and the combination of the committed core group of states in coalition with these actors was essential in providing the leadership needed. In April 2007, the ICRC convened a meeting that helped catalyze perceptions vis-à-vis all aspects of the negotiations in both processes (Oslo

and the CCW). With substantial legal and humanitarian discussion, the meeting exposed the inadequacy of technical fixes and solutions (i.e. reducing failure rates and therefore having less unexploded ordnance) proposed by some states who wanted to cling to their weapons and the CCW process (Borrie 2009: 170). The ICRC's endorsement the Oslo Process was instrumental in some states justifying their pro-ban position (Borrie 2009: 233).

The ICRC has engaged in extensive humanitarian diplomacy over the years, e.g. it has been instrumental in the development of prohibitions on various conventional weapons. Of particular notice were the important moves that paved the way for what became the global prohibition on landmines through the Ottawa treaty. Already in the 1950s, the ICRC had singled landmines as one of the conventional weapons of concern.

It reissued analyses throughout that decade reminding and informing states of the injurious effects of the use of landmines on civilians. With the recurrent use of mines in Indochina in the 1960s, the ICRC attempted to further the understanding of IHL applicable to landmines. In 1973, it published a report entitled Weapons that May Cause Unnecessary Suffering or Have Indiscriminate Effects. This report focused mostly on napalm, but also highlighted landmines. The ICRC hosted conferences on the same theme of the report in 1974 and 1976. Some of the questions discussed in these meetings became part of the CCW later on (Maslen 1998).

Reframing the issue in terms of a twofold avenue was vital. The first was reframing it from a disarmament to a humanitarian question. The second was framing the problem from the victims' standpoint; in other words, the use of such weapons came to be seen as indiscriminate. They were seen as area weapons that in relation to the changed nature of current conflicts can have very indiscriminate effects, both during and after attacks. Throughout the negotiations, the humanitarian aspect of the issue was discussed first without reference to the technical aspects (which were referred to in the CCW). There was an insistence that negotiations were based on an effects-based definition and approach throughout the negotiations. This meant leaving the technical aspects until the end of the process. For instance, deciding on weight

Reframing the issue in terms of a twofold avenue was vital

came right at the end; e.g. paragraph 2(c) was negotiated as a compromise at the last minute in Dublin (Abelsen 2008). By focusing on very strong provisions on cooperation and assistance, as stressed by the Holy See in particular, a clash between the global South and North was avoided. This was done by avoiding talking about technology, otherwise the South would have been reluctant to join in the discussions.

CCM achieved a multilateral reframing that went beyond the "military-utility centered discourse" (Borrie 2009: 337) that threatened to overlook and neglect the real humanitarian implications of the use of cluster bombs. The CCM could "mark a significant milestone in how we can identify ways to protect civilians in armed conflict more broadly" (Borrie 2009: 338).

The constitution of the pro-ban "core group" took place through coalition building among states at the highest level, involving Norway, Ireland, New Zealand, Peru, Mexico, Austria and the Holy See. An important element was that there was enormous political involvement: from the bottom up and from the top down, and in many forms. In Norway, a very high echelon of government officials was involved. In 2005, a new government had come to

power that had adopted a policy of banning cluster munitions. Even though Norway had stockpiles with less than 1% failure rate and cluster munitions made up 40% of its arsenal, there was decision to impose a moratorium through a consolidated, sustained national process within the country. Lebanon placed the issue higher on the international agenda, thus increasing the political momentum. Simultaneously, as said, in November 2006, the CCW negotiations were unable to agree and move forward. Sweden made a statement on behalf of the European Union (EU) in support of an agreement that was ultimately rejected. In this situation, Norway proposed an Oslo meeting in February 2007.

Under the CMC umbrella of approximately two hundred members are gathered significant national and worldwide organizations such as the Afghan Campaign to Ban Landmines, Amnesty International, HI, Human Rights Watch, the International Campaign to Ban Landmines, the Lebanon Landmine Resource Center, among others.

The CMC played a pivotal role in Dublin, where hundreds of campaigners lobbied the government delegates using several policy papers previously produced by the coalition (Little 2009). The success of the Oslo Process was greatly influenced by civil society actors' ability to organize with a coherent message and involved funders. Many activists believe that the signatories of the Convention will stigmatize cluster munitions so that powerful countries like the United States will not use them even though they have not signed the legally binding document (HRW 2008a). Attempts to move forward from the Oslo signing conference in December 2008 will continue to be heavily influenced by civil society campaigners and organizations like the CMC.

Fourth stage: International Treaty is created. Bastions of recalcitrance remain.

On 30 May 2008, 107 states adopted the ground-breaking Convention on Cluster Munitions at a diplomatic conference held in Dublin, Ireland. The formal signing ceremony took place in Oslo on 4 December of that year. The new international norm set by the CCM prohibits the use, development, production, acquisition, stockpiling, retention or transfer of cluster munitions. In addition, it contains provisions to clear contaminated land and help victims, and on strengthening international cooperation and assistance.

On 16 February 2010, Burkina Faso became the 30th state to deposit its instrument of ratification of the CCM. Thus, according to the convention's stipulations, it becomes legally binding on the 30 ratifying states on 1 August 2010 and subsequently for other ratifying states. The entry into force of the convention is considered a major landmark in the process of stigmatizing the weapon and establishing an international humanitarian law norm that will be observed even by non-high contracting parties, and its existence has already started modifying state behavior (Herby 2010).

In Oslo, significant progress was made when the convention was officially opened for signing. Ninety-four states signed the convention, while four states (Ireland, the Holy See, Sierra Leone and Norway) ratified it immediately. The main obligations for the signatories of the CCM are that they prohibit the production, stockpiling and transfer of all cluster munitions in all circumstances. Signatories also cannot assist those who engage in the activity prohibited by the Convention. Cluster munitions are defined in Article 2 as "a conventional munition that is designed to disperse or release explosive submunitions each weighing less than 20 kilograms, and includes those explosive submunitions." Notable signatories included the UK, which had made the pivotal decision to sign, despite its military's frequent use of cluster bombs (Baker 2008). However, the countries that stockpile or produce

large amounts of cluster munitions, which include China, Russia, the US, Israel, Pakistan and Brazil, all remained in opposition; three of these are members of the UN Security Council (Burns 2008). The US believes that the proper process for addressing such weapons is through the CCW.

The US has consistently opposed the Oslo Process and the treaty to ban cluster munitions. Nonetheless, the country has made some progress in dealing with the issue. In February 2007, Senators Diane Feinstein and Patrick Leahy introduced the Cluster Munitions Civilian Protection Act in the US Senate, which "would ban the use, sale and transfer of cluster bombs with a dud rate of 1% or more," as well as ban the use of all cluster munitions in places "where civilians are known to be present or in areas normally inhabited by civilians." "The bill also provide[d] for a presidential waiver of the law's requirements if it the use of cluster munitions was considered vital to protect the security of the United States" (Peratis 2007). US opposition is likely due to pressure from US companies that design and manufacture cluster munitions.

The US has stated that, over the past years, it has allocated almost one billion dollars to clear explosive remnants of war in Asia, Europe and the Middle East (including over thirty million dollars to help clear Lebanon of unexploded ordinance after the Israeli attack in the summer of 2006). Ronald Bettauer, a US diplomat, stated that the decision to supply such aid was due to the importance of this issue, concerns raised by other countries, and the US's own concerns about the humanitarian implications of these weapons (The Economist 2007).

The US announced a new policy on cluster munitions during the CCW negotiations in Geneva in July 2008 (Department of Defense 2008). The new policy recognizes the necessity to minimize unintended harm to civilians. A year following the publication of the policy, the removal of all cluster munitions surplus stocks that exceed operational requirements will be initiated. Secondly, after 2018, the US will only transfer and deploy munitions containing less than 1% unexploded ordnance. Until then, the use of over 1% failure rate munitions must be approved by the combat commander. This policy was unacceptable to Human Rights Watch and the CMC, who were present at the CCW meeting in Geneva. This is especially because the reliability test is simply not truly reliable. The military inadequacy of cluster munitions has been heavily documented since Lebanon, which was a real test of just how inaccurate these weapons are. Research carried out by the Norwegian Defence Research Institute documented that the failure rates were far higher than expected. It was also documented that self-destruction mechanisms do not work as intended (Kongstad 2007).

Fifth stage: at this stage, the activity perhaps only exists in some areas.

Moving towards signing a treaty such as the CCM will continue to be difficult for the powerful actors who have prominent roles in the use, stockpiling and production of cluster munitions. States such as Russia continue to refuse to sign the CCM, and this refusal continues to influence Russia's neighboring Eastern European states because of their fear of being the victims of future Russian attacks. This concern was enhanced by the Russia–Georgia mini war in August 2008, during which, according to Human Rights Watch, both Russia and Georgia used cluster munitions against each other in the conflict (HRW 2008b). Finland originally supported the CCM, but then withdrew support due to their concern for self-defense from potential Russian aggression. This exemplifies the importance of powerful states that use, stockpile or produce cluster munitions helping to establish the norm by signing the treaty.

Laos and Lebanon are examples of states that signed the convention who have been victims of cluster munitions (Abramson 2009). Such moves by victimized states could potentially influence other states to make a stand against anti-humanitarian violence.

According to commentators, "[t]he CCM marks a new chapter in disarmament and a milestone of international law" (Harrison 2008), and by its signing a new international legal standard has been achieved (Borrie 2009: 305). After the signing of the treaty, Germany, France and the UK decided unilaterally to renounce all kinds of cluster weapons. Japan acceded to the treaty as well, despite a great deal of reluctance, and was, together with Germany, one of the first 15 states to ratify the CCM.

The norm set by the CCM, i.e. the prohibition of the use, development, production, acquisition, stockpiling, retention, or transfer of cluster munitions; as well as provisions to clear contaminated land and help victims, and on strengthening international cooperation and assistance, is emerging robustly and cluster bombs have been stigmatized in a dramatically fast way. Quite clearly, the CCM created a global code of conduct that extends far beyond the increasing group of high contracting parties. It is highly unlikely that any country that aspires to occupy the moral high ground of politics will ever use these weapons again.

Further explaining the rise of the prohibition regime: IHL applicable to cluster munitions

The four Geneva Conventions that embody IHL are universally ratified and comprise the most adhered to multilateral regime in international law. It is the previous existence of this strong and consolidated regime, and established branch of international law, that has made possible and set in motion the enabling framework upon which the transnational moral entrepreneurs led by Norway could act to create the new regime embodied by the CCM. The role of the ICRC cannot be underestimated either. The powerful combination of the previously existing framework laid out by IHL and the awareness raising and educational campaigning by the ICRC were key constitutive ingredients for the CCM to rise as a prohibition regime.

IHL is constituted by three broad principles: the first is the requirement to distinguish between military personnel and civilians during hostilities. The second is the rule of proportionality, where a lawful attack may not have excessive consequences for civilians vis-à-vis the initial military objective (collateral damage). The third is the choice of weapon, with the idea being to choose weapons systems that will have the least impact on civilians. These general principles are part of customary international law generally accepted by all nations. The deployment of cluster munitions may violate all these principles, as these weapons are prone to cause indiscriminate effects, of which Lebanon is the prime example. It is clear that the temporal and territorial limits of a conflict are uncertain in most conflicts waged today. However, "military necessity" is sometimes used to justify egregious acts and to conceal violations. IHL prohibits these transgressions and sets out conspicuous breaches.

The Additional Protocol to the Geneva Conventions of June 1977 articulates the core of the limits and prohibitions set by IHL vis-à-vis the choice of weapons in hostilities in Articles 35, 36, 51 and 57. The protocol's Article 35 asserts the basic rules covering the methods and means of warfare. It clearly declares that the choice of means of waging war is bound by considerations of humanity and the environment. Parties cannot freely choose the methods of carrying out conflict. As a result, there is a clear prohibition on the employment of weapons and methods of warfare that "cause superfluous injury or unnecessary suffering" (Article 35.2). Parties

are also barred from utilizing means that will cause long-term and severe harm to the environment.

There are two applications of the precautionary principle in IHL. One is Article 36 of the Additional Protocol, which is the first application of the precautionary approach vis-à-vis the choice of the weapon. It pronounces that in developing new weapons, parties should ascertain whether their use would contravene IHL, or international law in general.

The other is Article 57, entitled Precautions in Attack, which articulates the need to distinguish civilian populations and objects from military personnel and objects. It mandates the choice of the target to privilege a purely military target instead of civilian object that may bring a military advantage in a battle. Beyond laying down the requirement of distinction, which is a fundamental tenet of IHL, the article also reiterates the constraint and limitation on the choice of means and methods of attack. This has to be carried out in a precautionary fashion aimed at minimizing collateral damage to civilians and their property, and civilian objects in general. There is a clear mandate for suspending planned attacks that have the potential to result in harm to civilians. Article 57 institutes the idea of "proportionality", another core tenet of IHL. Force shall not exceed the concrete and discrete military goal. The article also reiterates the notion of precaution when it advises parties to provide sufficient warning prior to attacks in order to spare civilians.

The rule of distinction is further elaborated on in Article 51, in conjunction with further restraints on the choice of the weapon. This article deepens the legal tenets of distinction by defining "indiscriminate attacks" as well as by prohibiting violence and tactics that spread terror among civilians. This is where the core of the restraints on the choice of the weapon resides by tying them to the necessity of distinction: Article 51 urges parties not to use means and methods that cannot distinguish civilians and combatant populations, in addition by mandating that the choice of the weapon should distinguish between military and civilian objects.

IHL clearly establishes a powerful moral framework for the conduct of international relations during war. It is a potent set of prescriptions and proscriptions for how states must behave during hostilities. The CCM is primarily an IHL convention; in other words, the rise of the prohibition regime set by the CCM, as well, as its mandate, are grounded in IHL.

Conclusion: the Construction of a Moral Proscription arising from the Prohibition Regime

I have argued that the rise and entrance into force of the CCM that prohibits the evils caused by cluster bombs constitutes a moral global prohibition regime. The norm set by the CCM, i.e. the prohibition of the use, development, production, acquisition, stockpiling, retention or transfer of cluster munitions developed due to a strong moral opprobrium, elicited by IHL, and ongoing stigmatization process associated with the use of these weapons.

What is extraordinary about the process of emergence of this new prohibition regime is its strong moral component enabled by the existence of a previously strong normative regime set by IHL as a moral code upon which states must operate vis-à-vis how they manage the choices of weapons to wage war, and the limits imposed by it on the evils they may cause to civilians.

This moral code of proscriptions spawned by International Humanitarian Law-based global prohibition regimes will extend far beyond the group of High Contracting Parties to these international treaties.
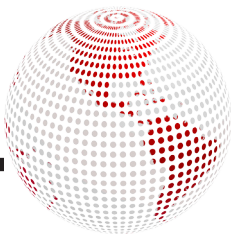
Endnotes

1. The term cluster bombs will be used interchangeably with cluster munitions.

2. Most importantly, Richard Price, "Reversing the Gun Sights: Transnational Civil Society Targets Landmines," International Organization 52:3 (Summer 1998), pp.613-644, and Kenneth Rutherford The Evolving Arms Control Agenda: Implications of the Role of NGOs in Banning Antipersonnel Landmines, World Politics, (October 2000) pp. 74-114.

3. As Price and Rutherford argue, the first form this new form of activism was tried out and succeeded was during the international campaign to ban landmines.

4. Associated Press, Explosion in northeastern Lebanon kills Syrian worker, wounds 4, (International Herald Tribune: 18 Sept. 2007).

5. The principle works that have detailed the history of these efforts are, most prominently: Eric Prokosch "The Technology of Killing: A Military and Political History of Antipersonnel Weapons" Zed Books Ltd, 1995 and John Borrie Unacceptable Harm: A History of How the Treaty to Ban Cluster Munitions Was Won United Nations Publications; 1st edition (October 30, 2009). 6. Afghanistan, Albania, Bosnia and Herzegovina, Cambodia, Chad, Croatia, Eritrea, Ethiopia, Iraq, Israel, Kuwait, Laos, Lebanon, Montenegro, Pakistan, Chechnya, Saudi Arabia, Serbia and Kosovo, Sierra Leone, Sudan, Syria, Tajikistan and Vietnam.

7. For a full account of individuals involved in the process, see Borrie (2009).

8. For another analysis of the applications of IHL to cluster munitions, see Rappert (2008).

9. Precaution includes three components: action to avoid harm regardless of improbability, shifting the burden of proof to supporters of a probably damaging activity thorough consideration of all alternatives, and transparent decision-making to include the affected. In a nutshell, the precautionary principle calls upon the advocates of actions that may lead to irrevocable damage to take preventative measures to avert harm. This is in spite of the lack of scientific certainty. Regretfully, this principle is still at a stage of what the law ought to be (lege ferenda) and not what the law and state practice are (lex lata); however, it is also in the process of becoming international customary law (despite persistent opposition) (CISDL 2002).

Photos courtesy of:
http://www.stopclusterbombs.ie
http://commons.wikimedia.org/wiki/File:CCMstatepartiesworldmap.png
http://www.af.mil/shared/media/photodb/photos/021105-O-9999G-020.jpg

The Consequences of Rape During Conflict in the Democratic Republic of Congo

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"I rape because of the need. After that I feel like a man." These are the words of a rebel soldier who ruthlessly roams the forests of the Democratic Republic of Congo (DRC) in search of his next victims. Rape has been used in the past during warfare to weaken populations and ruin communities and family bonds but never to the extent witnessed in the DRC today. Literally, tens of thousands of women have been raped and this number is most likely largely underestimated. The conflict has been called Africa's First World War and one of the deadliest since World War II with the death toll reaching 5.4 million in a decade. Ending sexual violence as a weapon of the DRC war remains one of the greatest challenges to the protection of women's rights. The psychological and physical repercussions of the mass rape of women, children and sometimes even men in the DRC will undermine the capacity of the Congolese people to trust each other. It is possible that the experience of rape and violence could prevent the country from ever being capable of effectively building a nation state.

The DRC has been war-torn for 20 years out of the 50 years it has been independent.[4] The toll this conflict has taken on the country is tremendous but even worse is the toll it has taken on Congolese women. In the DRC women are the backbone of society. They are the caretakers, the breadwinners and the transporters. They are the mothers of the nation in every sense of the word and, incredibly, they are the ones carrying the brunt of the burden of a war started by men. [5]The DRC has never really known peace. Independence came late and after a long period of colonial rule. There was little preparation for independence and the basic institutions of democracy were missing or too weak to prevent civil war. Since 1996 the country had to suffer almost constant violent clashes between different ethnic groups. These clashes will have extremely damaging consequences for the social fabric of the DRC.

The DRC is about the same territorial size as Western Europe with an estimated population of between 62 and 78 million people. There are 5 dominant ethnic groups with little capacity to govern. Sixty-six per cent of the population belongs to 235 unclassified ethnicities.[6] As in many other African states, the DRC is divided. Clueless white Europeans drew its borders with little regard for African civilization. Africa was largely interesting for Europeans because of its resources. The DRC is a prime example of a country whose mineral wealth "caught the eye of the West."[7] The country possesses vast reserves of gold, copper, diamonds and uranium, as well as oil, cadmium, cobalt, manganese, silver, tin and zinc. Coffee, cocoa, cotton, tea, palm oil, rubber and timber are all exported from the country today. In addition, it controls over 80% of the world's Coltan reserves, a mineral found in practically every cell phone produced today.[8]

Under different political circumstances, this country would and should be rich. Its mineral wealth is worth a potential $24 trillion dollars. However, 80% of its population lives on $2 dollars a day. Approximately 1 million dollars are stolen from the DRC every day.[9] Corruption is rampant as is evident by the DRC's ranking of 164th out of 178 countries surveyed by Transparency International's 2010 Corruption Perceptions Index.[10] It is clear that this country and the surrounding region are in desperate need of better governance and rule of law. It will require focused

energy and coordinated efforts of the world community to prevent a complete collapse of governance, in particular the loss of hope of the people of the DRC for a life in peace. The pervasive corruption provides fertile ground for the lawlessness that underlies the high incidence of rape.

Systematic Rape

According to the Draft Convention Against Sexual Exploitation of January 1994, "sexual exploitation is a practice by which person(s) achieve sexual gratification or financial gain, or advancement, through the abuse of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, and physical and mental well-being."[11] Despite this Convention, the Congolese military as well as illegal rebel armed groups usually use rape or

Internally Displaced Persons at Kiwanja camp in Rutshuru, North Kivu, DRC, March 2007. They were angry at the attacks of the rebels and that of the government troops, furious at being chased from their homes, the looting, the raping and assassinations.

sexual violence as a way to get revenge for supposed collaboration with rival groups. In March 2010 a survey conducted by the US Government Accountability Office (GAO) in the Eastern Congo came to the conclusion that between March 2009 and March 2010 an estimated 9 percent of the population had experienced some sort of sexual violence. [12]Important to recognize is that accurate data on sexual violence is hard to obtain. A similar survey conducted by the Ugandan Bureau of Statistics claimed that 39% of women nationwide had been raped but only 0.5

% of the population had been raped in the north.[13] Such contradictory statistics create uncertainty about the exact number of rapes. But this does not make the situation any less urgent. Addressing the consequences and causes of human rights abuses and sexual and gender based violence continues to be of great importance despite the fact that it is difficult to determine how many women are actually being assaulted every day.

Victimized women in the DRC are as young as 2 and as old as 80. Many of them are farmers and heads of households. When they are raped, it is very frequently in front of their entire family and community.[14] The rape is usually followed by physical mutilations that can range from burning to beating to guns and sticks being stuck up women's vaginas causing painful injuries such as fistulas. Congolese, Ugandan, Burundi and Rwandan rebels all systematically rape women but the Interhamwe[15] who committed the genocide in Rwanda are known to be the worst. [16]Sixty percent of rebels are from Rwanda and have contributed to this misuse of women.[17] Even international forces such as UN peacekeepers are known to have been involved in sexual abuse. These so-called peacekeepers have traded food for sex with girls as young as 10 years old. When the UN deputy chief of the region was asked about such incidences he simply answered: " You'll always have those who are more vulnerable than others in places that are poor with corruption."[18] Rape has been qualified as a war crime in the past but it has never been used to this extent. Even police, criminals and bandits, taking advantage of the climate of impunity and culture of violence, abuse women and girls. Recently, rape has increased 17-fold within the country according to a hearing held on March 8th 2011 by the 112th Congressional Subcommittee on Africa, Global Health and Human Rights.[19]

But the DRC rape is a weapon of war used deliberately with the intention of destroying communities at the roots and not entirely for the sexual and perverse pleasure

of the soldiers. Human Rights Watch explains in its report on The Sexual Violence Against Women and Girls in the Eastern Congo that in most cases the victims are unfamiliar with their perpetrator. Human Rights Watch qualifies this attribute as essential for the definition of the cases of sexual violence in the Congo as a weapon of war, as something, which is utilized to destroy the political enemy. [20] In the documentary The Greatest Silence: Rape in the Congo a rebel soldier claimed that if there were not warfare, he would treat women like human beings with dignity. A further issue is that many of these soldiers, especially in the Maï-Maï rebel group, believe in magic potions.[21] They are convinced that they have to rape women in order to make the potions work, to survive in the forest and to beat the enemy. To a certain degree these men see it as their patriotic duty to rape. They do not realize the consequences of their actions on the victim.

The Psychological Effects of Rape

Psychological studies of trauma from rape see this as a collision between "human vulnerability in the natural world" and "the capacity for evil in human nature". [22] Sexual assault and rape fundamentally impact a person's core sense of safety and dignity. Some common short - to medium-term responses include loss of a sense of control over one's life, depression, extreme anxiety, hyper vigilance, nightmares, flashbacks, difficulty sleeping, difficulty concentrating on any mental tasks, and a foreshortened sense of one's future. Women who have been sexually abused feel like they are "in the middle of a battlefield."[23] Many societies often blame the victim rather than the perpetrator, which causes further harm. Finally, victims of rape can have a very difficult time protecting themselves from further assaults because they no longer trust themselves, or the world around them. Not all people respond the same way, of course, and many attempt to simply "move on" and not deal with their physical and mental

problems, much like a soldier may not attend to a serious wound in the thick of the battle. Long term responses are more complex, and depend on the degree to which the victim gets help, social support, or can make sense of what happened to them. Culture plays an important role in coming to terms with rape as well.

The Effects of Rape on the Brain

Dr. Kaplan, the director of the University of Virginia's Sexual and Domestic Violence Services explains that the severity of rapes during warfare cause many women to be diagnosed with rape trauma syndrome, which is a subset of the life long and incapacitating post traumatic stress disorder (PTSD).[24] PTSD was researched extensively for the first time following the Vietnam War in the 1970s. Before the Vietnam War there were

> ### *Sexual assault and rape fundamentally impact a person's core sense of safety and dignity.*

no service agencies or advocacy groups for victims of PTSD or rape.[25] Most survivors who are evaluated directly following an incident of rape meet PTSD criteria. An average of 94% of rape victims meets the criteria and 46% meets it three months later. [26] Cognitive behavioral models of PTSD explain that when someone experiences a terrifying event, the brain develops a memory schema in order to detect similar situations. Scientists discovered that such schemata usually consist of three different layers. [27] The first layer is a general collection of characteristics of the feared situation. The second is a more detailed combination of verbal, psychological and overt behavioral responses that occurred during the event and that will reoccur whenever the schema is activated. The third layer stores cognitions concerning the meaning of the feared situation and the responses of the victim to this interpretation. Schemas are "eyeglasses"[28] through which our brain interprets and processes the world

around us.

Individuals who have never experienced trauma such as rape develop schemata that make them perceive themselves as invulnerable and the world around them as innocent. Rape induced changes in memory schemata can have detrimental long-term consequences. Victims of rape cognitively process the experience by assimilation and accommodation. Assimilation is defined by the brain's reconstruction of the rape memory to fit judgments made before the incident. The process of accommodation refers to a

Former Child soldiers in eastern Democratic Republic of the Congo

situation when the brain completely changes already existing beliefs to justify the rape i.e. beliefs of safety, power, efficacy, trust esteem or intimacy.[29]

Traumatic experiences such as rape have profound psychological repercussions that, if not treated correctly, can change an individual's brain chemistry. According to Professor Verna Folnegovic-Smalc , who writes on the psychiatric aspects of the rapes in Bosnia-Herzegovina, "abuses are commonly described as either psychological or physical, though the two types usually take place simultaneously."[30] Dr. Kaplan explains, "we're still learning about it. For so long we thought there was a brain and the rest of the body. [Now] we know that the brain is really in control."[31] Research has demonstrated that the amygdala, the part of the brain that is

responsible for storing memories associated with emotions, is involved in the processing of responses to fear. The fear experienced during a traumatic event sensitizes the amygdala. The result is that the traumatized individual reacts much more quickly to fear-inducing stimuli.

The hippocampus, the part of the brain involved in memory, is affected by traumatic experiences. This is because the part of the brain that controls emotion, known as the "limbic system" (which includes the amygdala), is in charge of transferring information to memory.[32] The limbic system is also responsible for spiritual experiences and frightening hallucinations. [33]Emotions and memory are very closely linked. Patients with PTSD have often shown changes in their hippocampus. Natural opiates are released when faced with danger. In people with PTSD these opiate levels remain high leading to the desensitizing of emotions. [34]Neurotransmitters that activate the hippocampus or the memory are at higher levels in PTSD patients, which is why the playback of the experienced trauma is so preserved and realistic in their minds. Sigmund Freud calls this "intrusive imagery" and "active re-living".[35] In a 'Lecture on Psychoanalysis' he stated:

> These patients regularly repeat the traumatic situation in their dreams; where hysteriform attacks occur that admit of an analysis, we find that the attack corresponds to a complete transplanting of the patient into the traumatic situation. It is as though these patients had not yet finished with the traumatic situation, as though they were still faced by it as an immediate task, which has not been dealt with; and we take this view quite seriously.[36]

Rape trauma syndrome forces women to constantly relive their painful experience in their minds like a horrific movie that will never end.

Genital Mutilation, Rape and Torture

Unfortunately, in the DRC women do not usually just get raped. A very common practice for the perpetrator is to physically abuse them either before or after the raping. Sticking guns or large sticks up women's vaginas is very common. In the best-case scenario this will cause genital traumatization that can nevertheless cause infertility and sexual dysfunction. In the worst-case scenario, the wall between the bladder and the vagina will be torn. This injury is known as a recto-vaginal or vesico-vaginal fistula and leads to urine and stool incontinence.[37] Obstetric fistulas that stem from childbirth are also very common in the DRC. It can occur when a women has unattended obstructed labor or when a woman gives birth who has a womb that is not fully developed. In the DRC 65% of rape victims are children and adolescents under the age of 18 with 10% younger than 10 years of age.[38] Obstetric fistulas frequently result from young girls being raped and becoming pregnant when their wombs are not yet fully developed.

Rape as a Multigenerational Issue

Rape not only has an impact on individuals, it has an impact across generations and on a community sense of identity. Dr. Mukwege is one of the most respected Congolese doctors and specializes in the reconstructive surgery for women suffering from fistulas. Since the opening of his hospital, the Panzi Hospital in Bukavu, he has performed reconstructive surgery on 21 000 women and girls. [39]In a speech he gave at the University of Michigan in 2010 he proclaimed that the raping, torture and mutilation of women's genitals had ultimately resulted in the "collective loss of identity" in the DRC.[40] He describes the vicious cycle of these rapes that have been responsible for completely humiliating and destroying the victim as well as those around her:

What we have observed about these rapes is that they have a huge impact that destroys

communities. When a woman is raped in public, in front of her children, her husband, her neighbors, it is not easy for this victim to recover, especially psychologically. And, after children watch the torture of their mother, or a husband witnesses the torture of his wife or his daughters, they begin to question seriously their

Democratic Republic of the Congo: Rape Victims who have been successfully reintegrated into their communities assemble in a "peace hut" near Walungu, South Kivu in DRC. USAID-supported health programs have assisted rape victims

sense of belonging in the community. This results in a massive exodus of people from villages, abandoning them to their persecutors.[41]

Currently there are 10 million internally displaced persons (IDPs) in the DRC. This "massive exodus" caused by a cultural environment, which makes rape, torture and genital mutilation shameful is one of the reasons for such an astonishingly high number of IDPs.[42] Rape forces women to flee their communities, their families and themselves. The DRC is left with a population that has little to no hope of finding a way to create the unity and social bonds necessary for a nation. Dr. Mukwege would agree with Dr. Kaplan when she says, "it's generational; it's a cycle."[43] She further points out, "Kids who witness their mothers raped can grow up incredibly angry and violent." They feel as if "the world is violent and hostile and not safe and that [they] need to protect themselves from it [by means of violence]." Such children also suffer from "dissociation," a process by which the normal connection of memory, knowledge, and emotion is

disrupted due to an intense emotional reaction to a traumatic event. Dr. Judith Herman describes it in her book Trauma and Recovery as the "dissolving effect of intense emotion, which incapacitate[s] the synthesizing function of the mind."[44] Children who suffer from "dissociation" are far more likely to be recruited by rebel forces and become perpetrators themselves. [45]

An estimated 8.2 million or one out of every eight people in the DRC is an orphan or a vulnerable child.[46] What will become of the next generation? They do not know how to do constructive work. They become thieves and bandits. In the last 18 years 80% of children have not been to school.[47] Since birth they have only known violence and war. According to Robert Dowden in his book on Africa:

> The qualities needed to survive are opposite of the qualities needed to develop. To change the world around you, you must take risks, be open to new ideas and allow young people to experiment and break away from the old way of doing things." [48]

Atrocities can never be buried. This means that in order to develop in the DRC as prescribed by Dowden, the psychological recovery process of Congolese women has to be multigenerational. Solely working with the victim is not always the best approach. It is important to improve gender awareness and empower vulnerable groups by encouraging behavior change, communication and engaging boys and men. Leo Eitinger, a psychiatrist who has studied Nazi concentration camp survivors explains "war victims are something the community wants to forget; a veil of oblivion is drawn over everything painful and unpleasant." [49] This quote is an insightful description of the obstacles that the recovery process of Congolese women and their families, who have been traumatized by rape, face.

The Process of Recovery - an Integrative Approach

The American Psychologist identifies the essential steps of recovery as creating safety, reconstructing the trauma story, and reestablishing the connection between survivors and their community. However, the nature of the Congolese situation reaches far beyond these requirements. The American Psychologist lays out the fundamental building blocks but not the complex web necessary for the Congolese case. [50] An integrative approach is of utmost importance when dealing with women who have been raped in the context of warfare. Such an approach must begin with the recognition that traumatic experiences cause profound psychological problems, which affect the brain. A survivor can never assume to be completely healed. Certain changes are permanent. This is why recovery must include individual as well as group psychological counseling. Recovery is based on the empowerment of the survivor and the creation of new connections. Social networks give individuals strength and positive reinforcement. Group counseling has been so effective because individuals are social beings and naturally seek the approval of others. A victim is more likely to improve her situation and stop blaming herself if she realizes that she is not the only one who has had such an experience. Dr. Mukwege's Panzi Hospital is an ideal model. Women who are patients at Panzi are required to have individual psychological counseling as well as regularly meeting with a group.[51] Furthermore, while undergoing treatment the women live at the hospital and are constantly surrounded by other victims of sexual assault who are undergoing the same procedures and have lived through similar experiences.

A strong human rights discourse is an essential part of an integrative approach to help women who were raped in conflict zones. Such a discourse must do two things: qualify

the individual to be equally protected against psychological and physical threats as well as take more severe measures towards defining rape as a crime against humanity whether it was committed systematically during conflict or not. Dr. Judith Herman explains in her book Trauma and Recovery that without a strong human rights movement "the active process of bearing witness inevitably gives way to the active process of forgetting."[52] A human rights discourse necessitates the collective healing process essential to overcoming traumatic experiences. It establishes a normative platform from which victims can express their feelings and experiences of psychological trauma, thereby instituting a sense of community around sentiments of shared victimhood. The Universal Declaration of Human Rights and the Committee on the Elimination on the Discrimination Against Women has already improved gender perceptions, however more comprehensive measures need to be taken which do not solely address gender equality. The UN Security Council Resolution 1820 on Women, Peace and Security: Sexual Violence in Armed Conflict has stated that war leads to increased levels of rape and is a serious threat to women's physical integrity and their human rights.[53] Additionally, United Nations Security Council Resolution 1960 requires the Council and member states to honor commitments to combat sexual violence and conflict, investigate abuses, and hold perpetrators to account.[54] Even though issues surrounding rape have been seriously addressed in multiple conventions and declarations, these seem to be more symbolic judging by the fact that the conflict in the DRC continues to this day. It is not sufficient just to find the right words. Symbolic gestures are not enough. More important is human involvement and a willingness to work with victims of rape in a concrete situation.

After the atrocities in the DRC and Bosnia-Herzegovina (to name only two)

it appears to be necessary to demand that a legally more forceful international convention should specifically address the issue of rape as a weapon of war. The UDHR alone is not enough. Furthermore, after 20 years of conflict there is a very small part of the Congolese population who has not come into contact with violence. The fact that traumatic experiences have proven to have negative effects on the brain, qualify the individual to be equally protected against psychological and physical threats. The example of rape in the DRC should prove that there is a need to establish a fundamental right to psychological well being in the human rights discourse. Martha Nussbaum to this day is one of the few who recognizes psychological well-being as a basic right in her capabilities approach:

> Emotions. Being able to have attachments to things and people outside ourselves; to love those who love and care for us, to grieve at their absence; in general, to love, to grieve, to experience longing, gratitude, and justified anger. Not having one's emotional development blighted by fear and anxiety. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.)[55]

Michael L. Penn, Rahel Nardos et al. state in Overcoming Violence Against Women and Girls:

> The expectation of reward and the fear of punishment are critical in fueling human development and are major pillars sustaining the social world. It is for this reason that when the laws of a nation are arbitrary, discriminatory, or not upheld, the social order becomes chaotic, and the processes of human individual and collective development are significantly arrested.[56]

Following a strong human rights discourse, an integrative approach has to deal with the culture of justice in the DRC. Dr. Kaplan explains that bringing the perpetrator to justice can be very helpful in the recovery

process.[57] Penn and Nardos further explain that the law is so important in society because of the human nature to want to control and avoid helplessness. The principle of justice is the manifestation of this law, which renders the world orderly and predicable. Consequently, it is only in such a world that "organisms can develop their inherent capacities."[58]

Unfortunately, in countries like the DRC the lack of infrastructure is a serious handicap to an effective legal system. Ultimately the Congolese must take responsibility to establish rules, which prevent the use of rape as an instrument of war. But as we have witnessed in Bosnia-Herzegovina, international intervention can be necessary to end violence and to set the precedent for legal actions that need to be taken.[59] In the case of the DRC international intervention cannot and should not primarily be the use of force. What would be more appropriate is providing the necessary medical facilities and psychological services. In combination with educational efforts to bring individuals of all ages in contact with the ideas of human rights and effective legislation including judicial implementation, an integrative approach could provide a long-term solution. Such an approach is critical to solving the problems surrounding the systematic rape in the Congo.

The Way Forward

Recently, the Financial Times described the DRC as "a vast and failed state [in which] government institutions have been hijacked by a predatory elite with limited authority. Popular discontent is considerable and militias are still large." [60] The facts on the ground speak for themselves. There is ample reason for the international community to respond in a situation of massive human rights violations. It took a long time before Europe and the West intervened in Bosnia-Herzegovina where systematic rape had also been used as an instrument of war.[61]

An integrative approach to solving the issue surrounding the mass rape of women in the DRC should include not only Congolese efforts to address the problem of rape but an international response. Whereas major wars between countries seem to be less of a problem, internal conflict such as civil and interethnic war as witnessed in the DRC present a growing concern. Faced with this development in the Balkans and in Africa, the UN, under the leadership of Former Secretary Kofi Annan, developed the concept of a 'responsibility to protect'[62]. The main thrust of this new norm of international law is that national sovereignty must have limits if a government is incapable of preventing massive human rights violations. In such a case the international community should be in a position to intervene in order to stop atrocities. The DRC today is such a case where the international community cannot ignore its responsibility to protect.

The Congolese conflict still claims over 1000 lives every day. The vicious cycle of the mass rape of women in the Congo has reached a point where this conflict can spiral out of control. Pressure on the DRC to stop the human tragedy that is taking place in this country needs to be increased also because according to the International Crisis Group violence could spread and the conflict spill over into the nine neighboring countries. [63] This, according to the newspaper, would be "slowing development in the heart of the African continent". [64] If the conflict is not addressed soon, it will erode even further the foundation of the Congolese society. The rape of women and the resulting trauma has detrimental multi-generational effects, which need to be solved using an integrative approach. Dr. Mukwege asks the right question: "How can a world that said after the Holocaust "never again" remain indifferent to the plight of these women today?"[65]

Bibliography
Interviews:
Kaplan, Dr. Claire. interview by author, Charlottesville, VA, November, 29 2011.
Books:
Crabb, John H. *The Legal System of Congo-Kinshasa*. Charlottesville, VA: The Michie Company, 1970.Dowden, Robert. *Africa*. London: Portobello Books Ltd, 2008.
Herman, Judith. *Trauma and Recovery*. New York: Basic Books, 1997.
Hochschild, Adam. *King Leopold's Ghost:A Story of Greed, Terror and Heroism in Colonial Africa*. New York: Houghton Mifflin Company
Human Rights Watch, *The War Within The War*. New York: 2002.Martelli, George. *Leopold To Lumumba*. London, England: Chapman
1962.
Mc Cahill, Thomas W., Linda C. Meyer, and Arthur M. Fischman. *The Aftermath of Rape*. Lexington: D.C. Heath and Company , 1979.
Michael L., and Rahel Nardos. *Overcoming Violence Against Women And Girls*. Lanham, Maryland: Rowman & Littlefield Publishers, I
Renton, David, David Seddon, and Leo Zeilig. *The Congo Plunder & Resistance.* New York: Zed Books Ltd, 2007.Stengers, Jean. *Cong
Réalités*. Bruxelles: Éditions Racine, 2005.
Stiglmayer, Alexandra. *Mass Rape*. Lincoln, NE: University of Nebraska Press, 1995.
Journal Articles:
"Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo." *American Journal of Public*
101. no. 6 (2011).
Higson, Robert. "Land of War." *New Statesman*. (2010): 28-29.Isaacson, Robert L. "Limbic System." Encyclopedia of Life Sciences. (20
Joseph, R. "The Limbic System and the Soul:Evolution and the Neuroanatomy of
Religious Experience." Zygon. 36. no. 1 (2001): 109-110.
Klasen, Fiona et al. "Posttraumatic Resilience in Former Ugandan Child Soldiers." *Child Development*. 81. no. 4 (2010): 1099-1100.
Koss, Mary P. "Rape ." *American Psychologist*. 48. no. 10 (1993).Maedl, Anna. "Rape as a Weapon of War in the Eastern DRC? The Vict
Perspective ." *Human Rights Quarterly*. 33. (2011).
Mukwege, Denis. "No more! Organized rape in the Democratic Republic of the Congo must stop now." *International Journal of Gyr*
and Obstetrics. 114. (2011).
Government Information:
U.S. Congress House Committee on Foreign Affairs, *The Democratic Republic of the Congo: Securing Peace in the Midst of Tragedy,* 11
1st sess.,March 8, 2011. United States Government Accountability Office,"Democratic Republic of the Congo Information of the Ra
Sexual Violence in War-Torn Eastern DRC and Adjoining Countries." *Report to Congressional Committees*. (2011).
Websites:
Transparency International, "Corruption Perceptions Index 2010." Accessed December 10, 2011. http://www.transparency.org/
policy_research/surveys_indices/cpi/2010/results.
Movies:
Jackson, Lisa F.. "The Greatest Silence: Rape in the Congo." HBO Documentary Films and Women Make Movies. 2007. DVD
"Lumo." A Goma Film Project. 2007. DVD
"Women War and Peace: I Came to Testify." PBS. 2011. Web, http://www.pbs.org/wnet/women-war-and-peace/full-episodes/i-can
testify
Endnotes
1 Lisa F. Jackson, "The Greatest Silence: Rape in the Congo," DVD.
2 Amber Peterman, Tia Palermo, and Caryn Bredenkamp, "Estimates and Determinants of Sexual Violence Against Women in the Democ
Republicof Congo," American Journal of Public Health, 101, no. 6 (2011): 1064-1065.
3 Robert Higson, "Land of War," New Statesman (2010): 28-29.
4 Ibid.
5 Lisa F. Jackson, "The Greatest Silence: Rape in the Congo," DVD.
6 Ibid.
7 David Renton, David Seddon, and Leo Zeilig, The Congo Plunder & Resistance, (New York: Zed Books Ltd, 2007), 2.
8 Lisa F. Jackson, "The Greatest Silence: Rape in the Congo," DVD.
9 Ibid.
10 Transparency International, "Corruption Perceptions Index 2010." Accessed December 5, 2011. http://www.
transparency.org/policy_research/surveys_indices/cpi/2010/results.
11 Michael L. Penn, and Rahel Nardos, Overcoming Violence Against Women And Girls, (Lanham, Maryland: Rowman & Littlefield Publis
Inc., 2003),
12 U.S.Government Accountability Office, Democratic Republic of the Congo Information of the Rate of Sexual Violence in War-Torn Eas
DRC and Adjoining Countries, Report to Congressional Committees (GAO 2011): 2.
13 Ibid. ,8.
14 Alexandra Stiglmayer, Mass Rape, (Lincoln,NE: University of Nebraska Press,), 175.
15 Interhamwe means "those who stand or attack together" in Kinyarwanda
16 Lisa F. Jackson, "The Greatest Silence: Rape in the Congo," DVD.
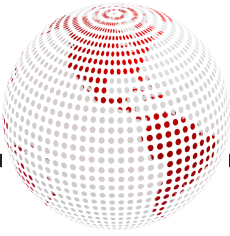*17 Ibid.*
18 Ibid
19 U.S. House Committee on Foreign Affairs, The Democratic Republic of the Congo: Securing Peace in the Midst of Tragedy, 112th Cong.,
sess.,March 8, 2011, 20 Human Rights Watch, The War Within The War, (New York: Human Rights Watch, 2002), 23.
21 Lisa F. Jackson, "The Greatest Silence: Rape in the Congo," DVD.

22 Judith Herman, Trauma and Recovery, (New York: Basic Books, 1997), 7.

23 Lisa F. Jackson, "The Greatest Silence: Rape in the Congo," DVD.

24 Dr. Claire Kaplan, interview by author, Charlottesville, VA, November 29, 2011.

25 John P. Wilson, "The Historical Evolution of PTSD Diagnostic Criteria: From Freud to DSM-IV," Journal of Traumatic Stress, 7,no. 4 (1994), 685.

26 Mary P. Koss, "Rape," American Psychologist, 48, no. 10 (1993): 1064.

27 Ibid.

28 Ibid.

29 Ibid.

30 Alexandra Stiglmayer, Mass Rape, (Lincoln,NE: University of Nebraska Press,), 175.

31 Dr. Claire Kaplan, interview by author, Charlottesville, VA, November 29, 2011.

32 Robert L. Isaacson, "Limbic System," Encyclopedia of Life Sciences (2002): 1-4.

33 R. Joseph, "The Limbic System and the Soul:Evolution and the Neuroanatomy of Religious Experience," Zygon, 36, no. 1 (2001): 112-113.

34 Bessel van der Kolk, Mark Greenberg, Helene Boyd, and John Krystal, "Inescapable Shock, Neurotransmitters, and Addiction to Trauma: Toward a Psychobiology of Post Traumatic Stress," Society of Biological Psychiatry (1985): 320-321.

35 John P. Wilson, "The Historical Evolution of PTSD Diagnostic Criteria: From Freud to DSM-IV," Journal of Traumatic Stress, 7, no. 4 (1994), 685.

36 Ibid. , 684-685. The lecture was part of five lectures given in 1909 at Clark University by Dr. Sigmund Freud. See http://www.rasch.org/over.htm for the originals.

37 Anna Maedl, "Rape as a Weapon of War in the Eastern DRC? The Victims' Perspective ," Human Rights Quarterly, 33 (2011): 130

38 Amber Peterman, Tia Palermo, and Caryn Bredenkamp, "Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo," American Journal of Public Health, 101, no. 6 (2011): 1060.

39 Denis Mukwege, "No more! Organized rape in the Democratic Republic of the Congo must stop now," International Journal of Gynecology and Obstetrics, 114 (2011): 1-3.

40 Ibid.

41 Ibid.

42 Ibid.

43 Dr. Claire Kaplan, interview by author, Charlottesville, VA, November 29, 2011.

44 Judith Herman, Trauma and Recovery, (New York: Basic Books, 1997).

45 Fiona Klasen et al. , "Posttraumatic Resilience in former Ugandan Child Soldiers, " Child Development, 81, no. 4 (2010): 1099-1100.

46 U.S. Congress House Committee on Foreign Affairs, The Democratic Republic of the Congo: Securing Peace in the Midst of Tragedy, 112th Cong., 1st sess.,March 8, 2011, 3.

47 Lisa F. Jackson, "The Greatest Silence: Rape in the Congo," DVD.

48 Robert Dowden, Africa, (London, England: Portobello Books Ltd, 2008), 358.

49 Judith Herman, Trauma and Recovery, (New York: Basic Books, 1997), 8.

50 Mary P. Koss, "Rape," American Psychologist, 48, no. 10 (1993): 1064.

51 Denis Mukwege, "No more! Organized rape in the Democratic Republic of the Congo must stop now," International Journal of Gynecology and Obstetrics, 114 (2011): 1-3.

52 Judith Herman, Trauma and Recovery, (New York: Basic Books, 1997), 9.

53 United Nations Security Council, "Resolution 1820." Accessed December 5, 2011. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/391/44/PDF/N0839144.pdf?OpenElement.

54 United Nations Security Council, "Resolution 1960." Accessed December 10, 2011. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/698/34/PDF/N1069834.pdf?OpenElement.

55 Martha Nussbaum, Women And Human Development, (Cambridge: The Press Syndicate of the University of Cambridge, 2000) 79.

56 Michael L. Penn, and Rahel Nardos, Overcoming Violence Against Women And Girls, (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 2003), 120.

57 Dr. Claire Kaplan, interview by author, Charlottesville, VA, November 29, 2011.

58 Ibid.

59 Alexandra Stiglmayer, Mass Rape, (Lincoln,NE: University of Nebraska Press,), 175.

60 William Wallis ,"Congo's Election Fiasco Likely to End in Violence,"Financial Times, December 5, 2011, 4.

61 An international tribunal was set up for victims of the mass rape in Bosnia. Many got to see their perpetrators brought to justice. "Women War and Peace: I Came to Testify," Web, http://www.pbs.org/wnet/women-war-and-peace/full-episodes/i-came-to-testify/.

62 United Nations Security Council, "International Coalition for the Responsibility to Protect." Accessed December 7, 2011. http://www.responsibilitytoprotect.org/index.php/about-rtop

63 The International Crisis Group, The Wall Street Journal, December 9, 2011, A11.

64 Ibid.

65 Denis Mukwege, "No more! Organized rape in the Democratic Republic of the Congo must stop now," International Journal of Gynecology and Obstetrics, 114 (2011): 1-3.

Photos courest of:

http://commons.wikimedia.org/wiki/File:IDPs_at_Kiwanja.jpg

http://gemini.info.usaid.gov/photos/displayimage.php?pos=-1223

http://gemini.info.usaid.gov/photos/displayimage.php?pos=-1237

http://gemini.info.usaid.gov/photos/displayimage.php?album=668&pos=4

Deconstructing the Camarena Affair and the Militarized United States-Mexico Border

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Recently, the state of the United States-Mexico border has assumed primary importance in American domestic politics. And with that, the border has been conflated with notions of security. This paper will investigate the root causes of the border's securitization by grounding the case study of the Camarena Affair within The Copenhagen School's burgeoning constructivist literature on securitization. The paper will conclude by discussing the legislative fallout from the Camarena Affair's legacy, and arguing that the successful linkage between border and security occurred long before the events of September 11th, 2001.

The border shared by Mexico and the United States did not always function the way it does today. In this paper, I will trace the securitization of the border through the case of the Camarena Affair and frame the narrative by discussing how the United States government policed the War on Drugs prior to the kidnapping of undercover DEA agent, Kiki Camarena. While the War on Drugs was initially marked by cooperation with the Mexican government and domestic policing of heroin and crack cocaine users within the United States, the United States government's attention drastically shifted to the border, and the Mexican government's policing of drug cartels on the whole, two weeks after Camarena's kidnapping.

By closing down the border in a symbolic search for the DEA agent, United States elites explicitly decided to turn an undercover operation into a public relations campaign. The two week time lag between Camarena's kidnap and the subsequent shutdown of the border reveals the degree to which elites evaluated the likelihood that the American public would accept a depiction of Mexico, its government, citizens, and products, as dangerous.

Evidence that the affair was made public on a large scale will be shown by a shutdown of the border, marked by lines as long as seven hours. What follows is a succession of speech acts levied against the Mexican government a few months later. And to prove that the ideas of the securitized border in the wake of the Camarena Affair live on to this day, the case will conclude with a discussion of the Anti-Drug Abuse Act of 1986, a mere symbolic measure, which conditionally ties United States' foreign aid to drug source countries' cooperation with the United States' narcotics laws.

The Copenhagen School's literature on securitization studies expects that any issue can be securitized in a time of 'emergency.' Applying the school's theoretical ideas to a concrete case, this paper will explore to what degree the

United States elites explicitly decided to turn an undercover operation into a public relations campaign.

Camarena Affair reoriented notions of friends and enemies in the War on Drugs. Further, if the affair can be traced to an enhanced distinction of 'friend' and 'enemy' between the United States community and drug exporting governments, what proof exists that this relationship was ever securitized?

First, I will apply a theoretical review of recent security studies. The review will explain why traditional security studies' focus on objective conditions for securitized issues fail to account for the intersubjective experience, inherent in all democracies, by which issues operating outside of conventional military sectors can be rendered post-political. The paper will

frame the Camarena Affair within the recent, "radically constructivist" school of International Relations.[1]

Secondly, I will outline my methodology for placing this case within the theoretical realm of constructivist security studies. Thirdly, using a process-trace approach, I will argue that the capture, torture, and subsequent murder of DEA agent Kiki Camarena securitized the issue of source governments' lack of cooperation with the United States' stated social preferences, a drug-free America, and fostered the necessary political conditions for the passage of the Anti-Drug Abuse Acts of 1986. Tracing these conditions is of particular importance, as this legislation marks the starkest example of the

The United States border fence near El Paso, Texas

United States' enforcement of drug laws beyond its borders.

Theoretical Review

Understanding security in a post-Cold War world marks a significant departure from the age in which scholars infatuated over the imminent threat of nuclear war. During that time, security was narrowly understood as "the study of the threat, use, and control of military force," according to Stephen Walt.[2] Juxtaposed against traditional scholars such as Walt who view military engagement and state-centrism as the primary framework through which security studies must be understood, Wæver, Buzan, et.al. have developed a comprehensive alternative to the study of security, more

commonly known as the Copenhagen School.

The Copenhagen School's approach stresses a wider framework for security, marked by "exploring threats to referent objects," which are abstract categories or concepts (most often the state) that need protection during a time of existential crisis. The theory argues that during such a time, a securitizing actor within a given community will endorse extreme measures, thereby suspending the natural rule-bound order to justify the protection of the referent object.[3] To the extent that security is socially constructed, "fears, anxieties, and insecurities in the population" serve as informants to these radical solutions, which aim to prevent an affront to that which the community declares sacred.[4] Traditionalists, on the other hand, view security as an objective condition, ignoring the intersubjective process by which mobilization for security occurs. What is lost in this form of traditional analysis is the rhetorical structure, known as a "speech act," whereby securitizing actors place issues onto the security agenda.

In democracies, elected representatives cannot simply govern with a mandate to do what they believe is right behind closed doors. Instead, they must communicate to their polity why they believe in the decisions they make. Similarly, yet distinct from normal political engagement, securitizing actors, many of whom occupy elected office, must communicate to their constituencies why they should be granted the authority to "operate in a different mode than he or she would have otherwise" in a normal situation.[5] Security implies consent among the referent object's subject population for a securitizing actor to use any and all means necessary, including military action, extreme regulation or sudden legislation, to protect any given sector in a time of crisis.

Securitizing actors will not objectively assess threats to referent objects. Threat assessment is not only inherently subjective, as individual actors bring with them a set of personally tailored political priorities, insofar as an objective and absolutist approach to risk management is inefficient. According to

securitization scholar Peter Nyers, representative bodies do not function to completely eliminate risk; rather they govern as managers of risk. Risk management implies proper prioritization of risk. Thus, government actors reduce coordination costs of risk prioritization by "encouraging, inculcating, and suggesting" to free thinking subjects "certain ways of conduct that increase [their] health, wealth, and happiness.[6] To do this, actors use speech acts to "construct a shared understanding of what is to be considered and collectively responded to as a threat."[7] But speech acts themselves ought not be equated with securitization. Instead, one should view them as mere tools of securitization. For an issue's securitization will only occur given the proper facilitating conditions.
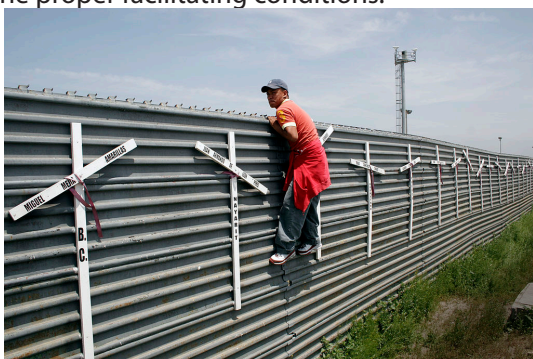
An aspiring migrant from Mexico crosses into the US at the Tijuana-San Diego border. The crosses on the fence represent the deaths of failed attempts.

The Copenhagen School defines facilitating conditions as "conditions under which the speech act works."[8] The speech act itself is but one of many facilitating conditions. Generally speaking, one can break down a speech act into its constitutive parts, which include an "existential threat, point of no return, and a possible way out."[9] These underlying components of a speech act communicate vital information to the consenting group at which the speech act is aimed. Therefore, the likelihood that a speech act is successful directly correlates to the actor making the claim and the identified threat within the claim. Furthermore, for a group to trust the actor making the claim, he or she "must be in a position of authority."[10]

Secondly, the threat itself matters. An audience is more likely to "conjure a security threat if certain objects can be referred to that are generally held to be threatening."[11] Some examples of threats include terrorists, drugs, weapons and viral diseases. With the securitizing actor identifying a referent object that needs protection, calling for a suspension of the rule-bound order and combining a consenting subject population, the next question becomes: from whom or what does the community need protection?

Michael Williams extols the comparison between aspects of the Copenhagen School and Carl Schmitt's classical realist theory of securitization. Such a comparison is important because it grounds an emerging, non-traditional theory within the scope of a traditionally recognized approach to understanding security. Of particular significance within this comparison is Schmitt's treatment of the enemy from which securitizing actors draw their claims. According to Schmitt, a political enemy:

"Need not be morally evil or aesthetically ugly; he need not appear as an economic competitor, and it may even be advantageous to engage with him in business transactions. But he is, nevertheless, the other, the stranger; and it is sufficient for his nature that he is, in a specifically intense way, existentially something different and alien, so that in extreme cases conflicts with him are possible. These can neither be decided by a previously determined general norm nor by the judgment of a disinterested and therefore neutral third party."[12]

Therefore, pitting a community's survival against an enemy of the community aids securitizing actors by appealing to a communal sense of identity.

When such an identity, a sense of unity, is threatened by an abstract "other," the society in question "fears that it will no longer be able to live *as itself*."[13] In this regard, creating a distinction between friends and enemies is an explicit tool of the securitizing actor, not an objective condition. As the prominent critic

of the Copenhagen School, Bill McSweeny argues, friend/enemy distinctions distort the "multiplicity of social identities, along with the process of negotiation and accommodation through which they operate."[14] This is precisely why not all claims to securitization succeed; why securitization involves the consent of dissimilar identities, which comprise a community, to agree on a united course of action. Thus, the "friend" element of the equation is as socially constructed as the "other."

The framework of friend/enemy distinctions, a time of existential crisis, a suspension of the rule bound order, discursive speech acts, and facilitating conditions for an issue's securitization will provide a lens, through which notions of defense and drugs transform a border from a place of trade and commerce to a space of danger; something that must be defended.[15] The theoretical ideas of the Copenhagen School and Schmitt will be applied to the case of DEA agent Enrique "Kiki" Camarena's kidnap, torture and subsequent murder in Mexico. And the legacy of this case will show how the Camarena Affair reoriented the threat of drugs from American cities to the Mexican government itself.

The War on Drugs

At a press conference on June 17, 1971, President Nixon declared, "America's public enemy number one in the United States is drug abuse. In order to fight and defeat this enemy, it is necessary to wage a new, all-out offensive…a worldwide offensive." Of particular significance about this press conference were Nixon's calls for suspending debate on $350 million in Congressional appropriation, including an increase in "some new responsibility into the White House," because he "considered the problem so urgent…that it had to be brought to the White House." Moreover, because of the existential threat that drugs posed to "American families," Nixon argued that if the $350 million "is not enough…I have made it clear to the [Congressional leaders] more will be provided." And with those words, the securitization of

drugs ushered in the Special Action Office for Drug Abuse Prevention (SAODAP) and an extension of the United States government's sphere of influence as a transnational police force.[16] Functioning as a "relatively weak police force," the Bureau of Narcotics and Dangerous Drugs (BNDD) was reorganized under the Drug Enforcement Administration (DEA) in 1973, marking a significant departure from a mere subsidiary component of the Department of Justice (DOJ).[17] As a federal agency, the DEA became committed to enforcing:

> "The controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations, involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States."[18]

The DEA's broad mission granted itself the ability to conduct investigations foreign and domestic,

U.S. Customs and Border Protection officers wielding the Heckler & Koch UMP

provided foreign governments cooperated. According to Maria Celia Toro, director of the Center for International Studies at El Colegio de Mexico, members of the DEA in Mexico initially sought to establish and train a "Mexican antinarcotics police unit trained in its own spirit and tactics" in the early 1970s.[19] Mexico quickly became a priority for the newly established DEA, as a projected 87 percent of the heroin and 95 percent of the marijuana flooding the United States market originated in Mexico.[20]

But if Mexican officials were not the enemies in the 1970s, then who was?

A combination of heroin, crack, and marijuana users within the United States served as the earliest public faces of the drug wars, with each drug occupying a respective prominence in United States history. In the late 1960s, heroin usage spiked to record levels due to heavy usage among GIs returning from the Vietnam War.[21] By the 1980s, cocaine flooded the United States market, which caused dealers to convert the powdery substance into "crack," a smokeable version of cocaine that could appeal to consumers on a wide market.[22]

Local law enforcement continued arresting local traffickers and users, whose usage, often associated with record levels of crime in inner-city neighborhoods, served as the public face of the War on Drugs for many years.[23] Concomitantly during this period, DEA agents continued their interdiction model of restricting supplies from drug sourcing and transit countries by working with and helping train anti-narcotics officers from said countries. Operation Condor, a 1975 joint marijuana and opium crop eradication effort between the respective United States and Mexican governments, has been the most ambitious effort of its kind to this day.[24]

The "Bust of the Century"

Though DEA agents had worked closely with Mexican police throughout the 1970s, by the time cartel efforts shifted their transporting networks primarily to Mexico in the 1980s, the DEA decided the cooperative police model in Mexico was "hopeless," and instead favored to work "without notifying Mexican authorities, be they police or others."[25] As Toro argues, the switch in policy centered on a deep-seated, *private* concern that "Mexican police were incorrigibly corrupt."[26] By the 1980s, Mexican cartels boasted multi-national distribution networks by forging transnational alliances with better-established cartels throughout Latin America. The Guadalajara Cartel, founded by former Mexican policeman Miguel Angel Felix Gallardo, established its dominance over Mexican trafficking *plazas* by creating a syndicate between Pablo Escobar and the Medellin Cartel. The resulting network brought cocaine production to Mexico.[27]

As part of the Guadalajara Cartel's proliferation, it attracted Rafael Caro Quintero, known by many as "*El Chapo*" (Shorty), to its ranks. And by December of the same year, DEA special agent Enrique "Kiki" Camarena was undercover and on his case. *Time* magazine reported Camarena's bust of Quintero's marijuana farm in the Mexican state of Chihuahua as "the bust of the century," yielding 9,000 tons of marijuana valued at over $4 billion.[28] Needless to say, the record-breaking bust caused Quintero to seek swift revenge on those who plotted against him and the Guadalajara Cartel.

Camarena's Kidnap

Nearly 2 months after the bust, Camarena was kidnapped in a "police-type arrest," on February 7th. According to the Drug Enforcement Administration Reauthorization for Fiscal Year 1986, Special Agent Camarena was picked up by people with whom he had worked in the past, and placed in an unmarked car. The kidnapping occurred in broad daylight. [29] Camarena missed a scheduled lunch with his wife, who then notified the DEA office in Guadalajara on February 8th. After the DEA made initial contact about Camarena's location with the Mexican Federal Judicial Police (MFJPD), "there was a 2-day delay" from the time Camarena disappeared to the time when the MFJPD "showed up in any number to initiate an investigation." At this point, United States elites began to suspect that if not entirely in on Camarena's kidnap, the MFJPD were certainly not cooperating with the United States government's investiagtion. To highlight the state of tension between the two sides, when the MFJPD assigned Commadante Pavon to the case, he failed to act on credible information provided by the DEA on Camarena's kidnappers' whereabouts. On the morning of February 9th:

"DEA personnel in Guadalajara located an aircraft at Guadalajara Airport which was an aircraft that was guarded very securely. We asked the officers from the MFJPD to search that particular aircraft, because we had reason to believe a major trafficker who we believed may have had information on the abduction of Special Agent Camarena owned it. The commadante, Commandante Pavon, and a number of his personnel approached the airplane, talked to an occupant of the airplane, and then told DEA personnel that the airplane was cleared to leave… much to the dismay of our DEA personnel."[30]

Enmity between the two agencies increased by Tuesday, February 12th, when the MFJPD carried out a search of a Mexico City apartment after "a several-day delay." DEA officials in Mexico City had previously provided the MFJPD with credible intelligence that the owner of the apartment in question, Juan Matta Ballesteros, was tied to Camarena's disappearance.[31] For many United States elites close to the situation, this was the final straw.

Border Shutdown

The first visible example of the United States government's efforts to securitize the United States-Mexico border in relation to Camarena's kidnapping took place on February 20th, 1985, 13 days after Camarena disappeared. By that time, Camarena's whereabouts were still unknown to United States officials. Accordingly, Frances M. Mullen Jr., head of the DEA, ordered United States Customs Service Commissioner, William von Raab, to highlight their discontent with the MFJPD's handling of Camarena's disappearance. The pair manifested their discontent by ordering "an excruciating campaign of car-trunk by car-trunk inspection" for every car crossing the border. Thus, both Mullen Jr. and von Raab satisfied the conditions of securitizing actors who endorsed extreme measures in a time of crisis to protect a referent object, which, in this case, was the border and all of its inhabitants within the United States.

Named Operation Camarena, the campaign's publicly stated goal was to find the missing agent. Yet elites knew of no evidence suggesting Camarena's kidnappers intended to transport him across the border. Still, the inspections took place at every official border crossing along the United States-Mexico border. According to a *Time* magazine article published days after the six-day operation ended, crossing the San Ysidro border between Tijuana and San Diego, a border that typically took twenty minutes to cross, spawned lines over seven hours long. The number of United States citizens who typically crossed the border severely plummeted, thereby weakening a substantial source of income from tourism, on which the Mexican government relied.

By enacting Operation Camarena, United States elites invoked a suspension of the rule-bound order of the border, which was formerly a demarcated place of trade and commerce. Furthermore, Spokesman for the State Department, Bernard Kalb, explicitly equated Camarena's kidnap to an existential crisis by invoking the safety of American citizens when he stated, "Certainly, the safety of Americans in Mexico is a matter of current concern. We are monitoring the situation." Welcome to life at the border in the post-Camarena era.[32]

In reality, the border closing was a symbolic measure constructed by the Reagan administration. Its primary purpose was to apply pressure on Mexico to cooperate with the United States' search for Camarena.[33] Evidence of this can be found in the time lag between Operation Camarena's culmination (February 26th) and the actual positive identification of Special Agent Camarena's decomposed body (March 7th).[34] United States officials never had any reason to believe that drug traffickers planned to covertly export Camarena's body out of Mexico and back into the United States. And even if United States officials had any reason to believe that drug traffickers planned to covertly export Camarena's body out of Mexico and back into the United States, those same officials realized the futility of finding a needle in a haystack.

The United States government had successfully linked the securitization of the

border with Camarena's disappearance and imposed tangible costs on businesses along the border. They knew Mexico's already flailing economy could not suffer such a hit if business continued to falter indefinitely. And they also knew that the newest threat in fighting the War on Drugs would stem from an already expanding Mexican cartel

The start of the border fence between the United States and Mexico near Sunland Park, New Mexico, U.S.A. and Rancho Anapra, Chihuahua, Mexico.

network, the size of whose political influence was unmatched. Given these conditions, and provided with Camarena's kidnap and murder as a symbol of what was to come, the United States government calculatedly securitized the border, thereby expanding the threat of drugs from its own streets to across the border. Thus, the Camarena Affair was instrumental in conflating Mexican corruption with the already established War on Drugs. Mexico, and by extension, Mexicans become security concerns.

Reaffirming the already securitized concept of the border as the source of the drug threat, the speech acts made by United States elites reified the distinction between friend and enemy governments, placed drug trafficking and the web of related activities beyond the pale of normal politics and into an 'existential' category, and allowed for any and all means necessary to combat the threat of drugs and the associated cartel violence, including a complete border shutdown. Less than 3 months after Camarena's kidnap, Elliott Abrams, the Assistant Secretary

of State for Inter-American Affairs, spoke to the Senate Foreign Relations Committee and said, "if Mexico doesn't get a hold of the problems [then in] a number of years it can get to be too late."[35] There was nothing "normal" about the border anymore. Camarena's kidnap enabled United States policymakers to successfully, and publicly, place significant blame on Mexico for its lack of compliance with the United States government's domestic drug policy.[36]

In an interview with the New York Times in May of 1986, Commissioner von Raab proclaimed that "The drug situation is a horror story, increasing logarithmically, and Mexico is doing nothing about it." He went on to charge that Mexican government officials were "inept and corrupt…[and that] the concern is now shared by the entire executive branch of Government."[37] By October of the same year, von Raab publicly decried, ''My position hasn't changed," and added that "[Mexican government officials were] inept and corrupt, up and down the ladder - my policy is to assume everyone is corrupt unless I learn otherwise."[38] Despite the facts that behind Mexico's rampant corruption lied an increasing amount of Americans who demanded, consumed and funded the illicit strategies employed by the cartels to ensure that their products came to market, President Reagan and the 99th Congress chose to stage a legislative attack aimed at the incompliant source government.

Legislative Fallout

Harnessing the memory of the Camarena Affair into concrete, legislative terms, the Anti-Drug Abuse Act of 1986 became law on October 27th, 1986. Among other statutes, Title II: International Narcotics Control serves as the manifestation of the speech acts leveled against Mexico immediately following Camarena's kidnap. Title II effectively created a conditional aid-leveraging program for both illicit drug producing and transporting countries. Further, it established the drug certification system, which requires the Executive Branch to annually report to Congress the extent to which drug

sourcing and transiting governments comply with United States narcotics policies.[39] By restricting aid to source governments, the United States government successfully shifted the focus of the drug threat toward foreign governments, Mexico chief among them, who can barely compete with the forces of supply and demand fueling the cartels.

The drug certification process has not only failed to achieve its policy goals of promoting greater cooperation between the United States and drug transiting and sourcing nations, but it has also created its own distinct set of political confrontations. Former Chairman of the Senate Foreign Relations Committee, Jesse Helms' (R-NC) move in 1989 to block Mexico's certification on the grounds of its widespread corruption elicited a response from Mexico City, calling the senator an, "unblushing liar."[40]

Distinctly, there was widespread criticism from the media and members of congress when President Clinton certified Mexico in 1997, even though Mexico's drug czar was found to be corrupt just a short time before the President rendered his decision to certify the country. When asked by members of the media why they chose to continue the process, the Clinton Administration responded with a sentiment stating, "It's not for [the administration] to decide or to weigh in on whether it's a good law or not."[41] Thus, the ideas of the Camarena Affair, a securitized border, and its associated sub-optimal policies live on to this day.

Conclusion

How did we come to understand the border as a militarized concept, a place that symbolizes the inherent good of the United States and its ability to keep out the foreign, and thus dangerous "other?" Certainly many factors, including the events on September 11th, 2001, contributed to the increasingly securitized state of the border as we know it. Yet, as this paper argues, the first major modern act of securitization came shortly after Mexican drug cartels kidnapped, tortured and murdered one undercover DEA agent, Enrique Camarena. But what makes this case so exceptional is not the mere events of February 7th, 1985. What makes the Camarena Affair noteworthy is what Camarena has come to symbolize still to this day.

Surely Camarena is not the only undercover agent to have ever been captured and killed beyond the territory of the United States. But he may very well be one of the only undercover agents to have ever single-handedly shut down the largest border crossing in the world, for an entire week, under the guise of finding information on his or his body's whereabouts.

The only possible explanation for these actions points to the policy priority of the War on Drugs, specifically the United States' inability to curb drug demand within its own borders. Because it could not conceivably declare war on its own society, policymakers used the language and actions of securitization by closing the border, thereby demarking everyone and everything foreign trying to enter as an "enemy," and associating them with the previously securitized threat of drugs.

Few people, if any, view the modern United States-Mexico border as merely a place of trade and commerce. As the border initially became securitized over the issue of drugs, soon thereafter nearly everything associated with Mexico was associated with the "other," from its government to its citizens. Therefore, one can better understand the confluence of drug and immigration policy today by looking back to the United States' initial distinction of friend and enemy, memorialized within the Camarena Affair itself.

Bibliography

Best, Joel. *Images of Issues: Typifying Contemporary Social Problems*. New York: A. De Gruyter, 1995.

Brinkley, Joel. "Concern Growing Among U.S. Aides On Mexico Future." *New York Times*, May 25, 1986, (Late Edition (East Coast)) ed., P. A.1. sec. Accessed November 21, 2011. Banking Information Source.

Buzan, Barry, Ole Wæver, and Jaap De. Wilde. *Security: A New Framework for Analysis*. Boulder, Colorado 80301: Lynne Rienner Publishers, 1998.

Buzan, Barry, Ole Wæver, and Jaap De. Wilde. *Security: A New Framework for Analysis*. Boulder, Colorado 80301: Lynne Rienner Publishers, 1998.

"DEA Briefs & Background, Drug Policy, DEA Mission Statement." Welcome to the United States Department of Justice. Accessed November 05, 2011. http://www.justice.gov/dea/agency/mission.htm.

"DEA History Book, 1985 - 1990." The United States Department of Justice. Accessed December 05, 2011. http://www.justice.gov/dea/pubs/history/1985-1990.html.

Diederich, Bernard, Jacob V. Lamar Jr., and Larry Wippman. "The Bust of the Century." Time Magazine. December 3, 1984. Accessed November 8, 2011.

Falco, Mathea. *Winning the Drug War: A National Strategy*. New York: Priority Press Publications, 1989.

George, Alexander L., and Andrew Bennett. *Case Studies and Theory Development in the Social Sciences*. Cambridge, Mass.: MIT Press, 2007.

"Heroin Timeline Info." Narconon, Drug Rehabilitation, Drug Education. 2010. Accessed December 05, 2011. http://www.narconon.org/drug-information/heroin-timeline.html.

H.R. Res. 5729, 99th Cong., The Library of Congress (1986) (enacted).

McSweeney, Bill. Security, Identity and Interests: A Sociology of International Relations. New York: Cambridge University Press, 1999.

"Mexico Certification." Transcript. In All Things Considered. NPR. February 28, 1997.

Morlet, Thomas. "Border Search for Clues Ended : Mexico Arrests Suspect in Kidnaping of U.S. Agent." The Los Angeles Times. February 26, 1985. Accessed November 06, 2011.

Nixon, Richard M. "Remarks About an Intensified Program for Drug Abuse Prevention and Control." Address, Briefing Room at the White House, Washington D.C., June 17, 1971. Accessed November 8, 2011. http://www.presidency.ucsb.edu/ws/index.php?pid=3047#axzz1dMFHxQNi.

Nyers, Peter. Securitizations of Citizenship. London: Routledge, 2009.

Padgett, Tim, and Elaine Shannon. "La Nueva Frontera: The Border Monsters." Time Magazine. June 11, 2001. Accessed November 6, 2011.

Reeves, Jimmie Lynn., and Richard Campbell. Cracked Coverage: Television News, the Anti-Cocaine Crusade, and the Reagan Legacy. Durham, NC: Duke University Press, 1994.

Reinarman, Craig, and Harry G. Levine. Crack in America: Demon Drugs and Social Justice. Berkeley: University of California Press, 1997.

Russell, George, Ricardo Chavira, and Janice C. Simpson. "Mexico Slowdown on the Border." Time Magazine. March 4, 1985. Accessed November 6, 2011.

Schenk, Benjamin S. "Beyond the Blame Game: An Assesment of the Motivations, Policies, and Obstacles Behind Mexico's Cartel Violence." *World Outlook: An Undergraduate Journal for International Affairs* 40 (summer 2011): 32-46.

Schmitt, Carl. *The Concept of the Political*. Translated by George Schwab. Chicago: Univ. of Chicago Press, (1996[1932]).

Silver, Ira. "The Crack Attack: Politics and Media in the Crack Scare." In *Social Problems: Readings*. New York: W.W. Norton, 2008.

Special to the New York Times. "WASHINGTON TALK; 'My Position Hasn't Changed'" October 28, 1986, (Late Edition (East Coast)) ed., P. B. 18. sec. Accessed November 22, 2011. Banking Information Source.

Toro, Maria C. "The Internationalization of Police: The DEA in Mexico." *The Journal of American History* 86, no. 2 (1999): 623-40. Accessed November 8, 2011. JSTOR.

Walt, Stephen M. "The Renaissance of Security Studies." *International Studies Quarterly* 35, no. 2 (1991): 212-13.

Williams, Michael C. "Words, Images, Enemies: Securitization and International Politics." *International Studies Quarterly* 47, no. 4 (2003): 511-31.

Wæver, Ole. "Securitization and Desecuritization." In *On Security*, edited by Ronnie D. Lipschutz, 46-86. New York: Columbia University Press, 1995.

Endnotes

1. Buzan, Barry, Ole Wæver, and Jaap De. Wilde. *Security: A New Framework for Analysis*. Boulder, Colorado 80301: Lynne Rienner, 1998. Print. pp. 204
2. Walt, Stephen M. "The Renaissance of Security Studies." *International Studies Quarterly* 35.2 (1991): 212-13. Print.
3. Buzan et al., pp. 5.
4. Nyers, Peter. *Securitizations of Citizenship*. London: Routledge, 2009. Print. pp. 1.
5. Buzan et al., pp. 30.
6. Nyers, pp. 17-18.
7. Buzan et al., pp. 26.
8. Ibid., pp. 32.
9. Ibid., pp. 33.
10. Ibid.

11. Ibid.

12. Schmitt, Carl. *The Concept of the Political*. Trans. George Schwab. Chicago: Univ. of Chicago, (1996[1932]). Print. pp. 32-33; As quoted in Williams, Michael C. "Words, Images, Enemies: Securitization and International Politics." *International Studies Quarterly* 47.4 (2003): 511-31. Print. pp. 518.

13. Wæver, Ole. "Securitization and Desecuritization." *On Security*. Ed. Ronnie D. Lipschutz. New York: Columbia UP, 1995. 46-86. Print. pp. 67; As quoted in Williams, pp. 519.

14. Williams, pp. 519; And see McSweeney, Bill. *Security, Identity and Interests: A Sociology of International Relations*. New York: Cambridge UP, 1999. Print. pp. 72.

15. Discussion with Professor Ruback on 11/3/2011

16. Nixon, Richard M. "Remarks About an Intensified Program for Drug Abuse Prevention and Control." Address. Briefing Room at the White House, Washington D.C. 17 June 1971. *The American Presidency Project*. Web. 8 Nov. 2011. <http://www.presidency.ucsb.edu/ws/index.php?pid=3047#axzz1dMFHxQNi>.

17. Reorganization Plan No. 2 of 1973, as amended by Pub. L. No. 93-253, 88 Stat. 50 (1974), is reprinted in 5 U.S.C. app. 1, along with the accompanying President's Message to Congress. Executive Order No. 11727 appears at 38 Fed. Reg. 18357 (1973); And see Toro, Maria C. "The Internationalization of Police: The DEA in Mexico." *The Journal of American History* 86.2 (1999): 623-40. *JSTOR*. Web. 8 Nov. 2011. pp 624.

18. "DEA Briefs & Background, Drug Policy, DEA Mission Statement." *Welcome to the United States Department of Justice*. Web. 05 Nov. 2011. <http://www.justice.gov/dea/agency/mission.htm>.

19. oro, pp. 628.

20. Falco, Mathea. *Winning the Drug War: A National Strategy*. New York: Priority Publications, 1989. Print. pp. 36.

21. "Heroin Timeline Info." *Narconon, Drug Rehabilitation, Drug Education*. 2010. Web. 05 Dec. 2011. <http://www.narconon.org/drug-information/heroin-timeline.html>.

22. "DEA History Book, 1985 - 1990." *The United States Department of Justice*. Web. 05 Dec. 2011. <http://www.justice.gov/dea/pubs/history/1985-1990.html>.

23. Silver, Ira. "The Crack Attack: Politics and Media in the Crack Scare." *Social Problems: Readings*. New York: W.W. Norton, 2008. Print; And see Best, Joel. *Images of Issues: Typifying Contemporary Social Problems*. New York: A. De Gruyter, 1995. Print; See also Reeves, Jimmie Lynn., and Richard Campbell. *Cracked Coverage: Television News, the Anti-Cocaine Crusade, and the Reagan Legacy*. Durham, NC: Duke UP, 1994. Print.

24. Toro, pp. 628.

25. Ibid., pp. 632.

26. Ibid., pp. 633

27. Padgett, Tim, and Elaine Shannon. "La Nueva Frontera: The Border Monsters." *Time Magazine*. 11 June 2001. Web. 6 Nov. 2011.

28 Diederich, Bernard, Jacob V. Lamar Jr., and Larry Wippman. "The Bust of the Century." *Time Magazine*. 3 Dec. 1984. Web. 8 Nov. 2011.

29. Drug Enforcement Administration Reauthorization for Fiscal Year 1986: Hearing Before the Subcommittee On Crime of the Committee On the Judiciary, House of Representatives, Ninety-ninth Congress, First Session ... May 1, 1985. Washington: U.S. G.P.O. , 1986. pp. 22.

30. Ibid.

31. Ibid., pp. 23.

32. Russell, George, Ricardo Chavira, and Janice C. Simpson. "Mexico Slowdown on the Border." *Time Magazine*. 4 Mar. 1985. Web. 6 Nov. 2011.

33. Primary purpose aside, the border shutdown led to the following effects: the restriction in cross-border travel included long lines at the border, thereby increasing production costs for many multi-national businesses, as well as a stigmatization of all potential entrants into the United States.

34. Morlet, Thomas. "Border Search for Clues Ended : Mexico Arrests Suspect in Kidnaping of U.S. Agent." *The Los Angeles Times*. 26 Feb. 1985. Web. 06 Nov. 2011.; And see DEA Reauthorization (1986), pp. 23.

35. Brinkley, Joel. "Concern Growing Among U.S. Aides On Mexico Future." *New York Times (Late Edition (East Coast))* 25 May 1986, P. A.1. sec. *Banking Information Source*. Web. 21 Nov. 2011.

36. Schenk, Benjamin S. "Beyond the Blame Game: An Assesment of the Motivations, Policies, and Obstacles Behind Mexico's Cartel Violence." *World Outlook: An Undergraduate Journal for International Affairs* 40 (Summer 2011): 32-46. Print.

37. Brinkley (1986).

38. "WASHINGTON TALK; 'My Position Hasn't Changed'" *Special to the New York Times* 28 Oct. 1986, (Late Edition (East Coast)) ed., P. B. 18. sec. *Banking Information Source*. Web. 22 Nov. 2011.

39. H.R. Res. 5729, 99th Cong., The Library of Congress (1986) (enacted). Print.

40. "Mexico Certification." *All Things Considered*. NPR. 28 Feb. 1997. Radio. Transcript.

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http://commons.wikimedia.org/wiki/File:US-Mexico_border_fence.jpg

http://commons.wikimedia.org/wiki/File:Migrant.jpg

http://commons.wikimedia.org/wiki/File:US_Customs_and_Border_Protection_officers.jpg

http://commons.wikimedia.org/wiki/File:USA_Mexico_border_New_Mexico.JPG
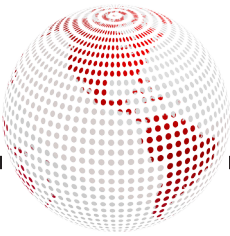
Hot Cocoa:
Agricultural Economics and the Ivorian Civil Wars

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For roughly a decade, Côte d'Ivoire has been bitterly divided by a civil war between its dry Muslim north and its fertile Christian south. Many commentators have attempted to ascribe cultural or social origins to this war, casting it as an example of wider conflict between the Christian and Muslim worlds, while others see it as yet another example of the failings of weak, divided and tribalistic African states. I go beyond these narrow categories to explain the civil war as the natural outcome of a series of rational economic and political choices.

The recent International Criminal Court arraignment of former president Laurent Gbagbo on charges of crimes against humanity marks the culmination of a decade of conflict in Côte d'Ivoire--, one of the most protracted periods of strife in West African history. Following the 1993 death of longtime leader Félix Houphouët-Boigny, or "Le Vieux," the country gradually descended into a largely broken state, divided by two civil wars. The conflict has caused Côte d'Ivoire, whose economic capital Abidjan was once called "the Paris of Africa", to lose its designation as one of Africa's most prosperous countries. Furthermore, the ensuing instability has resulted in the displacement of over a million people.

Côte d'Ivoire 's civil war is a complex process, with many disparate causes and ramifications. The main source of conflict has been a series of economic grievances that have fueled the country's political unrest. Economic incentives motivated the government to encourage a rapid expansion of the cocoa crop; however, these policies motivated farmers to harvest their crops beyond a sustainable limit, leading to lower and lower yields while attracting an unsustainable migrant inflow from the north. Faced with building ethnic tensions and the decreasing revenues from this fall in production, the government chose to adopt exclusionary policies towards outsiders thereby increasing ethnic inequality and fracturing the Ivorian national identity. Finally, northern rebels began to fight as ain response to this relative deprivation and the economic opportunity of their own cocoa, which acted as further fuel for the conflict.

I first identify the structural conditions, both natural and political, that led to greater resentments and inequalities between the northern rebels and southern

Côte d'Ivoire civil war is a complex process, with many disparate causes and ramifications.

government. Then, I analyze the responses to these conditions, and discuss how the outcomes of these interventions increased resentment and inequality due to the perverse economic incentives of an authoritarian state. Finally, I show how elites mobilized their groups as a response to these grievances, using the country's deepening divide as a profit opportunity. All of these factors created a volatile political environment ripe for civil war.

*Your introduction is very light on citations. Please make sure you are including citations for all ideas—even those that are directly

copied—that aren't your own.

The Economic "Miracle"

In the twenty years following independence in 1960, Côte d'Ivoire was said to be experiencing an economic "miracle." Exports, especially cocoa, accounted for roughly 40 percent of gross domestic product (GDP) between 1960 and 1981--far more than what neighboring countries experienced. In addition, high commodity prices fueled growth rates as high as 12.3 percent in 1976.[1] The government used this exceptionally high growth to extract rents from the cocoa sector to fuel industrialization, in a manner similar to other African countries. In 1977, these rents amounted to 16 percent of GDP, or roughly one billion dollars (or $2.75 billion in today's money).[2] The income from these rents not only helped Côte d'Ivoire advance economically much faster than its neighbors, it also consolidated the Houphouët-Boigny regime's hold on power by providing funds for its patronage mechanism.[3]

Since rents were dependent on the productivity of the agricultural sector, the Ivorian government promoted greater production at a lower cost by inviting cheap labor from abroad to work on cocoa holdings. Known as the Houphouët-Boigny "compromise," this policy guaranteed that land would "belong to those who make it produce," opening the possibility of land ownership for non-citizens.[4] Drawn by the prospect of having their own fertile lands to work some day, hundreds of thousands of migrant workers streamed across the country's northern borders to take advantage of the opportunity and escape the drought that plagued their own countries.[5] By 1981, almost all wage laborers on smallholder farms were immigrants.[6] Over a million had come in from Upper Volta (present day Burkina Faso) and 500,000 had come to work from Mali.[7]

While this property rights regime succeeded handily in supplying adequate labor to the Ivorian cocoa industry, it had major unforeseen consequences that would reduce future rents and build the foundations for conflict. First, migrant workers who took advantage of the property ownership policy invested in their own smallholder farms when they had earned enough money to do so, often on the land of

New migrant laborers worked on other migrants' farms instead of Ivorian ones

their former employer. Due to limits on space that could be cultivated, more producers meant a decrease in average production per holding. Increasing economies of scale meant that smaller cocoa farms would lead to a relative fall in total production, and thus a fall in rent potential.[8] Second, the property rights regime encouraged unlimited expansion and exploitation of the land by treating it as an unlimited, cost-free resource.[9] Although the policy encouraged higher output at its outset, the free-for-all mentality encouraged by the government hastened a decline in land productivity, a decline in production, and a decline in rent to extract. Falling rents exacerbated the need for greater production and migrant labor, deepening the downward spiral.

The Houphouët-Boigny compromise improved migrants' welfare and sense of belonging in society, but as land grew scarce, southern ethnic groups began to resent the migrants' success at the expense of the natives.[10] In the elite Baoulé community, which Houphouët-Boigny had belonged to, migrant laborers had taken so much land from their former holdings that the Baoulé now had trouble turning a profit. New migrant laborers worked on other migrants' farms instead of Ivorian ones.[11] Having less land reserved for this dominant group also increased pressure on Baoulé politicians, who had less leverage

to extract rents from foreign ethnic groups. As land became more scarce, the Bété, who mainly earned their livelihood by leasing their fertile land to producers, also began to resent the migrant inflow which had limited access to their own land.[12] Combined with a worldwide decline in cocoa prices in the 1980s, overall rents began to fall, forcing the state to adapt austerity policies and extract even more rents. This encouraged greater forest depletion and undermined attempts to diversify the economy. Ultimately, the program was responsible for increased economic hardship at a time when heavy migrant inflow was feeding smoldering resentment.[13][14]

Economic Deprivation and Political Exclusion

Following Houphouët-Boigny's death in 1993, politicians began pursuing an instrumentalist approach, which capitalized on the growing resentment and division in Ivorian society.[15] In particular, southern politicians seized on the concept of Ivoirité. While Ivoirité was initially invoked to celebrate a common national identity for all Ivorians, the term gradually came to refer to xenophobia of both northern Ivorians and migrant groups by the dominant southern population. Politics based on Ivoirité thus became an ethnic manifestation of growing economic grievances and encouraged a discriminatory system that increased horizontal inequalities.

Economic horizontal inequalities had always been problematic in Côte d'Ivoire. But as Ivoirité devolved into institutionalized xenophobia, these inequalities were exacerbated, and increased interregional resentment. Northern groups had always been the country's least fortunate peoples. In surveys conducted between 1994 and 1998, northern ethnic groups had the worst literacy and socio-economic prosperity statistics in the country. Five of the six regions with the worst primary

school enrollment in 1998 lay in the region generally recognized as the north.[16] Under Houphouët-Boigny, the government had at least maintained a significant, albeit superficial, positive presence in the region by investing some of the earnings from rents in services and infrastructure for the north. However, as rents decreased and divisions grew, later governments ended this practice, deciding only to invest in the southern half of the country. As a result, the prosperity gap between northern ethnic groups and southerners continued to widen.[17] Under the pretense of Ivoirité, the government took the opportunity to redesign the country's property rights regime to bar non-citizens from holding land. As both migrants and northerners, suspected of being aliens and already at
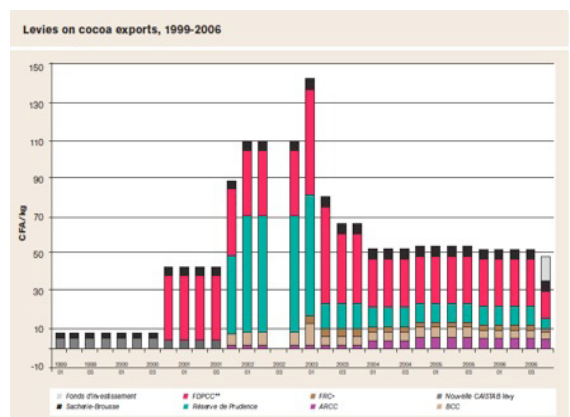
Rents on cocoa rose sharply in the months leading up to the civil war, as elites anticipated conflict. In 2003, rents were over ten times what they had been in 1999.
Credit: Global Witness

the bottom of the economic pyramid, were evicted from their land, resentment based on these widening horizontal inequalities continued to build. Ethnicity's growing importance made these inequalities more explicit, and contributed to group mobilization.

In government affairs, the concept of Ivoirité was used as an excuse to exclude northern politicians from holding positions of power. This, combined with the resentment from economic horizontal

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inequalities, gave politicians the motivation and fuel to mobilize their constituencies. The Houphouët-Boigny government had taken careful measures to reduce inequality through a system of ethnic quotas. Although the Akan ethnic groups in the south, including the Baoulé, remained the dominant force, no group was excluded from the table. In the 1980 government, the Akan, comprising 42 percent of the general population, comprised only 49 percent of the government and 67 percent of Houphouët-Boigny's inner circle. Likewise, the Voltaics, a northern group representing 18 percent of the population, comprised 14 percent of this government.[18]

Post-Houphouët-Boigny governments were far more instrumental in their approach, markedly over-representing their own groups at the expense of these northerners. In Laurent Gbagbo's 2001 government, the Krou, his own ethnic group, were overrepresented by 225 percent in the government overall and by 358 percent in key positions. The Northern Mandé group of current president Alassane Ouattara was represented only to 43 percent of its size, while Voltaics did not boast a single government minister. Grossly unequal political representation came to a head in 2000, when Ouattara, the country's leading opposition candidate at the time, was barred from running for president on the grounds that he was not a citizen because of the nationality of his parents.

Splitting the Cake in Two

Their broad economic grievances combined with the political exclusion of their elites endowed northerners with the spirit of rebellion. However, violence in the name of maintaining the power of the elite can engender unintended violent repercussions.[19] It was thus no surprise when growing violence against Muslims from northern areas resulted in a northern rebellion and a mutiny of northern factions

in the army in the early morning of September 19, 2002, sounding the start of the First Ivorian Civil War. The violence could have been contained, had the economic motivations for the rebellion been limited to economic grievances. However, rebellion offered profit opportunities for the elites of both sides more tempting than any peace deal. As one report put it, "many of the main actors profited from the effective partition of the country; political division has meant economic division, and the cake has been split in two."[20] In a country whose cocoa crop amounted to 40 percent of world production in 2006, or 1.38 million tons, worth $1.4 billion, plenty of money could be siphoned out to fund conflict. Even the relatively dry north grew roughly 3.6 percent of the world crop, worth $203 million, easily generating enough money to fight a war while enriching its leaders.[21]

The rebellion, calling itself *Les Forces Nouvelles* (FN) (or the New Forces) quickly

The violence could have been contained, had the economic motivations for the rebellion been limited to economic grievances

set up coordinated mechanisms that would extract rents from every accessible point of the cocoa production process. The revenue from these rents would go directly toward financing the war or into the personal coffers of rebellion officials instead of services for the downtrodden population.[22] These mechanisms became gradually more efficient and institutionalized over time, eventually generating $30 million annually between 2004 and 2007.[23] The FN instituted taxes on its cocoa crop by weight, and forced transporters to pay a "protection tax" to move goods through the country. Forces also blocked cocoa from going south in order to monopolize more export profits. In a striking example of economic competition, the north intentionally maintained lower taxes on cocoa than the

Abidjan government in order to attract cocoa from the south.[24] Through these various institutions, the FN earned more money from cocoa in 2007 than it earned from the infamous "blood diamonds" in its own territory.[25]

If anything, the Gbagbo government's economic manipulations during the war were even more outrageous. In anticipation of future conflict, both the Guëi and Gbagbo governments had created several new institutions to extract more rent from cocoa. Using as many as eight different internal taxes, levies, and registration fees, the domestic rents levied on cocoa production rose from under 15.5 CFA(3 cents) per kilogram in 1999 to 142 CFA (27 cents) per kilogram in March 2003.[26] Over the same period, export taxes nearly doubled from 120 cfa (23 cents) per kilogram to 220 cfa (40 cents) per kilogram.[27] Aside from these rents, national cocoa institutions also contributed at least $20 million to the war effort, and were shown to have connections with at least one wanted arms dealer.[28] This is partially because Gbagbo used these institutions to launder money away from the eyes of foreign observers, but it is also because the institution directors appointed by Gbagbo had profited significantly, and had a direct stake in the conflict's outcome.[29] Finally, similar to the rebels, the national army instituted mandatory "protection fees" of 40,000 CFA ($75) per truck to escort vehicles to Abidjan.[30]

Changing the Rules of the Game

Even following the end of the second civil war in 2011, Côte d'Ivoire still appears unstable. The country's long period of turmoil has left it predisposed to political violence, and the divisions remaining within the country could still easily ignite.[31] But what can be done not only to stop violence of this sort from recurring in Côte d'Ivoire, and what lessons can we glean from this war-torn country to prevent similar outcomes in similar countries in the future? The ICC prosecution of Laurent Gbagbo is a step in the right direction. The stigmatization of such a trial will hopefully discourage such mobilizations in the future. The trial's location outside of the country should also keep Gbagbo, one of the main authors of Ivorian political xenophobia,
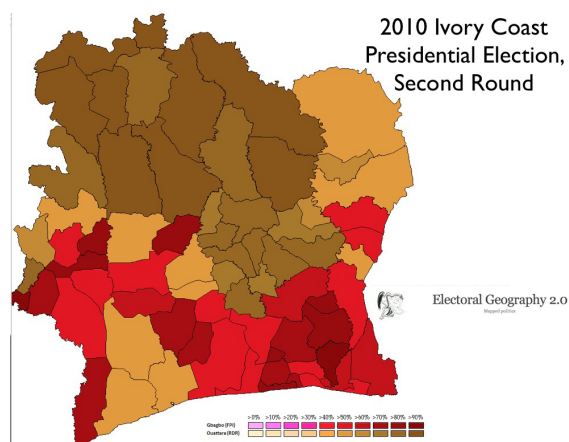

The 2010 Ivorian Presidential Election, which Gbagbo claimed despite having won fewer votes than Ouattara, was particularly indicative of the continuing divisions within Cote d'Ivoire. Note the high overlap between coca production, dominated by southern groups, and the Gbagbo vote.

from becoming a martyr among his supporters. However, if war does indeed ultimately stem from a series of rational choices and legitimate, calculated fears, the most significant steps that can be taken are substantive economic and political reforms. Countries should be more mindful of disparate effects their economic policies, such as investment, have on different demographic and ethnic groups, and how these differences define groups and help them mobilize. Commodity-driven countries should also take further steps to diversify their export economies, reducing their vulnerability to world markets. Finally, national leaders should restrain themselves from consolidating their control around their or any other specific ethnic group, if for no other normative ethical reason than the fear that this political exclusion backfire

and serve as motivation for other groups to rebel.

The crises in Côte d'Ivoire have served as a textbook model for conflict not only in Sub-Saharan Africa, but also in regions worldwide. Various economic policies created a situation in which agricultural yields fell as a growing migrant population stoked resentment. The ensuing decline in rents motivated elites to exclude other groups from politics and economic benefits, hoping to consolidate power in their own political bases. Instead, this approach backfired disastrously, as repression instead promoted mobilization and the military division of the country. Opportunities for profit within the context of the conflict sustained fighting and gave leaders incentives to continue. Now that the country has finally come to a tentative peace, one must hope that profits fuel the rebuilding of the country instead of providing divisive fodder for its destruction.

Sahel precipitation anomalies 1900–2011
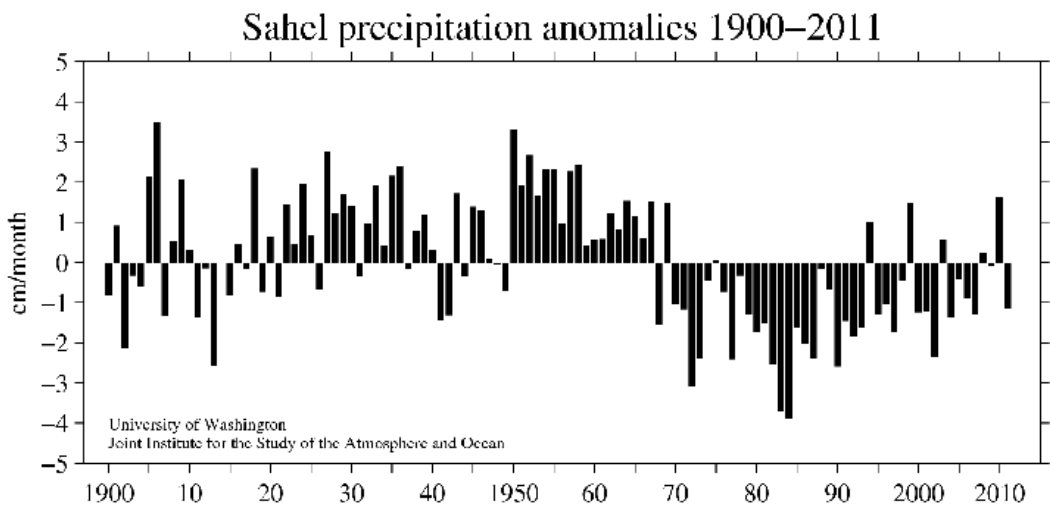
June through October averages over 20–10N, 20W–10E. 1900–2011 climatology
NOAA NCDC Global Historical Climatology Network data

Severe Drought in the Sahel, combined with economic opportunity in Cote d'Ivoire, attracted millions of migrants in the decades following independence.
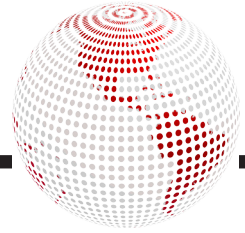
Works Cited
Africa Research Bulletin. "Blood Chocolate." Economic, Technical and Financial Series 44.5(July 2007): 17404.
Fearon, James and Laitin, David. "Ethnicity, Insurgency and Civil War." American Political Science Review 97.1(February 2003): 75-90.
Global Witness. "Hot Chocolate: How Cocoa Fuelled the Conflict in Côte d'Ivoire." June 2007.
Hecht, Robert. "The Ivory Coast Economic Miracle: What Benefits for Peasant Farmers?" The Journal of Modern African Studies 21.1(March 1983): 25-53.
Langer, Arnim. "Horizontal Inequalities and Violent Group Mobilization in Côte d'Ivoire." Oxford Development Studies 33.1(March 2005): 25-45.
Lewis, Martin W. "Ethnic Dimensions of the Conflict in Côte d'Ivoire." Geocurrents: April 28, 2011. http://geocurrents.info/geopolitics/ethnic-dimensions-of-the-conflict-in-ivory-coast
University of Texas Map Collection. "Ivory Coast-Economic Activity, 1973." http://www.lib.utexas.edu/maps/cote_d'ivoire.html

Woods, Dwayne. "The Tragedy of the Cocoa Pod: Rent-Seeking, Land and Ethnic Conflict in Ivory Coast." <u>The Journal of Modern African Studies</u> 41.4(2003): 641-55.

Endnotes
1 Hecht, Robert. "The Ivory Coast Economic Miracle: What Benefits for Peasant Farmers?" The Journal of Modern African Studies 21.1 (March 1983).
2 Ibid.
2 Ibid.
3 Woods, Dwayne. "The tragedy of the cocoa pod: rent seeking, land and ethnic conflict in Ivory Coast." The Journal of Modern African Studies 41.4(2003): 641-55.
4 Langer, Arnim. "Horizontal Inequalities and Violent Group Mobilization in Côte d'Ivoire." Oxford Development Studies 33.1(March 2005): 25-45.
5 Between 1970 and 1990, countries in the Sahel such as Burkina Faso, Mali and Niger experienced record droughts that helped draw these migrants towards Côte d'Ivoire. See Figure 1.
6 The French had in fact instituted a guest worker program in their colonies in the 1940s. So, this practice was the logical continuation of an economic practice that had already been established(Ibid).
7 Hecht.
8 Hecht.
9 Woods 643.
10 Ibid.
11 Woods 650.
12 Woods 651.
13 Ibid.
14 Woods.
15 Multiparty democracy had in fact been instated by the Houphouët-Boigny government following protests over austerity measures. One could thus argue that economic hardship enabled the political structures making ethnicity salient(Langer).
16 Langer 36.
17 Ibid 38.
18 Langer 40.
19 Fearon, James and Laitin, David. "Ethnicity, Insurgency and Civil War." American Political Science Review 97.1(February 2003): 853.
20 Global Witness. "Hot Chocolate: How Cocoa Fuelled the Conflict in Côte d'Ivoire." June 2007. 5.
21 Ibid 34.
22 Ibid, 36.
23 Ibid 33.
24 Ibid, 39.
25 Africa Research Bulletin. "Blood Chocolate." Economic, Technical and Financial Series 44.5(July 2007): 17404.
26 See Figure 2.
27 Ibid, 21.
28 Ibid 24, 29.
29 Ibid 51.
30 Ibid 39.
31 See Figure 3.

Korean LGBT:
Trial, Error, and Success

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South Korea does not have a strong and visible lesbian, gay, bisexual, transgender social movement in the public, despite active issue advocacy organizations, political representation from the Democratic Labour Party, and popular television shows that portray LGBT characters and themes.[1] *The LGBT movement has had a difficult time growing in South Korea because, as some have argued South Korea has long been ignorant about homosexuality and awareness of 'gay' had not been discovered until the early 1990s.*[2] *I will look at three causal reasons that best describe the dearth of a growing social movement pushing for LGBT rights.*

First, I will challenge the notion that Korean society is conservative in nature, which leaves no room for homosexuality in a cornucopia of traditional attitudes: heterosexual, hierarchical, and patriarchal society,. On the contrary, history shows Koreans indeed encountered homosexuality in the past, and some had even embraced it warmly**.** Second, I will look at the argument that authoritarian control of South Korea after the Korean War had no room for minority rights, and that the *esprit de corps,* which developed in the military was inimical to sexual minorities, and diminished gay soldiers from serving in the military**.** However this claim is invalid after the 1990s, following the democratization of the   Korean governments. Third, I argue that Western culture's notion of "coming out" harms the gay person trying to come out in the Korean society, and creates a parallel gay subculture. The lack of a visibly strong LGBT movement in Korea is because these "liberation" and "coming out" movements tend to be based on Western experiences and Western ideologies, and foreign to Korean traditions. Instead, the Korean LGBT community uses the Internet as an outlet to find the support they cannot find in the Korean public. Even though Korea seems to be a conservative society and denies the LGBT community the rights and privileges of a free

democratic society, Korean government has a laissez-faire policy and listens to constituents' voices regarding homosexuality rather than imposing its own arbitrary restrictions and punishments for being gay. Korea has, in the past, had native homosexual roots, and could allow for more LGBT rights like that of their neighboring states. Korea has woken up to new ways of thinking about homosexuality that are not merely an import of Western ideology — Koreans can be gay and still be part of an effective Korean society.

History of Homosexuality in Korea

South Korea

In modern day Korea, there is a lack of visible LGBT culture in society. Homosexuality has been a taboo subject because, according to Confucianism, it disrupts social harmony

by breaking the family continuum. In *Korean Jurisprudence, Politics and Culture*, Hahm Pyong-choon argues that Shamanism is the foundation of the Korean worldview. Shamanism, at best, accepts the diverse intensity of sexuality among people and can accommodate those who disdain human reproduction. Hahm characterizes homosexuals as people who "disdain human reproduction" because they engage in non-procreative sex. This illustrates how Koreans share traditional marriage values with the Judeo-Christian culture as the two cultures share an opinion on the importance of procreative sex.

In terms of Korean values, according to *Homosexuality in Ancient and Modern Korea*, authors Y.G. Kim and S.J. Hahn agree *The Sam-Kang-Oh-Ryun* (The Three Fundamental and Five Moral Laws) have "dominated Korean socio-political life for much of the country's history and have influenced family systems as well as ways of thinking, philosophy and lifestyles."

The Sam-Kang-Oh-Ryun
–The king is the mainstay of the state (Kun-Yi-Shin-Kang).
–The father is mainstay of the son (Bu-Yi-Ja-Kang)
–The husband is the mainstay of the wife (Bu-Yi-Bu-Kang)
–Between father and son it requires chin (friendship)
–Between king and courtier, eui (righteousness)
–Between husband and wife, pyul (deference)
–Between old and young, saw (degree)
–Between friends, shin (faith)[3]

The Sam-Kang-Oh-Ryun embodies the vertical relationships, family-patriarchal/conservatism, a reluctance to accept change, and family-centeredness. These characteristics have exerted strong influence on every field of life in Korean culture.

In certain times however, homosexual attitudes prevailed in Korea. For instance, during the Three Kingdoms period (57 CE – 668 CE) a group of military elites in the Silla kingdom (57 BCE – 935CE) who belonged to the *Hwarang*, or the Flower of Youth, offered the closest thing to homosexuality in ancient Korea. *Hwarang*, in addition to their military functions, had a component for ecstasy and eroticism, known as *hyangga*. *Hwarang* has given rise to modern words such as *hwallyangi, hwangangnom*, and *hwarangnyon* meaning playboy, lazy good-for-nothing, and prostitute.[4] Homosexual feelings can also be found in Korean vernacular poetry of historical annals such as the Memorabilia of the Three Kingdoms.[5]

Ch'oyong's Song
Playing in the moonlight of the capital
Till the morning comes,
I return home
To see four legs in my bed.
Two belong to me.
Whose are the other two?
But what was my own
Has been taken from me, what now?[6]

These writings shed a new light on how Koreans perceive homosexuality. Clearly, these facts breach the heterosexual social and ethical norms in Korea. However, in the later Choson Dynasty, attitudes regarding homosexuality shift as it is seen as wicked by the neo-Confucian upper-middle classes.[7]

Korean *Esprit de Corps*
Korean society was hesitant to change: throughout the Choson Dynasty (1392 CE - 1897), the upper-class frowned on homosexuality. However, there existed something close to homosexual affection as Korean values hold that there were many opportunities for men and women to develop social and non-sexual physical contact with members of the same sex both in their schooldays and afterwards. These values have long existed since the Choson Dynasty and continue to exist today. Kim and Hahn argue, "Koreans enjoy close emotional friendships with members of their own sex."[8] This comes to my second point that this kind of

esprit de corps was particularly stronger in the military, where Koreans had to work together to fight a great common threat--North Korea. Beginning with the First Republic of South Korea (1948) under Syngman Rhee, authoritarian rulers alike have ruled South Korea with an iron fist. Vehement anti-communist rulers had no room for minority rights, and the *esprit de corps* that formed among Korean people were rigorous standards of what was normal in society and what would constitute military punishment. Youngshik D. Bong argues, Korean military government exploited and reproduced Confucian ideology in order to carry out military and industrial mobilization of the populace. Such mobilization, in turn, solidified the binary and hierarchical conceptualization of gender that regards homosexuality as a foreign and un-Korean value.[9],[10]

Neo-Confucianism views from the Choson Dynasty continued to resurface into Korean society through military regimes regarding homosexuality. Most Koreans today continue to see homosexuality as un-Korean and foreign. Under authoritarian control, President Park Chung-hee and Chun Doo-hwan, both ex-military leaders, attempted to homogenize Korean society, and were against homosexuality. Bong writes that authoritarian regimes, such as the Park and Chun administrations, were responsible for preventing liberal political agendas and democratic ideals from spreading, in order to promote national solidarity and political stability. A prodemocracy movement was equated with an antigovernment movement.[11]

Chun Doo-hwan was a two-star general in the ROK Army and expanded martial law to the entire country, closing universities, banning political parties, and censoring the press. Under Chun, any people, including cultural or political dissidents would be arrested immediately by the police or the military and sent to the *samchung-gyoyookdae* (三淸敎育隊). These were boot camps designed to provide rigorous military training and education to the arrested 'troubled' youths. Many Koreans died and some even committed suicide during these boot camps. Moreover, the Korean youth, many of whom were college students and professors, rose up against Chun's military style dictatorship in what is known as the Gwangju Democratization Movement (광주 민주화 운동).[12] The army was sent out to suppress the demonstrators, which resulted in a bloody massacre. The blatant uses of violence by these rulers' commands would make it difficult for a Korean LGBT movement to start up, especially when universities, which tend to encourage generally safe and liberal-minded environments, were targeted. However, this claim is invalid after the 1990s because even though the South Korean government was no longer authoritarian, many Koreans were still hesitant to come out as gay.

Gays in the Military

An alternate explanation for why gay men could not come out is conscription into the armed services. Every Korean soldier goes through psychological evaluation prior to joining the military. If the man shows he has

A ritual Confucian ceremony in Autumn in Jeju, South Korea

homosexual tendencies, the man is labeled as "mentally handicapped", thus unfit to serve. Conscription for males puts psychological pressure among Korean gay men, because there is a social stigma attached to men who do not serve in the military. For example, an employer could discriminate based upon whether the male employee has served in the military. Soldiers that are suspected as 'gay' are dishonorably discharged.

Unfamiliar Culture of "Coming Out"

Most Koreans were indoctrinated into thinking that the Korean LGBT community is a Western by-product, possibly the effect of close contact with the West after the Korean War. But the culture of "coming out" is a Western concept that has made little impact among Koreans. As Bong mentioned, the Park and Chun administrations rather solidified Confucian socio-political ideologies, giving them a way to argue that homosexuality is an un-Korean foreign value. I argue that the reason "liberation" and "coming out" harms the person "coming out" is because: 1) "coming out" is an individually based experience, 2) rejection from the family or society reinforces the un-Korean value, and, in turn, 3) this rejection spreads more ignorance about homosexuality. As I argued earlier, homosexuality is a taboo subject because it disrupts social harmony by breaking the family continuum according to Confucianism. Previously, military governments have exploited and reproduced Korean values to mobilize the Korean populace. However, when coming out as gay is not familiarized, homosexuality is rejected by Korean society. This makes homosexuality seemingly un-Korean and foreign to most people and results only in ignorance about homosexuality and myths about gay men and women, ultimately harming the gay man or woman trying to "come out".

One of the first myths that emerged in the early 1990s among Koreans regarding homosexuality was that "AIDS is the plague of homosexuals."[13]

Thriving Gay Subculture

A lack of institutions and unfamiliarity towards homosexuality caused the rise of a gay subculture that is largely unknown in mainstream Korean society. Despite the difficulty of 'coming out' to families, there is a way for Korean gay men to interact and seek other gay men through the Internet. A burgeoning online gay community has thus far fulfilled the needs of the LGBT community through chat rooms, dating sites, and other social outlets, including contract marriages, which I will discuss in detail later. (discussed later). In fact, 'netizens', or Internet citizens, play the largest role in the LGBT community in Korea. Korean LGBT information is online, and not having to reveal your identity makes the online community a safe place to explore and discover what it means to be a gay Korean, as well as where to find other gay men in Korea. Websites such as Ivancity© provide gay men in Korea

Homosexuality is a taboo subject because it disrupts social harmony

with, what the website advertises as a: "gay portal, gay TV, video, gay news, power dating, Myspace, text chat, video chat, file sharing, gay clubs, and shopping malls."[14] All this information can be incredibly helpful for newly gay men in a society where they feel uncomfortable "coming out."

Gay friendly cities such as Itaewon (이태원), which is the home to many U.S. Military Personnel, tourists, and non-Koreans, is colloquially referred to as "homo hill." There are popular gay destinations in Korea for natives and tourists alike to explore the gay nightlife. These are new and potential ways Korean LGBT is branching out visibly in society.

Contract Marriages

One of the many ways Korean LGBT is unique to LGBT culture is through its contract marriages. The difficulty of "coming out" in Korean culture has led to an alternative arrangement of "contract marriages." John (Song Pae) Cho, in "The Wedding Banquet Revisited: "Contract Marriages" Between Korean Gays and Lesbians" admits being gay is a family problem.[15] As Korean gays and lesbians try to reconcile their personal desires and the pressure to marry from the family, they enter a contract marriage in Korean known as, *kyeyak kyôlhon* (계약결혼). This idea is radically different from the Western liberal idea of choosing our own alternative families, implicit in works such as Families We Choose (1997) by Kath Weston.[16] By deflecting

marriage, the partners entering a contract marriage only conform to marriage and they fall into a spider web of obligations.[17] These obligations are very demanding when parent-in-laws visit the home of the couple unexpectedly, and the couple must attend all family functions, such as birthdays, funerals, holidays, and any rituals the family observes. Cho writes, "As Suh Dong Jin, a former Korean gay activist, asserts, one of the key characteristics of Korean gays and lesbians is their close emotional bond with their families."[18] Contract marriages end up reinforcing the sanctity of marriage of the family as the proper unit of social, moral, and national belonging.[19] Websites such as "Our Wedding" is devoted to such arrangements.[20]

Trial and Error, and then Success: Gays in the Media

After actor Hong Seok-chon came out in 2000, he was censored from television. Hong was ostracized by the public eye for being the first Korean celebrity to come out as gay. Hong in an interview in 2008 said that,
After I set my foot in the entertainment business, I only thought about popularity, money and fame. But I changed a lot after I came out in 2000. I still think it was the right thing to do. I had many difficulties since then, but because I'm an optimistic person, I didn't run away but squarely faced the world. If I had run away at the time, I don't think I'd be as happy as I am right now.[21]

Taking into consideration what Hong did was courageous and plausible. "Coming out" in 2000; however, Hong faced a lot of discrimination from Korean society, which prevented other actors and actresses from following Hong's footsteps. Shortly afterwards, Hong became a very successful restaurateur, owning many establishments. Fellow actors and patrons came up to him and congratulated him on his personal endeavors.

Harisu is the first Korean transgender entertainer; however, Korean society had mixed feelings about her at first and eventually tolerated her. Harisu, in contrast to Hong,

debuted in 2001 as a transgender post-operation model for a cosmetic TV commercial. Born as a male, she had undergone hormone therapy and sexual reassignment surgery in the 1990s.[22] Harisu is well-known and popular in Korean society. She garnered more sympathy from the conservatives of society because she was born into the world as the wrong gender. Hong came out later in his career, when he was already established as an actor; however, Harisu started her career as an open transgender.

Korean LGBT Rights

Gay rights groups such as Chingusai
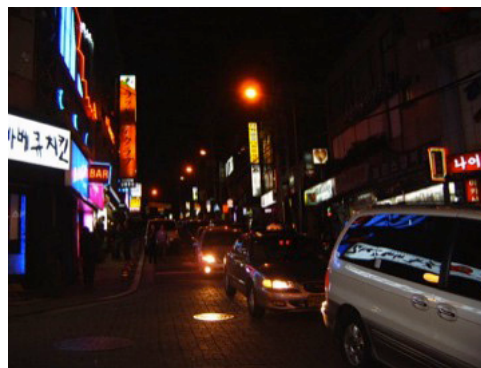
Itaewon, South Korea at night. Its Western-style bars and clubs attract a lot of tourists and its "Homo Hill" is profiled as a popular hangout for the LGBT community.

(gay rights), and Kirikiri (lesbian rights) emerged in the 1990s. Gays and lesbians face many legal obstacles in South Korea. First off, there are mixed feelings regarding homosexuality. The Korean military has a similar policy to the past U.S. policy of "Don't Ask Don't Tell." While homosexuality is not mentioned in the Constitution or in the Civil Penal Code; Article 92 of the Military Penal Code punishes same-sex relationships among soldiers (even consensual ones), as reciprocal rape, and is punishable for up to one year in prison and forced retirement.[23] This has been appealed in the Korean constitutional court.

Korean gay rights that are notable include Article 2 of the National Human Rights Committee Act states explicitly includes discriminatory acts based on 'sexual orientation' among those defined as "acts violating the

right to equality" that are subject to petition, investigation, and remedy by the Commission.[24] Moreover, the Korean Supreme Court ruled people who undergo gender reassignment surgeries are allowed to change all official documents to their newly assigned gender.

Censorship is a problem in Korea, however. From 2001-2003, the Government of South Korea censored many gay-content websites through its Information and Communications Ethics Committee, part of the Ministry of Information and Communication. The ICEC categorized

South Korean Military Police patrol joint security areas

homosexuality in the category of perversion and obscenity. That practice has since been reversed.[25]

Currently, there is a debate over equal rights for gay students. The Seoul Office of Education committee considered adding a clause to eliminate discrimination on the basis of sexual orientation.

The proposal to change the students' bill of rights have been criticized by a coalition of parents for, in their opinion, "encouraging homosexuality."[26]

In terms of legislative politics, the Democratic Labour Party, which has ten National Assembly representatives, has a *Sexual Minorities Committee*, which is committed to ending homophobia in South Korea. However, current President Lee Myung-Bak is against same-sex marriage and considers homosexuality abnormal.[27]

Gays are referred to, in a derogatory manner, as *byuntae* – meaning abnormal, anomalism, or deviant, or comparable to the word "fag" in the U.S. According to Kim and Hahn, a *byuntae* is a pansexual person who makes the rational choice to act that way. *Byuntae* describes modern gay men and lesbians, but it can also refer to the man who takes on the feminine role in a homosexual relationship. The word 'gay' is not commonly used, but the term "homo" is familiar to describe both male and female homosexuals.[28] However, many Korean LGBT rights activists fight these stereotypes.

Table 1 shows whether there are LGBT rights in different segments of Korean society. The trend is overwhelmingly positive in favor of LGBT rights in most parts of the society, thus the prospect for LGBT rights look very bright. Korean society in the past has rejected homosexuality as a foreign and un-Korean value because Korea has a long history of living under a military-run government, and many did not know, or were not particularly concerned about homosexuality in Korea's history.

Mainly traditional and religious groups have voiced concerns against homosexuality, which has partially stifled the LGBT movement. The South Korean Government merely reflected the zeitgeist of anti-gay expressions from the 1950s-1980s. However the 1990s brought in a new era of a global capitalist economy and introduced a sense of individualism into Korean society, compelling individuals to create strong issue advocacy groups such as *Lesbian and Gay Alliance Against Discrimination in Korea* (LGAAG), *Chingusai*, and *Kirikiri*, among others, which have fought against the stigma of being gay or lesbian. However, many in Korea still refuse to "come out" today because there is too large of a negative societal judgment attached to homosexuality.

While being LGBT is not widely accepted in Korea today, there is a lot more potential in the near future than we expect because of Korean LGBT history, Korean democratization, and Korean legal structures that push for LGBT equality.

Table 1. LGBT Rights in Korean Society	
Can gays serve in the military?	No
Human Rights	Yes
Censorship	Yes
Students' Bill of Rights	Debated
Legislative Politics	Yes
Transgender Rights	Yes
Media	Yes
Gay Marriage Rights	No

Bibliography

Bong, Youngshik D. "The Gay Rights Movement in Democratizing Korea." Korean Studies 32, (January 2008): 86-103. LGBT Life with Full Text, EBSCOhost (accessed November 27, 2011).
<http://search.ebscohost.com/login.aspx?direct=true&db=qth&AN=36134014&site=ehost-live>.

Cho, J.. 2009. "The Wedding Banquet Revisited: "Contract Marriages" Between Korean Gays and Lesbians." Anthropological Quarterly 82, no. 2, (April 1): 401-422. (accessed October 31, 2011).
<http://z3950.muse.jhu.edu/journals/anthropological_quarterly/related/v082/82.2.cho.html>.

"Do ask, do tell in South Korea." Advocate no. 959 (March 28, 2006): 24. Gender Studies Database, EBSCOhost (accessed November 27, 2011).
<http://search.ebscohost.com/login.aspx?direct=true&db=fmh&AN=20270751&site=ehost-live>.

"Eight Years After Coming Out as Gay, Hong Seok-chon Is Thriving." (accessed December 9, 2011). <http://www.hancinema.net/eight-years-after-coming-out-as-gay-hong-seok-chon-is-thriving-17265.html>.

Ee Kee, Li. "Eve from Adam." The Star Online. Last modified September 19, 2005. Accessed April 12, 2012.
<http://thestar.com.my/lifestyle/story.asp?file=/2005/9/19/lifefocus/11883388&sec=lifefocus>.

"Gay and lesbian Asia: culture, identity, community." *Journal of Homosexuality* 40, no. 3/4 (2001): 1-269. Social Sciences Full Text, WilsonWeb (accessed November 23, 2011).
<http://vnweb.hwwilsonweb.com/hww/results/getResults.jhtml?_DARGS=/hww/results/results_common.jhtml.35>.

Hahm, Pyong-choon. Korean Jurisprudence, Politics and Culture. S. Korea: Yonsei University Press, 1986.

Kim, Young-Gwan, and Sook-Ja Hahn. 2006. "Homosexuality in ancient and modern Korea." Culture, Health & Sexuality 8, no. 1: 59-65. Academic Search Premier, EBSCOhost (accessed November 28, 2011).
<http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=19869270&site=ehost-live>.

Riley, Ann. "South Korea rights commission finds military gay ban unconstitutional." JURIST Legal News and Research Services, Inc., 2011. (accessed December 11, 2011).
<http://jurist.org/paperchase/2010/10/south-korea-rights-commission-finds-military-gay-ban-unconstitutional.php>.

Schwartzman, Nathan. "SKorea: Debate over equal rights for gay students." Asiancorrespondent.com, 2011. (accessed December 11, 2011).
<http://asiancorrespondent.com/67609/skorea-debate-over-equal-rights-for-gay-students/>.

Soo Jin, Park-Kim, Lee-Kim Soo Youn, and Kwon-Lee Eun Jung. "The Lesbian Rights Movement and Feminism in South Korea." Journal of Lesbian Studies 10, no. 3/4 (September 2006): 161-190. Academic Search Premier, EBSCOhost (accessed November 27, 2011).
<http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=23837497&site=ehost-live>.

"Statement of the Republic of Korea." The 19th Session of the Human Rights Council.
Last modified March 7, 2012. Accessed April 12, 2012. < http://che-geneva.mofat.go.kr/webmodule/htsboard/template/read/korboardread.jsp?typeID=15&boardid=3266&seqno=916126&c=&t=&pagenum=1&tableName=TYPE_LEGATION&pc=&dc=&wc=&lu=&vu=&iu=&du=>.

"Youngshik D. Bong, Ph.D."American University, 2009. Accessed December 11, 2011.
<http://www1.american.edu/learningcommunities/go/gmgp/bong.cfm?view=print>.

"Naver Encyclopedia, 2011 Copyright © NHN Corp
(accessed December 12, 2011). <http://terms.naver.com/entry.nhn?docId=572071>.

Endnotes

1 I refer to Lesbian, Gay, Bisexual, and Transgender hereafter as LGBT.

2 Soo Jin, Park-Kim, Lee-Kim Soo Youn, and Kwon-Lee Eun Jung. «The Lesbian Rights Movement and Feminism in South Korea.» Journal of Lesbian Studies 10, no. 3/4 (September 2006): 161

3 Young-Gwan Kim and Sook-Ja Hahn. 2006. "Homosexuality in ancient and modern Korea." Culture, Health & Sexuality 8, no. 1: 60.

4 Ibid., 61-62.

5 Ibid., 61.

6 Ibid., 61.

7 Ibid., 62.

8 Kim, Young-Gwan, and Sook-Ja Hahn. 2006. "Homosexuality in ancient and modern Korea." Culture, Health & Sexuality 8, no. 1: 62-63.

9 Youngshik D. Bong, Ph.D is the Assistant Professor of Comparative & Regional Studies in the School of International Service at American University, Washington D.C.

10 Bong, Youngshik D. "The Gay Rights Movement in Democratizing Korea." Korean Studies 32, (January 2008): 88

11 Ibid., 88.

12 Naver Encyclopedia, 2011.

13 Soo Jin, Park-Kim, Lee-Kim Soo Youn, and Kwon-Lee Eun Jung. "The Lesbian Rights Movement and Feminism in South Korea." Journal of Lesbian Studies 10, no. 3/4 (September 2006): 162-163.

14 © 1999-2011 LGBT Korea. www.ivancity.com

15 Cho, J.. 2009. "The Wedding Banquet Revisited: "Contract Marriages" Between Korean Gays and Lesbians." Anthropological Quarterly 82, no. 2, (April 1): 402.

16 Ibid., 417.

17 Ibid., 409.

18 Ibid., 403.

19 Ibid., 416.

20 Ibid., 406.

21 "Eight Years After Coming Out as Gay, Hong Seok-chon Is Thriving," (accessed December 9, 2011), <http://www.hancinema.net/eight-years-after-coming-out-as-gay-hong-seok-chon-is-thriving-17265.html>.

22 Li Ee Kee, "Eve from Adam," The Star Online, last modified September 19, 2005, (accessed April 12 , 2012), <http://thestar.com. my/lifestyle/story.asp?file=/2005/9/19/lifefocus/11883388&sec=lifefocus>.

23 Craig Young. "Being Gay in South Korea." Gaynz.com April 9, 2008. (accessed December 12, 2011). <http://www.gaynz.com/articles/publish/32/article_5801.php>.

24 "Statement of the Republic of Korea," The 19th Session of the Human Rights Council

last modified March 7, 2012, (accessed April 12, 2012). < http://che-geneva.mofat.go.kr/webmodule/htsboard/ template/read/korboardread.jsp?typeID=15&boardid=3266&seqno=916126&c=&t=&pagenum=1&tableNa me=TYPE_LEGATION&pc=&dc=& wc=&lu=&vu=&iu=&du=>.

25 "Internet Censorship in South Korea." I-policy.org. (accessed December 12, 2011). <http://www.i-policy.org/2010/01/internet-censorship-in-south-korea.html>.

26 Nathan Schwartzmann. "SKorea: Debate over equal rights for gay students." Asiancorrespondent.com October 21, 2011. (accessed December 12, 2011). http://asiancorrespondent.com/67609/skorea-debate-over-equal-rights-for-gay-students/>.

27 Craig Young. "Being Gay in South Korea." Gaynz.com April 9, 2008.

28 Kim, Young-Gwan, and Sook-Ja Hahn. 2006. "Homosexuality in ancient and modern Korea." Culture, Health & Sexuality 8, no. 1: 63.

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http://www.flickr.com/photos/27114146@N07/2538174736/

http://commons.wikimedia.org/wiki/File:Korea-Itaewon_at_night-01.jpg

http://www.flickr.com/photos/imcomkorea/2911652648/ (US Army, Installation Management Command, Korea Region, Public Affairs Office)

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