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The Carleton Review of International Affairs is a student-run peer-reviewed journal which publishes outstanding work by students on international affairs in theory or in practice. It is interdisciplinary in its focus, recognizing the need for a multitude of perspectives and approaches in a globalized world. CRIA offers students an opportunity to develop professionally either through completing research writing to publication standards or by serving on its peer review board. The Co-Editors of CRIA annually conduct a call for papers and reviewers and are responsible for all aspects of the publishing process. CRIA is funded by the Carleton United Nations Society and governed by the Society’s Board of Executives.

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- **Adil Skalli** will graduate with a Bachelor of Arts in Political Science and Communications from Carleton University in June 2016. His work focuses on policy, international affairs, development and communication strategies. He has worked at several NGOs in Canada and Morocco and is planning to enter the private sector as a communication strategist upon graduation.

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The Carleton Review of International Affairs would like to thank our Peer Review Board for their expertise and assistance in the publication process.

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- **Valerie Kiefer** is graduating from McGill University in the spring of 2016 with a double major in Political Science and International Development Studies. She has recently been accepted to graduate studies at Carleton University’s Norman Paterson School of International Affairs. Valerie’s paper is the product of a semester abroad at the Friedrich Alexander Universität Erlangen-Nürnberg, Germany in 2015 for a class called “Theory and Practice of International Regime Complexes” instructed by Prof. Howard Loewen.

- **Natalia Paunic** is a third year student studying international relations and European studies at the University of Toronto. For her third year, she studied at Sciences Po in Paris, in French and English. Her interests are diverse and include European Union policy, the geopolitics of Eastern Europe and the Persian Gulf, and learning new languages. She is currently learning Russian and hopes to learn Farsi next. She will be continuing her studies at Carleton University at the Norman Paterson School of International Affairs.

- **Imaan Sandhu** is in her final year of the Bachelors of Public Affairs and Policy Management at Carleton University. Her areas of interest include civil-military relations, international security and immigration policy. Imaan will commence her Masters in International Relations and Politics at the University of Cambridge this fall.

- **Carol Stephan** is a fourth year student at McGill University, completing a double major degree in Political Science and Middle East Studies. Carol has worked with several NGOs; this past summer she worked with the Social Justice Connection in Montreal, where her work focused on researching and writing article reviews, social media posts and issues at a glance about topics related to human rights and social justice. She is currently working with the International Community Action Network (ICAN) at McGill on raising funds to sponsor Syrian refugees to complete a Masters Degree at McGill University. Carol envisions herself working in the field of social justice, community development and human rights.

- **Anaïs Voski** is graduating with a Combined Honours degree in Journalism and Political Science, specializing in International Relations, from Carleton University. During her undergraduate program, she has worked as a research assistant and was involved with the United Nations Society and Reporters Without Borders on campus. She has published in the Ottawa Citizen, Forbes, and National Post and will be working for The Wall Street Journal following graduation. Her research interests include the European Union, international security, environmental issues and sustainable development.
Message from the President

The issues confronting the world today are largely global in nature. The environment knows no borders. Migrating and displaced populations traverse national boundaries. The economy of each and every country is linked to world markets. Supply chains are both regional and international. Poverty affects people in every nation and health and health care are international concerns.

The tools with which we can solve these issues are technology which facilitates communication and the sharing of knowledge and ideas, transportation which speeds the exchange of goods and services, international/global policies which transcend but include the local in the resolution of the global issue, and education which permits current and future generations to understand and create together solutions to the problems which beset the world.

It is thus most fitting that graduate and undergraduate students at Carleton University have come together to create this excellent journal. By so doing, they are encouraging nascent scholars to pursue their passions and to do research, to write on global issues and to participate in the editorial processes, including evaluation, review and editing to understand the dimensions of an academic project. They are also sharing with the world a proof of the superb quality of Carleton students and their selflessness in dedicating their time to this publication.

I thank them for their scholarly efforts and encourage them to continue. I applaud the reader who will discover sophisticated analyses and creative ideas in this issue. Happy reading, bonne lecture!

Dr. Roseann O’Reilly Runte
President, Carleton University
Letter from the Editors

It is our great pleasure to present the third edition of the Carleton Review of International Affairs. CRIA, as it is more affectionately known, is proud to publish the work of undergraduate students on topics of international affairs from schools across Canada including Carleton University, McGill University, the University of Toronto, and the University of Windsor. Our editors and peer reviewers are in agreement that we have assembled an excellent showcase of undergraduate talent from across Canada. Successful or not, we would like to thank all students who contributed a paper to this publication. As a first foray into academic publishing for many, we would like to recognize our contributors for their impressive work and academic accomplishments.

Sponsored by Carleton University’s United Nations Society, CRIA is happy to make its return from a brief hiatus. We encourage our readers to read our previous publications in 2009 and 2013. It is a testament to the United Nations Society to continue to provide a forum for an academic discussion of international affairs. Without their incredible support, this publication would not be possible.

Turning to this edition of CRIA, we are proud to publish papers with diverse topics and perspectives. We have organized this work into three overarching themes. First examining large international institutions and their influences, Valerie Kiefer and Ipek Ertan emphasize the importance of non-state actors and institutions that have a profound effect on many aspects of international affairs. Later examining topical issues relating to immigration, Logan Carmichael and Carol Stephan delve behind the obvious immigration fault-lines and encourage their reader’s to consider broader effects of these trends. Finally, this edition will conclude with works by Natalia Paunic, Imaan Sandhu, and Anais Voski who consider conflict and power from a variety of fascinating perspectives.

We invite you to consider these discussions and let these impressive students speak for themselves.

Sincerely yours,

Benjamin Doyle
Emily Nickel
Adil Skalli

The Influence of Institutional Interplay on the Development of the BRICS Bank
Valerie Kiefer

Abstract: With a greater degree of integration than ever before in areas such as trade, the environment, migration, etc., international institutions have emerged in an attempt to achieve greater cohesion and regulation among the plethora of global actors and issues that exist today. The consideration of international institutions and actors in terms of a network of interrelated bodies is referred to as a regime complex. One of these institutions is the BRICS Bank, or the New Development Bank (NDB), forged by the BRICS nations, namely Brazil, Russia, India, China, and more recently, South Africa. By applying different frameworks for considering the role and influence of institutional interplay within a greater regime complex, a clear link can be seen in how international institutions effect one another, their development, structures, and objectives.

I. INTRODUCTION

With a greater degree of integration than ever before in areas such as trade, the environment, migration, etc., international institutions have emerged in an attempt to achieve greater cohesion and regulation among the plethora of global actors and issues that exist today. To help simplify the ever expanding list of international institutions and actors, the concept of regime complexes has been developed. A regime complex is a network of interrelated institutions, where actors and organizations which address similar issues or which include common states can be included. One of the international institutions that has recently come into existence and joined the web of international institutions is the BRICS Bank, or the New Development Bank (NDB), forged by the BRICS nations, namely Brazil, Russia, India, China, and more recently, South Africa.

The establishment of the NDB, and the union between the BRICS countries, offers a unique example of a global multilateral institution. Where other international financial institutions are forged through regionalism or political influence, the BRICS countries have
only a few commonalities. For example, the BRICS countries have a shared goal towards infrastructure investment in developing countries and in creating a more influential and significant voice for other emerging and developing countries. This second objective is an important one, because the BRICS countries are highlighting the insufficiencies of the existing international institutions in providing a suitable forum for said emerging and developing countries, and are indirectly defining the NDB in terms of other international institutions as well. Therefore, this paper will address the question of historical and contemporary institutional interplay in the development of the NDB.

This paper will firstly outline the structural development of the BRICS Bank and describe some of its key characteristics. Secondly, the idea of a regime complex will be applied to the NDB, where the relevant international institutions which influence the NDB will be defined to develop the institutional framework in which the NDB operates. Thirdly, Kal Raustalia and David Victor’s framework which describes four elements relevant to institutional interplay, will be employed to demonstrate the importance of institutional interplay on the development of international institutions, specifically the NDB. Fourthly, theories of international relations will be applied to the case of the NDB, examining both national and institutional incentives for participating in a new financial institution. This analysis will ultimately show that while the union between the individual BRICS nations best fit the realist argument for international cooperation, the reasoning behind the formation of the NDB itself is less obvious. The conclusion will then summarize that institutional interplay did in fact influence the development of the NDB and that the international relations theory which best explains the formation of the NDB will only become clear once the institution moves beyond its developmental phase.

II. THE BRICS BANK

The term ‘BRIC’ was first coined by Jim O’Neill in 2001 to describe the emerging financial powers of the global economy. The term was an acronym for the four leading developing countries, namely Brazil, Russia, India and China, however in 2010 South Africa was also included, transforming the term into ‘BRICS’.¹ The original four nations first met in

¹ Schaefer and Poffenbarger, *The Formation of the BRICs and Its Implication for the U.S.*, 2. [Schaefer and Poffenbarger]
2006 on the sidelines of the United Nations General Assembly and then again during the G8 Summit of 2008. It was in this second meeting that BRIC members identified the need for a larger role in the regulation of the global economy and the inadequacy of the established ‘Western’ institutions. The first of the annual official BRIC summits was in 2009, when members called for collective decision-making, coordinated action, and a return to a multipolar world. During the 2014 summit meeting, the BRICS countries – now with South Africa – agreed to establish the NDB.

The organization of the New Development Board includes a president with a six-year mandate, currently from India, a Board of Governors Chair, headed by a Russian, a Board of Directors Chair, headed by a Brazilian, with a headquarters located in Shanghai, China. This new financial mechanism is based on equal shared voting, with no veto power, where each country contributed $10 billion towards its initial $50 billion capital. These funds were collected initially for infrastructure and ‘sustainable development’ projects in BRICS countries; however other low- and middle-income non-member countries will also be able to buy in and apply for funding. The BRICS nations also established a $100 billion Contingency Reserve Arrangement (CRA) to provide additional liquidity protection to member countries during balance of payments problems. Unlike the NDB which is funded equally by all member states, the CRA is primarily financed by China.

Statistics from 2014 state that the five BRICS nations collectively represent nearly 3 billion people, approximately 40 percent of the global population. Jointly, they also account for US$16.039 trillion of nominal GDP, equivalent to about 20 percent of the gross world product. It is estimated that by 2018, the combined economies of these five nations will overtake that of the U.S. both economically, and in terms of political influence and power. However, before this assembly of nations can realize their potential, they must first overcome some inherent tensions within their collective body. Some sceptics claim that the potential power of the NDB is stunted by its lack of codification and coordination. For example, historical tendencies of animosity between China and Russia, differing national interests, and

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2 Ibid.
3 Desai and Vreeland, What the new bank of BRICS is all about. [Desai and Vreeland]
4 Ibid.
5 Panda, BRICS Announce New Development Bank. [Panda]
6 Wihardja, The G20 and the BRICS. [Wihardja]
different paths of development, leave the BRICS members divided and with many cleavages.\(^7\) This lack of ‘sameness’ between the five emerging countries can, according to others, have dual effects on their collective action. There is, for example, a huge discrepancy between the vastly disproportional size of the Chinese economy and the combined economies of the other nations, where this could imply that China would possess greater power within the institution, though there has been no evidence of this to date.\(^8\)

While such significant inequalities and discrepancies between nations may in some instances be obstructive to the cohesion of the group, in other cases these differences can act as the bases for coherent intervention.\(^9\) For example, the commitment to a ‘shared banking initiative’ between the BRICS countries can, in some instances, “lead to cooperative, complementary diplomatic outcomes” and present novel ideas and perspectives among the unlikely grouping of the member states.\(^10\) This optimism may be slightly misled, as nations only seem to be united on three fronts: their individual search for more power within the international arena, the reduction of U.S. hegemony, and the desire for a mix between sustainable growth and investment in developmental needs related directly to infrastructure.\(^11\),\(^12\) This contradiction has led to the question of how “states with so few apparent commonalities [can] find sufficient common interests to forge a lasting [intergovernmental organization]?”.\(^13\) Since the purpose of this paper is not to evaluate the endurance of this institution, but rather the influence of institutional interplay in the development of the NDB, one can assume that these three common elements currently suffice in uniting the five vastly different developing nations that make up the BRICS nations.

### III. SIGNIFICANCE OF REGIME COMPLEXES

As previously stated there is currently an unprecedented trend in forming international institutions to address issues of international concerns, as well as a growing pressure to

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\(^7\) Schaefer and Poffenbarger 3-4.
\(^8\) Desai and Vreeland.
\(^9\) Chin, *The BRICS-led Development Bank*, 366. [Chin]
\(^10\) Ibid., 367.
\(^11\) Schaefer and Poffenbarger, 4.
\(^12\) Ibid., 366.
\(^13\) Schaefer and Poffenbarger, 4.
“manage the process of globalization beyond the nation-state in various issue areas”. As defined by Robert O. Keohane, international institutions are “a persistent and connected set of formal and informal rules that prescribe behavioural roles, constrain activity, and shape expectations”. Though there are three forms of international institutions, namely international organizations, international regimes, and conventions, only the first two are relevant in this case. It is the interactions between international institutions though, that lead to the formation of regime complexes and the resulting institutional interplay; wherein the institutional interplay between international institutions remove the independence and autonomy from one another.

To position the NDB in a regime complex, previously defined as a network of interrelated institutions, one must first consider all the relevant institutions that influence it. If one were to examine global financial institutions, development banks, and relevant regional financial institutions, the sheer number of institutions is overwhelming. Multilateral development banks alone, for example, include the World Bank, the International Fund for Agricultural Development (IFAD), the European Investment Bank (EIB), the Asian Development Bank (ADB), the European Bank for Reconstruction and Development (EBRD), the African Development Bank (AfDB), the Asian Infrastructure Investment Bank (AIIB), etc. Just in Bretton Woods institutions alone, international financial institutions include the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (IBRD), the International Finance Corporation (IFC), the International Development Association (IDA), etc. Consequently, the international financial regime complex to which the NDB belongs is quite vast. Therefore, for the purpose of this paper, the NDB will be placed within a regime complex consisting solely of the IMF and the World Bank, as they are currently the most prominent international financial institutions.

On an institutional level, institutional interplay within regime complexes is significant in that institutions affect each other’s decisions, structures, members, policies, goals, etc. For example, institutions may choose to pursue policy fields which have not yet been addressed or ones they wish to improve. Alternatively, institutions can mirror the structure of other

14 Loewen, Towards a Dynamic Model of the Interplay Between Institutions, 5.
15 Ibid., 7.
16 Loewen, Institutional Interplay between the CMU and the IMF, 52-3.
institutions, adjust a previously employed structure, or simply avoid these previous structures altogether. Institutions are, in effect, constantly learning from one another and acting in response to each other, making institutional interplay and the regime complex in which one is considering this effect necessary factors when considering the development of any international institution. On one hand, the BRICS Bank is just one of many other international financial institutions, however with each new institution comes a new actor that participates in the regime complex. Some critics believe that the BRICS nations may not be cohesive enough to mobilize their shared interests and achieve their common goals. While the NDB may not be a long-term solution for the financial needs of developing nations, others maintain that the very union of the five BRICS nations and of the resulting NDB could bring about a more stable answer. It could, for example, trigger initiatives in other institutions, or lead to the creation of stronger institutions to eventually better organize and address these same interests. In the meantime, the BRICS Bank is still working to finance infrastructure in developing countries and therefore it is still worth examining the institution and its interactions with other institutions within its regime complex.

IV. FRAMEWORK AND EVALUATION

To effectively assess the influence of institutional interplay on international institutions, Prof. Howard Loewen outlines that one must identify the source institution, the target institution and the causal link between the two, or the patterns of interactions between them. In other words, one must break down which institution is influencing the other, and how. As outlined above, there is a multitude of international financial institutions that can be examined in relation to the NDB, however this paper is considering the NDB within a regime complex consisting solely of the IMF and the World Bank. In the case of the NDB, therefore, one could apply the source / target / link approach to examine how existing international financial institutions, such as the IMF and the World Bank, influence the NDB. Applying this methodology would place pre-existing institutions, namely the IMF and the World Bank, as the source and the NDB as the target. While there is also much merit to analysing the development, maintenance and effectiveness of international institutions, the recent formation

17 Loewen, Towards a Dynamic Model of the Interplay Between Institutions, 12.
of the NDB only allows for the analysis of the development of this institution.\textsuperscript{18} Therefore, the source / target / link approach is simply applied to the developmental stages of the NDB due to recentness of its establishment and the consequent lack of evidence for its maintenance and effectiveness.

An alternative framework in the analysis of institutional interplay is proposed by Kal Raustalia and David Victor, whereby they argue that there are four ways in which regime complexes are relevant to institutional interplay. These four mechanisms are: lack of a clean slate, forum shopping, legal inconsistencies and politics of implementation.\textsuperscript{19} The next four subsections will define and discuss each of these concepts and describe the relevance of these concepts in terms of the development of the NDB.

\textit{i. No Clean Slate}

The lack of a ‘clean slate’ is now an inherent condition in the development of any international institution. The idea behind this mechanism is that new institutions are developed in relation to existing institutions. In today’s global system, international institutions necessarily influence the development, maintenance and effectiveness of others, creating nested and overlapping relations between the multiple actors within a regime complex.\textsuperscript{20} The existence of other international institutions or organizations, acts as a starting point for emerging international institutions, either as a framework for building other institutions, or as a point of divergence. Loewen states: “Previously created arrangements limit and direct the process of establishing new rules or institutions”.\textsuperscript{21} In the case of the NDB, the fact that the institution operates in relation to pre-existing institutions is clear in their intention to ‘supplement’ the existing efforts of multilateral and regional financial institutions relating to international development and build on their principles.\textsuperscript{22} The NDB also looks to challenge the dominance of the IMF and the World Bank and to act as a mechanism to voice the interests of emerging economies in the global financial system.\textsuperscript{23} According to these two statements, the NDB has a tendency to define itself in relation to existing institutions. These initial intentions

\begin{footnotes}
\textsuperscript{18} Ibid., 6.
\textsuperscript{19} Raustalia and Victor, \textit{The Regime Complex for Plant Genetic Resources}, 296-305.
\textsuperscript{20} Loewen, \textit{Institutional Interplay between the CMIL and the IMF}, 54.
\textsuperscript{21} Ibid.
\textsuperscript{22} Chin, 366.
\textsuperscript{23} Panda.
\end{footnotes}
are also both clear examples of how international institutions are no longer autonomous bodies and that international institutions, especially emerging ones, are subject to act within pre-existing rules and norms.

Even the voting structure of the institution helps articulate the importance of the lack of a clean slate. The BRICS countries, despite collectively accounting for 40 percent of the global population and 20 percent of the gross world product, jointly only possess 11 percent of the votes in the IMF. Alternatively, the BRICS countries operate on more equal terms in the NDB, where each member party possesses an equal voting share.\textsuperscript{24} This case is possibly the clearest in demonstrating the use of pre-existing rules and norms in forging new ones, in that the IMF’s voting structure was not compatible with the ideals of the NDB. Though the principles which guided the voting structure of the ‘Western’ institutions were not consistent with those of the NDB, the intended principles and purposes of the IMF and the World Bank, for example, are very similar to those of the NDB. This demonstrates both the ineffectiveness of the IMF and the World Bank in mobilizing those principles, but also how the principles of pre-existing institutions shape those of newer institutions, in that new institutions look to ‘supplement’ the principles of existing institutions for example.

\textit{ii. Forum Shopping}

With more international institutions being developed to address a multitude of different interests, there is a new flexibility in avenues and mechanisms to mobilize interests. The overlapping of institutions, as previously mentioned, allows nations and organizations to better match their interests with that of the forum, where barriers of entry, membership and linkages all play a role in the selection of a forum or organization as well. Forum shopping also includes the creation of new organizations and forums for mobilizing interests. This is often the case when pre-existing institutions do not suffice, or do not act as appropriate mechanisms for advancing the interests or needs of a given state or organization. For examples, all five of the BRICS countries were members of the G20 before the creation of the NDB, however they were “dissatisfied with the lack of follow-through on the G20 leaders’ commitments to mobilize infrastructure investment for the developing world”, demonstrating how the G20 was an inadequate mechanism for advancing those interests.\textsuperscript{25} The BRICS countries had similar

\begin{flushright}
\textsuperscript{24} Desai and Vreeland.
\textsuperscript{25} Chin, 368.
\end{flushright}
critiques related to the IMF and the World Bank, and stated that the two institutions are not adapting fast enough to the evolving world economy, clearly outlining an argument for the construction of a new regime.26

Forum shopping can be examined through both liberal institutionalist and realist perspectives. The use of an alternative international institution to better mobilize a group or nation’s interests supports a liberal institutional argument. However, using or developing institutions to act as a counterweight to existing institution is more in line with a realist argument. Dissatisfaction with Bretton-Woods institutions has become a global trend as well, and has pushed nations to develop new institutions. This, however, is not a new phenomenon. The 1960s saw the establishment of the ‘Development Bank of Latin America’, ASEAN +3 established the Chiang Mai Initiative in the early 2000s and in 2009 the ‘Bank of the South’ agreement emerged in Latin America. All of these relatively recent establishments were responses to the inadequacies of the Bretton Woods institutions, most commonly the IMF and the World Bank, in acting as an effective forum for mobilizing national and regional concerns and interests. They were created because emerging countries were growing faster than their international influence and their voice in forums, such as the IMF and the World Bank.27 This was also the case for the NDB, where the rise of the BRICS Bank as a necessary alternative to existing international financial institutions “demonstrates the extent to which these rising powers have felt excluded from the existing global order”.28 Therefore, the development of the NDB was born out of the need for an organization to act against the IMF and the World Bank.

iii. Legal Inconsistencies

A third factor that influences regime complexes is the legal inconsistencies that have emerged as a consequence of the blurred boundaries between the ever-increasing number of international organizations. It is no longer clear which institution is responsible for what, or which takes precedence over another.29 If, for example, Asia were to experience another financial crisis, would it be the responsibility of the IMF, the World Bank, the NDB, the ADB, the Chiang Mai Initiative or the recently established AIIB to react and provide financial aid to

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26 Ibid.
27 Desai and Vreeland.
28 Panda.
29 Loewen. Institutional Interplay between the CMI and the IMF, 55.
it and other effected countries? What if such a crisis were to occur specifically in a BRICS country? Comparing the mandates of the IMF, the World Bank, and the NDB does not help in distinguishing between the responsibilities of the three international institutions. Based on the purposes and functions outlined below, any of the BRICS nations, which are all developing countries by definition, would be eligible for financial aid through the IMF, the World Bank and the NDB. The lack of a clear distinction between the mandates of these three institutions increases the possibility of burden-shifting between institutions. As all institutions are arguably equally responsible for providing financial support to developing nations, one institution may shirk on its original mandate, assuming one of the other two institutions will provide the necessary aid.

The IMF, for example, claims to “foster global monetary cooperation, secure financial stability, facilitate international trade, promote high employment and sustainable economic growth, and reduce poverty around the world” through loans with structural adjustment programs attached to them.30 The World Bank, another global financial institution, states it “is a vital source of financial and technical assistance to developing countries around the world” and acts through “a unique partnership to reduce poverty and support development” through loans, credits and grants to developing countries.31 The NDB’s ‘purpose and functions’, however, found in Article 1 of the Articles of Agreement, state the following: “The Bank shall mobilize resources for infrastructure and sustainable development projects in BRICS and other emerging economies and developing countries, complementing the existing efforts of multilateral and regional financial institutions for global growth and development”, also through loans, guarantees, equity and ‘other financial instruments’.32

With no hierarchical structure to regime complexes, identifying which institution is responsible or most capable in addressing an issue or crisis remains unclear. It is also difficult to define where the responsibilities and capabilities of one institution ends and where another begins. In the case of the NDB, the fact that the institution operates in relation to pre-existing institutions is clear in their intention to ‘supplement’ the existing efforts of multilateral and regional financial institutions relating to international development and build on their

30 International Monetary Fund, About the IMF.
31 The World Bank, About: What We Do.
32 BRICS, Agreement on the New Development Bank – Fortaleza, July 15.
principles. This supports both the ‘no clean slate’ and ‘legal inconsistencies’ argument of Raustiala and Victor’s argument, in that the principles of the NDB are very similar to that of the IMF and World Bank, supporting the ‘no clean slate’ argument, and in that the division between the principles and responsibilities of the respective institutions is unclear, as is consistent with the ‘legal inconsistencies’ argument.

iv. Politics of Implementation

With more flexibility in the selection of an international institution for advancing one’s interests, it can be argued that institutions with a higher membership or those with more nations subscribed to it, are more credible. It is for this reason that organizations focus on politics of implementation, whereby the terms of membership are often vague. Once more nations are subscribed however, these terms are made explicit and interpreted more thoroughly. For the development of the NDB, this was not the case, as BRICS nations are the only members of the NDB by virtue of being the leading developing countries at the moment. To date, the only specification within the BRICS nations, has been for each country to provide $10 billion towards the institution’s initial capital, whereby this contribution is most likely a symbolic gesture rather than a useful one. The politics of implementation of the NDB may be more interesting mechanisms to consider when evaluating the maintenance or effectiveness of an institution; once the institution has expressly outlined its participation requirements. Many critical questions and structural decisions have yet to be addressed in the NDB, questions directly related to their politics of implementation. As of yet, however, the NDB has not demonstrated instances of this phenomenon. As previously stated, this is likely due to the few member states. If the NDB were to expand its membership however, politics of implementation would likely need to be introduced.

V. INTERNATIONAL RELATIONS THEORIES

After reviewing the four factors that influence international institutions, forum shopping appears to have the most significant impact on the NDB, since it was the inadequacy of the existing forums that led to the creation of a new one. The factors that lead to the conclusion that institutional interplay does in fact influence international institutions is a rather novel

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33 Chin, 366.
34 Loewen. Institutional Interplay between the CMI and the IMF, 55.
approach in evaluating such a question. Analyses of institutions are typically considered in terms of a single institution or in relation to a few others to distinguish similarities and differences. Rarely are institutions considered within the framework of a larger network of institutions. For this reason, the ‘traditional’ model for evaluating international institutions, namely international relations theories, should also be used to assess whether the same conclusions can be reached through an alternative, more classical lens. In terms of ‘classical’ theories of international relations, institutional interplay necessarily follows the theory of liberal institutionalism, as it considers the cooperation between countries as a necessary factor for the success of an international regime complex. The liberal logic of institutional and national cooperation allows for the consideration of the NDB’s development and membership at both a national and institutional approach, providing another layer to the question at hand.

Each of the BRICS countries have their own national development banks, so why would such differing countries encourage and participate in the formation of a multilateral development bank? For this analysis, it is worth considering the three main theories of international relations: realism, liberal institutionalism and social constructivism. Based on this trichotomy, the realist argument assumes nations act rationally, seek to maximize their power, and attempt to survive in an anarchical international system through either bandwagoning or balancing hegemonic powers. Liberal institutionalism is a similar concept, where the key difference lies in the creation of treaties and organizations to help organize the anarchical international system, wherein the formation of relations between international institutions is to address a specific problem. Social constructivism, on the other hand, does not assume rational actors. This theory states that cooperation between nations occurs for purely social benefits, where these do not necessarily benefit all participants in economic terms, for example. While considering these three theories, first a national perspective will be used to determine nations’ reasons for working together and creating the NDB, followed by an institutional perspective, whereby the national view uncovers seemingly hidden strategies of participating nations.

Gregory T. Chin of York University in Canada examines the individual countries associated with the NDB (i.e. the BRICS countries) to assess their national incentive to participate in a joint organization. He asserts that India’s objective in promoting a multilateral development bank is to gain an alternative source of finance for meeting its own massive infrastructure development needs. India will soon no longer be eligible for loans from the
International Development Association and must look to other organizations for loans and other financial mechanisms.\textsuperscript{35} Chin claims that South Africa acts as the “conscience” of the BRICS organization, where South Africa pushes other BRICS nations to think beyond themselves. Economic factors became a particularly salient consideration when in 2012, the Development Bank of Southern Africa (DBSA) underwent deep restructuring. Therefore, South Africa too, is looking to the NDB as a supplemental financing mechanism.\textsuperscript{36} Brazil also has large-scale infrastructure needs and fears that its own national development bank may not suffice in financing it.\textsuperscript{37} With such clear economic benefits in mind, India, South Africa and Brazil all represent a realist approach to cooperation, which maintains that nations participate in unions and institutions to maximize their own interests.

Russia employs a more liberal institutionalist perspective to the BRICS association. Chin states that Russia “appear[s] to see the NDB idea as a hedging option for infrastructure finance, as a useful tool to encourage intra-BRICS flows of trade and investment and capital markets integration, and helpful […] as an alternative institutional mechanism with global reach that includes the South”.\textsuperscript{38} Russia does not seem to be alone in its desires to maximize its economic endeavors. Instead, Russia also looks to minimize transaction costs through treaties and agreements between BRICS countries, a main feature of the liberal institutionalist argument.

China, on the other hand, is looking to create “new avenues for its engineering and construction companies, stimulate job creation and redirect a portion of its massive foreign currency reserves to productive purposes that ultimately help to sustain its growth”.\textsuperscript{39} China looks to the BRICS bank as a mechanism to redistribute surpluses and create stronger ties with developing nations. China is also, and perhaps ultimately, looking to further develop its own economy and gain more power and influence in the international arena. This is further supported when considering China’s recent AIIB initiative, as well as its goal to experiment with more multicurrency trade and to build a “Sino-centric global financial system as an

\textsuperscript{35} Chin, 370.
\textsuperscript{36} Ibid.
\textsuperscript{37} Chin, 370.
\textsuperscript{38} Ibid, 371.
\textsuperscript{39} Ibid, 370.
alternative to longstanding U.S. institutional hegemony”. As previously discussed, forum shopping explains the formation of a new financial institution for developing nations as a means for better mobilizing the interests of the NDB. Forum shopping also justifies the NDB as a means for China to establish an institution to help balance other global powers.

While the BRICS nations collectively claim to be working towards the creation of a bigger voice for developing nations and the provision of infrastructure investments to said countries, each individual BRICS nation is still expecting to gain economically. Each nation appears to look to the NDB to further their own interests not related to the NDB. Others argue, however, that bandwagoning was also an element in the participation of countries other than China in the NDB. While further conceptions assume China and Russia are looking to balance Western institutions, both features support the realist argument of international relations. As stated before however, the economic positioning of each country essentially predetermined their participation.

The institutional perspective of the NDB paints a different picture of the BRICS union. It argues that the NDB was essentially intended to contest the ‘Western’ (i.e. developed) nations and institutions that currently possess an unequal amount of global power. The initial critiques of the Western institutions, namely the IMF and the World Bank, by the BRICS countries addressed the inadequacy of their recent reforms and their inability to adapt fast enough to the evolving world economy. Therefore, it is both logical and necessary that the resulting BRICS institution act against the ‘Western’ institutional ideals instead of in agreement with it.

Just as bandwagoning supports the realist argument, the cooperation of nations to balance existing institutions is also an indicator of the realist argument. Additionally, it demonstrates the importance of considering institutions within their regime complex, since the hegemony and insufficiency of the existing institutions within the financial institution complex led to the creation of the BRICS Bank as a balancing mechanism. In 2011, the East Asia Forum posted an article stating that within the G20 summits, “the rise of the BRICS strikes a balance between emerging countries and the hegemony of the G7.”, further demonstrating the BRICS’

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40 Ibid., 370-1.
41 Reisen, How the New AIIB Dwarfs the Asian Development Bank.
42 Schaefer and Poffenbarger, 2-3.
43 Chin, 368.
mandate to challenge ‘Western’ institutions. While the realist argument offers an explanation for the participation of the BRICS in the NDB, liberal institutionalism does as well. According to the liberal perspective, institutions act as problem-solving-management mechanisms. If one were to then interpret ‘Western’ institutional hegemony as a problem, the creation of an institution to balance this hegemony would clearly be a solution. However, since the NDB has not yet been called to action, the institution may remain a symbolic one, which just looks to increase the voice of its member countries and of other developing nations. If the NDB remains a purely symbolic institution however, providing purely social advantages to those countries which the BRICS nations seek to help, the social constructivist argument best explains the development of the NDB.

VI. CONCLUSION

The increasing number of international institutions and the resulting overlap of rules and norms clearly demonstrates the significance of institutional interplay in the development of international institutions within a global regime complex. Both the organization of the BRICS Bank, such as its formal statements and mandate, clearly illustrate how the development of the NDB has been influenced by existing institutions. Institutional interplay has directly influenced the development of the NDB. The imposition of an institution to develop within the archetype of existing institutions, the presence of multiple types and models of institutions, and the overlap of institutions all have a role in shaping emerging institutions. After considering the lack of a clean slate, forum shopping and legal inconsistencies in turn, it can be argued that forum shopping is the most decisive factor of institutional development. Politics of implementation however, Raustalia and Victor’s fourth influential factor of institutional interplay, may be a phenomenon more clearly demonstrated when examining the maintenance or effectiveness of the institution. Even with the introduction of a hierarchy in a regime complex to help distinguish the boundaries between organizations, both the lack of a clean slate and forum shopping would remain as influential factors in the development of an institution.

Though the BRICS union may collectively support infrastructure investment in developing countries, their purpose as a balancing mechanism against existing ‘Western’
institutions provides a strong argument in support of a realist argument for cooperation. When reviewed from a national perspective, the realist argument appears to be consistent in that each country ultimately looks to maximize their own economic gains, where Russia may be an exception to this case. The realist argument recognizes only two purposes for nations to participate in international institutions, namely bandwagoning and balancing, both of which are evident in the development and participation of the NDB.

While joint dissatisfaction with the established global financial institutions, namely the IMF and the World Bank, has united the BRICS nations, some argue that it does not suffice in uniting and ensuring the success of an alternative institution.\(^{45}\) Therefore, for the sake of the NDB, the shared goal of supporting a mix between sustainable growth and developmental needs related directly to infrastructure will hopefully be the primary unifying factor for the BRICS nations. However, based on the realist argument of international relations, it is more likely that these five nations are unified by their individual objective of attaining more power within the international arena and their goal to reduce U.S. hegemony.\(^ {46,47}\) The international relations theory that best fits the case of the NDB, may only be evident much later in its maintenance and effectiveness phases. Should the institution follow realist ideals, wherein each nation is looking to first further themselves, the NDB may not be as successful as predicted for emerging and developing nations. Since greater communication is common in a liberal union, the NDB will most likely be more effective as a liberal institution in furthering their shared goals. As stated before though, should the NDB not develop any further, the institution will remain symbolic, whereby its usefulness follows a social constructivist argument for cooperation.

\(^{45}\) Chin, 368.
\(^{46}\) Schaefer and Poffenbarger, 4.
\(^{47}\) Chin, 366.
SOURCES


Globalization and Exploitation: The End of an Era

Ipek Ertan

Abstract: With globalization and the changing distribution of power in the international system, non-state actors like Multinational Corporations (MNCs) have become very crucial players that need to be regulated by international laws, just as states are. However, the conflicting interests of business and human rights make it hard to regulate human rights violations by MNCs due to inadequate international mechanisms in place, which were not designed to apply to MNCs. This paper examines the inefficiencies of the current international regulatory frameworks and goes on to introduce “naming and shaming” of MNCs as an efficient method of regulation by explaining its impacts. Finally, it facilitates a transition from theory to practice, inspired by a project started by Social Justice Connection, an NGO located in Montreal. This further suggests a new international regulatory framework partnered with the World Trade Organization (WTO).

Introduction

Globalization of the world economy means increasing integration and interdependence of economies throughout the world with the increasing flow of goods, services, and capital across borders. This has rapidly increased the number of Multinational Corporations (MNCs) operating in the developing world. These large, profit-oriented businesses tend to invest in undemocratic countries and regions with less developed social structures, where they can take advantage of corrupt and dictatorial systems. Profitable but unethical benefits from this exploitation range from monopolization of the market to violation of worker and human rights. In fact, as mentioned in the article “Avoiding the Spotlight: Human Rights Shaming and Foreign Direct Investment” by Colin M. Barry, K. Chad Clay, and Michael E. Flynn, in stark contrast to the very definition of globalization, MNC-led foreign production works in lockstep with worker and resource exploitation. This indicates that the freeing of corporations outside national borders is inconsistent with the improvement of global environmental, human, and workers’ rights standards.

The conflicting interests of businesses make it hard to regulate violations of human rights committed by MNCs due to inadequate international mechanisms in place. Also, the existing international mechanisms were not initially designed to accommodate MNCs. As pointed out in the article “Oil and Water: Regulating the

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2 Ibid.
Behavior of Multinational Corporations Through Law” by Simon Chesterman, MNCs have not yet achieved special status in international law, meaning that they are not subject to existing international law.3 Furthermore, international laws apply to natural persons, but not to corporations, due to loopholes in the law. International laws also apply to states, and they are regulated directly by these laws. However, since these laws do not apply to MNCs, states become responsible for the regulation and monitoring of human rights standards, as well as violations by foreign firms operating within their nation’s boundaries. However, according to Salil Tripathi in “International Regulation of Multinational Corporations,” developing states tend to prioritize foreign investment over the costly protection of human rights.4 Compelling MNCs can also manipulate the policies of host countries to diminish their costs. This can occur in the form of lessening labor and environmental standards.5 Despite the fact that corporations are obligated “as an organ of society” under the Universal Declaration of Human Rights to respect human rights regardless of their multinational affiliations6, breaches of human rights continue without retribution. In 2003, reports by UN experts identified 85 MNCs that have failed to abide by the guidelines for MNCs established by the Organization for Economic Co-operation and Development (OECD).7,8

The following will address the shortcomings of current international regulatory laws and bodies where the protection of human rights are concerned. Secondly, the usefulness of ‘public shaming’ of MNCs as a regulatory technique in pursuit of globalized human rights standards will be explored. Even though, the effectiveness of this method is debatable, it is argued in this paper that it is the strongest method for the recognition of human rights but unfortunately its full potential is not explored by current legal frameworks. Thirdly, I will draw on my internship experience at the Social Justice Connection to illustrate how ‘public shaming’ can be brought to broader public attention and can be employed as a preventative strategy. Finally, I will briefly discuss the role the World Trade Organization plays in global human rights enforcement and accountability.

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5 Ibid.
6 Tripathi 120
7 Tripathi 119
8 Detailed information on OECD Guidelines on MNCs can be found at http://www.oecd.org/corporate/mne/48004323.pdf
Assessing the Deficiencies of Current Mechanisms

**Domestic and International Jurisdictions**

As mentioned above, some shortcomings of the international regulatory mechanism are caused by the ambiguous international legal status of MNCs under international law. A functioning International Criminal Court with jurisdiction over natural persons does exist. However, there is no proportionate regulatory body for corporations. Because international law typically does not apply to MNCs, efforts to regulate their conduct through law have occurred in domestic jurisdictions. An attempt to regulate human rights violations can occur through the domestic jurisdiction of a developing country where the breach has been committed. Conversely, the state in which the MNC is based may also attempt to regulate a breach of human rights under that state’s domestic jurisdiction. There are, however, challenges with both.

Under international law, states must regulate human rights violations by MNCs operating within their territory. However, states do not necessarily have an incentive to do so, as this raises costs for corporations. This can, in turn, cause reduction in investment or complete cessation of operations. Thus, developing states might be reluctant to pursue legal action against MNCs and may even be keen to collaborate with MNCs. Further exacerbating the likelihood of disregarded human rights is the fact that the workforce in developing countries is, in general, unaware of their rights or lack the means with which to protect them. This limits the likelihood of domestic claims being filed according to the article “Human Rights Violations by Multinational Corporations and International Law: Where From Here?” by Surya Deva. In situations like this, it would be more rational to turn to the state where the MNC and its resources are based. However, there are barriers to this second form of domestic jurisdiction. For example, *forum non convenience* addresses the situation wherein a court assigned to an issue abjains due to collision of laws and existence of another court, which could exercise jurisdiction more conveniently.

There are many examples of this, especially in the United States of America (USA) and Australia, where the courts decide that human rights issues should be addressed by the domestic jurisdiction of the state where they were committed. The most effective way to get around these procedural obstacles is to get actions brought.

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9 Chesterman 308
10 Chesterman 314
11 Chesterman 310-311
13 Deva 4
14 Chesterman 315
under the US Alien Tort Claims Act of 1789\textsuperscript{15}. This act grants jurisdiction to US Federal Courts over torts committed by aliens “in violation of the law of nations or a treaty of the United States.”\textsuperscript{16} Although unique to the USA, this act has become pivotal in proceedings against MNCs in recent years.\textsuperscript{17} In most cases the defendant is not represented and the court proceeds on the basis that the plaintiffs’ allegations are true.\textsuperscript{18} However, the use of this act rarely serves as a solution. Instead it is used for the purpose of ‘shaming’ and has been used strategically by labor and human rights organizations to put public pressure on unruly MNCs\textsuperscript{19}. Chesterman further argues that the US Alien Tort Claims Act can become a more crucial apprehension for the MNCs in the future.

If brought under international jurisdiction instead of domestic jurisdiction, human rights abuses would cause other technical complications. For instance, the Nuremberg Tribunals on war crimes, held after WWII, found that “Crimes against international law are committed by men, not by abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced.”\textsuperscript{20} If the executives of corporations were able to shift their liability onto a corporation, this would abate the deterrent effects of punishment and burden those who may be completely virtuous.\textsuperscript{21} Thus, both domestic and international jurisdictions either lack the appropriate regulation mechanisms or do not work efficiently due to loopholes and/or the ambiguous status of MNCs in international law.

Current Regulatory Bodies

**OECD Guidelines**

Under the OECD, ten countries recognized the Declaration on International Investment and Multinational Enterprises in 1976, including the OECD Guidelines for MNCs. These guidelines comprise recommendations and expectations about environment, transparency in operation, employment and industrial relations, combating bribery, consumer interests and competition for businesses with multinational operations.\textsuperscript{22} These guidelines fall short in implementation and enforcement because they are based on voluntary action not legal obligation.\textsuperscript{23} One major flaw is the OECD’s unwillingness to publicize the names of corporations that do
not abide by the guidelines, rendering the process of establishing globally recognized human rights practices more difficult.\textsuperscript{24}

**International Labor Organization (ILO)**

In 1977 the ILO published the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy.\textsuperscript{25} These principles suggested socially conscious guidelines for MNCs, governments, employers’ organizations, and workers’ organizations to follow.\textsuperscript{26} The ILO also suggested a ‘global social label’ to be rewarded to states that extensively complied with worker rights. However, lack of consensus on universal labor standards impeded implementation of this idea.\textsuperscript{27} It is my opinion that establishing universal labor standards held the potential to make a positive change in international regulatory mechanisms towards the enforcement of human rights standards by MNCs. Regardless, due to the lack of sturdy enforcement mechanisms, the ILO’s efforts were futile.

**The United Nations**

The International Bill of Human Rights is directed towards states but can be extended to include MNCs as well. However, let alone addressing to the human rights crimes committed by MNCs, the UN human rights treaty system failed to address human rights violations committed even by states.\textsuperscript{28} In 1999, the UN Secretary General Kofi Annan laid down principles to be followed by business enterprises under the name of the Global Compact that targeted a more sustainable global economy. The Global Compact is not a regulatory mechanism; it does not prosecute or assess behavior of corporations.\textsuperscript{29} Rather, it aims to fill the gap between regulatory regimes and voluntary codes of conduct.\textsuperscript{30} Many states prefer to have voluntary codes of conduct rather than legal methods of enforcement to encourage MNCs to abide by the principles of the Global Compact.\textsuperscript{31} As a result, the Global Compact lacks the authority to legally enforce human rights.

\textsuperscript{24} Ibid.  
\textsuperscript{25} Deva 6  
\textsuperscript{26} Deva 6  
\textsuperscript{27} Ibid.  
\textsuperscript{28} Ibid.  
\textsuperscript{29} Chesterman 328  
\textsuperscript{30} Deva 7  
\textsuperscript{31} Chesterman 328
Flaws of the Existing System

This analysis points not to the lack of consensus on regulatory mechanisms, but to the lack of effectiveness of such mechanisms. As voluntary mechanisms, they lack enforcement for a couple of reasons: first, a universal standard of human rights is lacking. Though some MNCs volunteer to adopt human rights in their overseas business, there is no particular framework for them to follow. Second, the language used by the existing frameworks implies that respect for human rights depends on negotiation and bargaining between businesses and states, as opposed to intrinsic and continuous respect. Third, this indirect strategy puts undue faith in MNCs’ ability to independently address and resolve issues relating to human rights, as opposed to being held accountable by an external agency or organization. Fourth, a failure to adopt standards in respect of human rights does not result in any consequences for the MNCs. Thus, it can be seen that these frameworks are not making full use of the power and potential of ‘naming and shaming’.

International law should be more direct in its method by including MNCs as independent actors under its jurisdiction. As explained above, states do not always have the desire, let alone the legal or economic capacity to prevent human rights abuses by MNCs. There has been an undeniable shift in power from states to non-state actors. International law should address these changes in order to properly address the human rights issues associated with the global activity of MNCs. After all, the violator of the human rights- be it the state or non-state actor- should not make a difference in the eyes of international law. Instead, violators should be addressed thoroughly and directly. Even though MNCs cannot have all the attributes of states, states are still hesitant to include non-state actors under international law, due to the fear that international legal recognition will grant MNCs more formalized power. There has been an increasing trend towards in-company corporate social responsibility initiatives as a response to bad corporate practices that were not legally prevented. This recent turn to voluntary codes of conduct further indicates an admission that efforts to regulate MNCs through legal channels are ineffective. Therefore, methods like ‘naming and shaming’ should be explored and used at their full potential in order to help prevent MNCs from committing human rights abuses.

32 Deva 8-9
33 Deva 9-10
34 Deva 10
35 Ibid.
36 Deva 27
37 Ibid.
38 Deva 30
39 Chesterman 308
**Naming and Shaming**

The shortcomings of the available legal frameworks have led human rights activists and NGOs to turn to ‘public shaming’ as a means of forcing MNCs to comply with higher caliber human rights standards.\(^40\) The effectiveness of the ‘naming and shaming’ method is questionable, however, I argue that it is the strongest way to encourage respect and recognition of human rights among MNCs, specifically in context of the global scale at which they operate. My argument is based on three crucial outcomes of this strategy: public shaming of MNCs leads to boycotts, reputational risks, and reductions in foreign direct investment (FDI). All of these outcomes are promising as preventative strategies to eliminate human rights abuse by MNCs while simultaneously nurturing a more responsible consumer. Generally, MNCs’ products are sold in the domestic markets of developed countries, which gives ‘naming and shaming’ a better chance of success. This is due to greater public accountability in developed states where access to forums with broad audiences, such as social media, television, etc. cultivates greater social awareness civility, as well as a knowledge of one’s individual rights.

**Boycotts**

Public shaming of MNCs can cause boycotts by encouraging civil society to refrain from using products or services brought by MNCs that are not respectful of human rights. Boycotts can have negative financial and reputational effects on MNCs and their extensity has increased with rising consumer awareness of foreign-made goods. According to George Balabanis, author of “Surrogate Boycotts against Multinational Corporations: Consumers’ Choice of Boycott Targets”, during the past 20 years the prevalence of boycotts has escalated sharply.\(^41\) Global Market Insite Inc. (2005) found that 36% of consumers from 17 countries have boycotted at least one brand, and the most commonly boycotted firms across the board are MNCs.\(^42\) Boycotting can have disastrous impacts on demand, corporate image and stock prices.\(^43\) Most of these boycotts are surrogate boycotts, where the boycotts generally harm cities, states or foreign nations whose public policies dissatisfy the public. To address the issues at hand, the public chooses to boycott the firms operating within the affected

\(^{40}\) Ibid.
\(^{42}\) Ibid.
\(^{43}\) Ibid.
This is because the targeted firms are seen as accomplices to the injustices carried out by the state.

As discussed above, many of the problems motivating boycotts cannot be resolved through law. This dilemma adds to consumer resentment and escalates their aspiration to sanction the offenders. The likelihood of boycotting depends on the trade-off between three factors: the ethical commitment to punish a deceitful party; the need to contribute to the accomplishment of the boycott’s aims; and the individual sacrifices and costs of boycotting. If these are taken to be the independent variables, then the likelihood of a boycott would be the dependent variable. The costs associated with boycotting are consumer preferences of the boycotted product and cost of its substitutes. If the costs are low the consumers are more likely to boycott the product. However, they are less likely to do so if only more expensive alternatives are available.

For example, when the US refused to sign the Kyoto Protocol, a UK-based NGO called ‘Ethical Consumer’ decided to boycott the MNCs that publicly opposed the Kyoto Protocol and encouraged the US administration not to ratify it. The study found that some MNCs experienced low boycott rates, while others experienced high boycott rates, despite the fact that they were boycotted for the same reason. This difference can be attributed to the varying degrees of product substitutability: a software company with an 88.4% global market share reflected a low boycott rate and low substitutability, while an American oil giant was boycotted heavily due to its high substitutability. Therefore, the substitutability of products can play a crucial role in boycott patterns by the consumers.

The egregiousness associated with the action is also a determinant for boycotting behavior; the magnitude and austerity of human rights violations in the affected geographic region are the measures of how egregious the targeted firms’ engagement is perceived to be by consumers. Corporations can only avoid boycotts by creating substitution barriers or building a customer franchise, as long as their human rights violations are not too harsh. However, consumer costs and preferences operate fairly independently from the severity of the human rights violations committed by MNCs. Studies show that regardless of the attainability of the objectives of a boycott, the consumers would still boycott the culpable firms to punish them out of a sense of...
of fairness and justice.\textsuperscript{53} This validates the idea that the will to penalize unethical MNCs is stronger than rational choice considerations of the chance to attain boycotts’ aims.\textsuperscript{54}

In sum, boycotts have the capacity to draw public attention to the matters that can damage an MNC’s image, beyond the direct effects on demand.\textsuperscript{55} The shaming of MNCs by international non-governmental organizations (INGOs), along with boycotts, may lead to both violent and non-violent protests within the target states. Thus, naming and shaming by INGOs has tangible effects on public opinion on a global scale, both where the goods are made and where they are sold.\textsuperscript{56}

**Reputational Risk**

The method of naming and shaming can also lead to reputational risks without the added pressure of a boycott. MNCs strive to preserve their brand image, which can be drastically tarnished once associated with human rights abuses. With the advancement of telecommunications and information technology, INGOs have developed their ability to assemble and circulate information about human rights violations. This advancement has notably amplified the reach of their global activism. Most of the literature asserts that shaming by INGOs improves human rights conditions in the targeted states.\textsuperscript{57} This can be described as the ‘spotlight phenomenon’, meaning that corporations respond directly to public displeasure over immoral company practices.\textsuperscript{58} They do so by adopting more socially responsible reforms in the pursuit of reputation and image preservation, or restoration.

The relationship between INGO activism and reputational to MNCs demonstrates a direct way in which INGOs affect human rights abusers through shaming.\textsuperscript{59} Some scholars argue that MNCs would prefer long-term guarantees over short-term profitability, and one of their long-term considerations is their reputation, which greatly affects their future profitability. Thus, shaming by INGOs has expanded the scope and intensity of the global ‘spotlight’ on MNCs.\textsuperscript{60} Even though the spotlight does not change MNCs ethics, it changes their bottom-line interests by making reputational risks relevant costs that they cannot ignore.\textsuperscript{61}

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\textsuperscript{53} Balabanis 519 \\
\textsuperscript{54} Balabanis 528 \\
\textsuperscript{55} Balabanis 527 \\
\textsuperscript{56} Balabanis 533 \\
\textsuperscript{57} Barry et al. 532 \\
\textsuperscript{58} Barry et al. 533 \\
\textsuperscript{59} Ibid. \\
\textsuperscript{60} Barry et al. 534 \\
\textsuperscript{61} Barry et al. 535
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All in all, it has been proven that civil society in the developed world contributes to the naming and shaming of MNCs. There have been many companies that have been criticized in the national news media, which has led to their defamation. For now, this method serves to halt the human rights abuses in which MNCs are engaged. However, when this strategy becomes so effective that it discourages MNCs from engaging in human rights violations in the first place, it will be a truly preventative strategy.

**Reduction of FDI**

Naming and shaming can also lead to reduction of FDI in areas that MNCs with poor brand images are operating. Naming and shaming by INGOs causes something called the ‘spotlight phenomenon’, by which corporations that regard highly of their brand image respond to consumer resentments over bad business manners by embracing more socially responsible practices. It is derived from the psychological term ‘spotlight effect’ coined first by Thomas Gilovich and Kenneth Savitsky in 1999. In psychology it refers to the phenomenon in which people think they are observed more than they are in reality most of the time. The spotlight phenomenon refers to the same kind of effect on MNCs and it shows a direct link between INGO activism and FDI patterns. The research has proven that MNCs are vulnerable to reputational costs by showing that naming and shaming by INGOs have strong negative impacts on foreign investment flows into the shamed states. MNCs would prefer not to invest in areas that were recently publicly denounced by INGOs so as to reduce the risk of being targeted themselves.

Through hypothesis testing and statistical data, Barry et al. proves that countries that have been subject to greater rates of INGO shaming receive lower FDI inflows. Further, the substantive impact of shaming on FDI flows should be greater for developing states than for developed states. The article also proves that higher levels of instability are negatively associated with FDI inflows and that greater respect for property rights is positively associated with FDI inflows. Barry et al. take the measure of human rights shaming by INGOs as the independent variable in their study. The dependent variable is the measure of investment flows by the major brand-name MNCs. Carrying out the same experiment across two separate boycotts confirm the findings and both studies confirm each others’ findings.

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62 Barry et al. 533
63 Ibid.
64 Ibid.
65 Barry et al. 535
66 Barry et al. 533
67 Barry et al. 536
68 Ibid.
69 Ibid.
They use several different models and each of them suggest that with every publication related to human rights violations, the future FDI drops between 4.4% and 5.2%. This shows a relevant correlation between future FDI and human rights standards. So, the more a state is shamed, the less FDI it will receive the following year. Furthermore, the models suggest that developing countries are more vulnerable to public shaming. Developing countries receive 9% less FDI with each publicized event, while it seems like shaming has no statistically significant impact on FDI inflows to the developed countries.

All in all, if brought to the attention of the developing states that heavily depend on FDI inflows, this could influence their tendencies regarding human rights violations by the MNCs operating in their countries. The knowledge that both current and future FDI could be lost and that such losses are greater than the cost of enforcing human rights standards in MNC work zones leads host countries to opt for the latter. After all, the current law is insufficient. It cannot be properly enforced, because of loopholes that allow a mutually beneficial relationship between developing countries and MNCs. This agreement allows developing countries to receive more FDI, and MNCs to profit more. If naming and shaming could reach broader spheres this would discourage both governments in developing countries and MNCS from avoiding the value of human right. This could, in the long term, lead to improvements in legal frameworks.

**Shaming in Action**

**As a Preventative Strategy**

As I mentioned earlier, naming and shaming is a good method to enforce human rights and has a great impact on stopping MNC practices that abuse human rights. However, it only can be put in action after human rights are already violated. What is needed is a preventative strategy that would block human rights violations before they even take place. A certification program would be a good way for consumers to spot responsible MNCs while shopping. This way, the consumers would have the option of identifying and buying products from responsible corporations and this would be a big step towards prevention of human rights abuses. Throughout my internship at the Social Justice Connection, I helped in the creation of a certification program with the goal of championing the financial and reputational gains of ethical human rights practices to both the MNC and the host nation. However, there are some necessary pre-conditional considerations to be made in order for a program like this to work.

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70 Barry et al. 538
71 Barry et al. 541
One of the major problems with the existing domestic and international legal frameworks is that they lack a basis of agreed universal standards of human rights to be enforced on MNCs. This certification program that is currently being developed by Social Justice Connection, a Montreal based NGO, should globalize a set of norms surrounding human rights which, in turn, would create a normative basis for identification and control of abusive forms of trade.\textsuperscript{72} Publicity also plays a big role here. Even though civil society is likely to boycott companies without a good certification, people may not be aware of the ongoing boycotts because of lack of media attention. In these cases, the success of the obstruction would be compromised. For example, in his research on the likelihood of boycotts, Balabanis, notes that only 32.1% of the respondents in one of his studies were aware of the boycott taking place, even though it was covered by the media.\textsuperscript{73} If the process of globalization of norms regarding human rights is achieved, then the corporations that go against them can be identified and publicized easily which in turn would create a wider awareness of ongoing boycotts.

Today, social media acts as one of the most important communication and information channels. Shaming through media outlets such as Facebook and Twitter has a great potential to inform society of corporations abusing human rights or environment, once they are identified through global norms, in the way of creating responsible consumers. This way, corporations going against these norms would be identified and exposed before they commit human rights violations and would be discriminated by responsible consumers. This method would eventually give abusive corporations incentives to fix their wrongful practices not to be discriminated since their revenue would be harmed otherwise. The Social Justice Connection is currently developing a project called \textit{Participation-Transition} to achieve these objectives.

A Project by the Social Justice Connection: Participation-Transition

\textbf{Certification Program}

\textit{Participation-Transition}, the focus throughout my internship, aims to form a guide of principles inspired by globalized norms to assess corporate social responsibility and eventually create a certification program for MNCs. It also includes simulations based on real case studies of human rights abuses in developing countries committed by MNCs. These simulations would be applied in MNCs as the first step of the certification program to find out how responsibly they would handle the issues presented in the simulations. The certification program, \textit{Participation-Transition} is based on twelve principles, which would serve as universal standards of

\textsuperscript{72} Tripathi 128
\textsuperscript{73} Balabanis 525
human rights or the kind of norms mentioned above. These would function to incentivize MNCs to move towards greater corporate and social responsibility. The core aspects of the twelve principles are: respect for human rights; conduction of a preliminary ‘impact study’; respect for identity; checklist; free and informed consent; preliminary organization of consultations; natural resource and territorial management; royalties and indemnification; cooperation and training of local workforce; creation of permanent institutions; respect regarding the legitimacy of these institutions, and creation of private modes of dispute resolution; and prior notice before modification or termination of, or departure from, the pre-established agreements, rules, and institutions. Each principle details the practices laid out in order respect human rights while maintaining corporate efficiencies and profitability. These include the identification of both good and bad practices ‘within the international body of law, jurisprudence, and practice community’ as well as case studies to illustrate the real-world applicability of such principles and behaviors. The certification program overall is based on the notion that almost all MNCs violate human rights for the benefit of profit-maximization. In fact, taking operations abroad is the first step to the same objective. Because this is generally done for diminishing costs through cheap labor and tax breaks found in developing countries that need investment. Taking this into consideration, the certification program tries to reach its aims of protecting human rights and preventing their abuse by drawing from the evidence that better corporate behavior can be lucrative. Furthermore, it can prevent the unforeseen financial costs of bad reputation and costly litigation.

My supervisor for my internship asserted that naming and shaming, as a technique, is only a partial solution to changing the behavior of global business giants. Instead, his idea in initiating this program is grounded in the belief that the most convincing way to persuade corporations to change their behavior is to relate the costs of their bad behavior to their bottom line. This real numerical evidence shows that profit need not be traded for ethical behavior, and that the two can positively feed off of each other. My contribution to this initiative involved finding and assembling real case studies that document the higher costs of failing to respect human rights. These tend to be greater than the possible savings on subpar or non-existent human rights standards. The biggest task throughout my internship was to find such incidents, analyze them, and then create a standardized case study based on the given MNCs success or failure with regards to the previously stated twelve principles. The case studies tell the story of what happened, which principles were violated and/or respected, the company’s rationale for the actions they took (if found), the costs of violating these principles – such as lawsuits, operation bans or restrictions, etc.–, and the effect on demand and revenues associated with these violations. Though still in its upstart phase, the ultimate goal of the certification program is to have a

To access the detailed content of the twelve principles one can contact the Social Justice Connection office.

Tripathi 118

Barry et al. 534
large database of real cases relating to each principle. Through this data collection, and combinations therein, Social Justice Connection hopes to back the mandate that socially responsible business are profitable business.

The reach of this certification program depends on the creation of responsible consumers. This cultivation is largely due to coverage by the mass media of human rights violations committed by MNCs. In order to encourage consumer and, subsequently, corporate responsibility, this certification program should also target MNCs that are not engaged in human rights abuses and that are inspected on a regular basis. If marketed correctly and effectively, this certification program would have the potential of accelerating enough to be a global norm for all operations and locations in an MNCs’ supply chain, not only for their operations at home. This would encourage all MNCs to get certified in order to be able to sell their products regardless of their level of corporate social responsibility. Ideally, if this program grew to its full capacity, companies that are not certified could be hurt by this fact alone, even if they are not in fact violating human rights. Further, if this certification program were to become a universal symbol of corporate social responsibility, then it would also bring about better accountability arrangements and pressure for transparency. As previously mentioned, the existing international legal framework lacks both, especially the latter, making the need for and practical use of such an evident program.

Simulations

Creating responsible consumers and eventually convincing MNCs to join the certification program are the first steps that bring about other aspects of this certification program. The tests of eligibility to obtain a certificate require methods to assess corporate social responsibility. The Social Justice Connection developed a system of simulations for staff and managers of MNCs, in order to fully grasp the importance and practicality of each principle, instead of merely inspecting their activities abroad. The simulations are divided by industry, and two are currently in the process of development: agriculture and mining. Most of my work focused on the former, but the structure of each simulation is pretty similar. Both simulations consist of real life situations that caused problems through other MNCs’ business processes and diminishing returns. The situations are derived from the case studies.

The simulations start with a presentation of the background and history of the business site and relevant information, then each participant is given a character to portray, and specific instructions and documents that character would have access to. The characters are generally inspired by actors involved in the real-life situations like local villagers, business owners, farmers, and MNC managers or employers.

Understanding the dynamics between characters is integral to a successful completion of the simulations because local people with lower statuses may not speak truly of their working standards when their employers are present. Similarly, women may be reluctant to reveal conditions in their community when their husbands are
present. The simulation, therefore, demonstrates the social possible dynamics in an operation area and the impacted parties aiming the participants to come up with solutions without disregarding the local population and environment. It assesses the abilities of participants to approach local people in a proper way that would lead them to collect the most information and generate their project integrating the interests and needs of the local people in the operation area. The final step of the simulations is for the participants to identify and solve the existing problems by simulating the real-life situation and honoring their role. The results of the simulation would give a sense of the corporation’s level of corporate social responsibility and, if successful, show that the staff are able to carry out their business when they encounter obstacles similar to other MNCs. This would be a first step in the assessing corporate social responsibility and then field inspections of the MNCs would follow.

The simulation would ensure that the companies take into account all parties involved, and it would allow them to conduct their business without making the same costly mistakes that other companies have. The field inspection, on the other hand, would assess the level of corporate social responsibility of the ongoing business practices at the overseas branches of corporations. If this new Social Justice Connection project comes to fruition and achieves its objectives, it can pave the way for global international economic agreements to include this certification or at least something similar to it, in their legal framework. This is because, even if this system were to work perfectly, it would just be a global norm based on profit-maximization and corporate image. Still, the success of this certification program would encourage new and improved institutions as well as ways to legally enforce human rights.

The New International Framework

The primary reason MNCs were created in the first place was to improve trade. So, one must ask: why has the only organization dealing with the international rules of trade, the WTO, failed to address the enforcement of human rights in the context of MNCs overseas business ventures? An international organization in such a position should not stay aloof from human rights responsibilities. The involvement of the WTO would not imply a transfer of obligations but rather an enlargement of the number of actors with acknowledged human rights responsibilities. The use of trade sanctions to implement human rights along with other rules would be an appropriate way to regulate MNCs.

The liberalization of trade under the WTO has diminished the role of states as regulators of MNCs. The WTO regime has somewhat modulated the restrictions on corporations regarding their human rights responsibilities by not discriminating between similar products on the basis of how they are produced. As

77 Deva 11
78 Ibid.
a result of this rule, countries may not be able to ban the products of an MNC based only on an MNC’s violation of particular human rights in the process of making the product. Member states are also required to match their national laws in accordance with the WTO. Because of these intricacies of this legal framework, and the subsequent loopholes, MNCs’ abuses of human rights are regulated neither by national nor international instrument. This contributes greatly to states inability to intervene when human rights violations take place on their soil at the hands of MNCs. The WTO must fill this jurisdictional gap if it truly wishes to protect international human rights.

The urgent need of a program like Participation-Transition can be further emphasized by the emergence of a new agreement the USA has been formulating, the Trans-Pacific Partnership (TPP). In his article, “What is the Trans-Pacific Partnership and Why Are Critics Upset by It?” Taylor Wofford defines TPP as a colossal trade agreement between the USA, Australia, Brunei Darussalam, Chile, Malaysia, New Zealand, Peru, Singapore, Vietnam, Canada, Mexico, and Japan, which reached a conclusion in negotiation on October 5th, 2015. Wofford argues that TPP is basically designed to develop advantageous operating conditions for MNCs based in the USA, however the secretive nature of the agreement leaves its objectives ambiguous. Other sources confirm that the IP chapter of the agreement make it a necessary condition to adopt “many of the most controversial aspects US copy right law in their entirety.”

Two chapters and some related documents covering intellectual property and environmental regulations have leaked online by WikiLeaks, which concerned the public. The chapter on intellectual property goes too far in limiting internet privacy, and the chapter on environmental regulations asserts that this legislation is a regression from a 2007 agreement devised by the George W. Bush administration. Last November, the governments of US and New-Zealand have released the full text of the agreement. It is unclear how disrespectful the agreement will be of human rights but the critics are certain that inclusion of countries like Peru and Vietnam will lead to exportation of well-paying jobs to economies with lower wage standards that will make the exploitation of workers easier and more likely. In addition, it is certain that this kind of agreement will empower corporations as non-state actors. Since this kind of agreements hold the potential to increase the prevalence of labor exploitation and human rights abuses, especially in developing countries, it is
very important to adopt a mechanism like Participation-Transition program that will expose MNCs’ bad practices but also force them to comply to better standards in the near future.

These mechanisms are a logical proposition, because “the legal framework of the WTO is compromised of trade, trade-related and non-trade norms." Trade and human rights are associated so there is no reason why the WTO’s scope should not include human rights. It is argued by Deva that if its mandate includes barriers to conserve intellectual property rights, then it should also include barriers to enforce human rights. Indeed, the first paragraph of the Preamble of the WTO Agreement, as quoted in Deva (12), states:

Recognizing that [state parties’] relations in the field of trade and economic endeavor should be conducted with a view of raising standards of living, ensuring full employment expanding the production of and trade in goods and services, while allowing for the optimal use of the world’s resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment and to enhance means for doing so.88

Although this sounds like a progressive policy, it is not very logical or promising for the WTO to claim its trade policies have goals like “full employment” or raised living standards without including human rights in its directive.89 Therefore, the WTO, as the only global international organization on trade, must be obligated to enforce human rights in the context of multi-national business practices. It is undoubtedly the most relevant international body to do so, and it has abundant power to implement sanctions to support its enforcement mechanism.

Conclusion

In conclusion, this essay proves that current legal frameworks and regulatory bodies fail to address the violations of human rights by states as well as by MNCs. Three arguments have been formulated as to why the method of naming and shaming would be successful at halting the human rights abuses by MNCs. At the international level, research has demonstrated that INGO initiatives of naming and shaming are correlated with enhanced human rights, especially when combined with foreign third party support or local INGO presence. When local NGOs fail to address human rights violations, they tend to turn to international networks of

87 qtd. in Deva 12
88 qtd. in Deva 12
89 Deva 12
INGOs that publicize the target state’s abuses of human rights internationally. This strategy is called the boomerang effect and increases the cost of repression by the target government.\textsuperscript{90}

It has also been proven that human rights shaming by INGOs has a strong correlation with the FDI inflows. Moreover, shaming proves the strongest deterrent effect on future investment in developing countries.\textsuperscript{91} Publicity seems to have a much stronger effect on investment patterns than the real human rights standards themselves. This shows that globalization has enhanced actors other than states that can also cause serious consequences. INGO activities may be considered among the most compelling methods for human rights enforcement available in the international arena.\textsuperscript{92} This way INGOs serve not only to regulate human rights violations by MNCs, they help developing countries where MNCs do business that are more prone to shaming-caused variations of FDI compared to developed states.\textsuperscript{93}

Furthermore, I have discussed how to use the method of naming and shaming more effectively as a preventative strategy. This is supported through an analysis of the project I worked on throughout my internship at Social Justice Connection, the Participation-Transition Project. The certifications laid out in this progress takes the power of naming and shaming to an entirely new level, and have shown its great potential to create a set of global norms of corporate social responsibility and human rights. It also has an appropriate mechanism to examine corporations though simulations, which can be constantly upgraded and improved upon. Nevertheless, these norms will only work through social pressure and will depend heavily on media sources unless they are plugged into a legal framework with a real enforcement mechanism. My concluding argument, inspired by Surya Deva’s article “Human Rights Violations by Multinational Corporations and International Law: Where from Here?” Posits that the WTO is the most suitable international body to enforce human rights on MNCs. The method of ‘naming and shaming’ holds a lot of promise in being a preventative strategy, especially if combined with legal enforcement mechanisms. In the face of such an urgent need of better regulating MNCs from violating human rights and having a more relevant legal framework that is up to date, it is worthwhile effort of INGOs and other actors to create a system that will address both issues will pay off in the future.

\textsuperscript{90} Barry et al. 533
\textsuperscript{91} Barry et al. 542
\textsuperscript{92} Barry et al. 543
\textsuperscript{93} Barry et al. 542
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Blurred Boundaries: Drugs, Immigration & Border Policy Along the U.S.-Mexico Divide

Logan Carmichael

Abstract: Drugs, immigration, and border policy are intrinsically linked in the context of the United States-Mexico divide. However, there are often misunderstandings that border policy and immigration from Mexico are the root causes of a ‘drug epidemic’ in America. This paper dispels these misconceptions by exploring the diverse sources of illicit narcotics and examining the ideologies, government policies, and underlying domestic issues that comprise this epidemic.

Drug use and abuse in the United States is a complex, yet prevalent issue that impacts a high percentage of the American population. Among Americans aged twelve and older, an estimated 49.2 percent have used illicit drugs during their lifetime as of 2014, and 16.7 percent have used illicit drugs in the past year. Policies aimed at curbing drug abuse share close links with immigration and border policies, especially in the context of U.S.-Mexico relations. From the American public and political figures alike, there has been a heightened sense of ‘crisis’ incorporating these three factors, a fear that drug abuse in the U.S. can be directly attributed to inadequate border policing and an inability to control an influx of unauthorized immigrants. Iowa Republican Congressman Steve King went so far as to declare that “for every [immigrant] who’s a valedictorian, there’s another hundred out there who weigh a hundred and thirty pounds – and they’ve got calves the size of cantaloupes because they’re hauling seventy-five pounds of marijuana across the desert.” Such remarks are not only xenophobic but also stereotype Mexican immigrants as solely responsible for a much larger set of issues. To do so is an inaccurate and

dangerous simplification of an issue that connects multiple places, and involves an ever-growing number of global actors. This paper explores the complexities of the connections between the U.S. ‘war on drugs,’ immigration policy, and border policing as it relates to the U.S.-Mexico divide, and the wide-reaching impacts of this relationship.

Firstly, it is crucial to note from where, if not from Mexican immigrants, drugs are entering the United States. This paper looks at four drugs of consequence in the U.S.: marijuana, cocaine, heroin, and methamphetamine. It is also important to examine the ideologies, as well as social and geographical imaginations surrounding drugs, immigration, and border policy. As a way of thinking about keeping illicit drugs out of the U.S., these ideologies have shaped public and political views on both borders and immigrants. As well, these views carry over to official government policy that aims to combat drug use and abuse in America. Certain policy covers drugs specifically, like the Combat Methamphetamine Act (2005), while others, like Operation Gatekeeper (1994) focus on extralegal immigration and smuggling of contraband, including illicit drugs. Even with such policies in place, high levels of drug abuse remain common across the U.S. It is necessary to address the root causes of drug abuse at various scales; the cases of Oelwein and Ottumwa, Iowa offer two specific examples of conditions under which a ‘drug epidemic’ is possible. It is only by examining American ideologies and policies, specific circumstances of a ‘drug epidemic,’ and drug sources that immigration, border policing, and drug use can accurately be linked.

Sources of Illicit Drugs

There is often a misconception of Mexican immigrants as the perpetrators of America’s drug epidemic. If not via immigrants, how are illicit drugs entering the United States? The answer to this question has changed over time, with myriad actors employing numerous tactics to smuggle drugs into the U.S. Benson and Decker’s 2010 survey of thirty-four ‘high-level’ smugglers determined that drugs presently come from a wide array of locations: Colombia, Peru, Venezuela, Panama, and Mexico were among the long list of countries of origin, though some drugs are grown or produced in the United States as well.4 Although “Mexico has now become the

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main supplier of illicit narcotics to the United States,” it is Drug Trafficking Organizations (DTOs), rather than immigrants, that are at the helm of this highly sophisticated smuggling hierarchy.\(^5\) Over time, the U.S. Border Patrol has increased its technology aimed “to detect unauthorized crossers,” and although these measures may prevent some, an estimated 92 to 97 percent of extralegal border-crossers will attempt to cross the boundary until they are successful.\(^6\)

Smugglers must examine geographical factors like physical distance traveled, natural environment, population density, and proximity to policing organizations.\(^7\) They must select their routes strategically, find “the shortest path with least-cost,” to evade detection by authorities and maximize their own profit.\(^8\) Sayak Valencia, an academic studying the U.S.-Mexico border, argues that “capitalist demands have transformed life and all associated processes – such as death – into commodities.”\(^9\) To smugglers, lives lost “are seen as a cost for… drug organizations” at a higher level within the hierarchy.\(^10\) Smuggling methods vary by circumstance and include planes, water vessels, cars and SUVs, and commercial transport vehicles.\(^11\) “Most of the cocaine, heroin, foreign-produced marijuana, and foreign-produced methamphetamine available on American soil are moved into the U.S. through the land” boundary shared with Mexico.\(^12\) However, according to the fifth respondent in Benson and Decker’s survey, drug smuggling organizations “constantly change [their] routes.”\(^13\) Marijuana, cocaine, heroin, and methamphetamine reach American consumers in very distinct, often changing, ways.

Marijuana is the most commonly used drug in the United States, in large part due to its widespread availability and steady demand. As of 2014, 44.2 percent of Americans aged twelve and

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\(^8\) Ibid., 242, 246.


\(^10\) Ibid., 244.


\(^12\) Ibid.

older reported that they had used marijuana during their lifetime.\(^{14}\) Most marijuana that ends up in the U.S. is imported from Mexico through “subterranean tunnels, shipment containers, and hidden compartments in personal vehicles.”\(^{15}\) In one specific example, the Sinaloa Cartel, based out of Guerrero on the Mexican Pacific coast, exports its marijuana derivatives directly to U.S. ports of entry in Brownsville, McAllen, and Laredo, Texas.\(^{16}\) Marijuana is also produced domestically, both illegally and in states where the drug has been legalized; however, this comes with associated risks. Butane extraction, a process by which marijuana concentrates are removed from the leaf, “has resulted in numerous explosions and injuries, particularly on the West Coast, where production is most common.”\(^{17}\) In San Diego, for example, almost half of 30 seized extraction labs “were identified after an explosion or fire.”\(^{18}\) These risks are merely a cost for drug producers and smugglers, who are able to profit from America’s most “widely available and commonly used and abused illicit drug.”\(^{19}\) Rather than being trafficked by immigrants, marijuana is predominantly imported by sophisticated Mexican DTOs, with certain instances of domestic production as an exception.

Derived from the leaves of the coca plant found in South America, cocaine is a highly addictive stimulant drug that leads to euphoria and increased energy.\(^{20}\) Approximately 15 percent of Americans aged twelve and older said they had used cocaine in their lifetime.\(^{21}\) “Most cocaine available in the United States [is] produced in Colombia and smuggled across the” U.S.-Mexico boundary, and to a lesser extent, via the Caribbean.\(^{22}\) As the respondents in Benson and Decker’s survey indicated, there are large profits to be made in smuggling and selling cocaine, and many


\(^{18}\) Ibid.

\(^{19}\) Ibid., 25.


traffickers are making the switch from lower-profit drugs like heroin and marijuana.\textsuperscript{23} Within Benson and Decker's sample of respondents, “the mean amount of cocaine with which the smugglers… were caught was 1,136 kilograms,” and their modal age range was from forty to forty-nine years old.\textsuperscript{24} Contrary to widespread belief, Mexico is minimally implicated in the production of cocaine entering the U.S.; because of the coca plant’s origins in South America, the drug is largely produced in Colombia, and only \textit{enters} the United States via Mexico.

Heroin, an opioid, “is synthesized from morphine, a naturally occurring substance extracted from the seedpod of the Asian opium poppy plant.”\textsuperscript{25} Four geographical areas are responsible for sourcing the world’s heroin supply: Southwest Asia, Southeast Asia, South America, and Mexico.\textsuperscript{26} However, “nearly all heroin… enters the country over the 1,933-mile Mexican border;” larger amounts are concealed in vehicles crossing at ports of entry while smaller amounts are transported by ‘mules.’\textsuperscript{27} Once it arrives in the U.S., different varieties of heroin are distributed across the country, based on their countries of origin. Mexican black tar and brown powder heroin are often found west of the Mississippi River while South American white powder heroin is most prevalent to the east; heroin sourced from Southwest Asia represents only “a small portion of the U.S. heroin market.”\textsuperscript{28} There were more than 300,000 heroin users in the U.S. in 2012, and an increase in overdose deaths, “particularly in the Northeast and Midwest.”\textsuperscript{29} As a result, heroin abuse has become a growing concern among American authorities, who report that “heroin availability is increasing throughout the nation.”\textsuperscript{30}

Methamphetamine is classified as a schedule II drug, among the most highly addictive of its kind.\textsuperscript{31} In 2014, methamphetamine was deemed “the greatest drug threat represented nationally, as

\begin{itemize}
\item Ibid., 134.
\item Ibid., 13, 16.
\item Ibid., 10.
\end{itemize}
reported by state and local agencies.”32 The drug is often initially attractive because it increases energy, and reduces the need to sleep or eat, but it can ultimately have myriad unintended side effects, including psychosis, paranoia, hallucinations, and delusions.33 Methamphetamine has, perhaps, the most diverse sourcing of ingredients. Its main ingredient is ephedrine, a nasal decongestant found in many cold medications. There are “only nine factories around the world [that produce ephedrine], all of them in India, China, Germany, and the Czech Republic.”34 The Drug Enforcement Administration (DEA) reported in 2014 that “the majority of methamphetamine available in the United States is Mexico-produced,” but authorities also frequently encounter small-scale domestic methamphetamine producing labs, also called ‘one-pot’ or ‘shake-and-bake’ laboratories.35 Additional ingredients in methamphetamine, like ethyl alcohol or anhydrous ammonia, are readily “available, in bulk, at the farmers’ co-op,” and are particularly accessible for those in the Midwest, where the agricultural sector is declining and methamphetamine abuse is high.36 Reding notes that Mexican DTOs use unauthorized immigrant workers employed in meatpacking plants, fields, orchards, and orange groves across the country as mules to transport methamphetamine to American consumers.37 While unauthorized immigrants certainly are involved in this drug smuggling supply chain, their role pales in comparison with the major DTOs, who, along with small-scale home cooks, are the major players in supplying the U.S. with methamphetamine, as well as other illicit drugs.

Ideologies & Imaginations

Understanding the link between drugs, immigration policy, and the border, as well as the construction a perceived ‘national crisis,’ requires an understanding of multiple framings of the

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36 Nick Reding, Methland: The Death and Life of an American Small Town, (New York: Bloomsbury, 2009), 47.
37 Ibid., 113.
border region as a dynamic space and process. A number of ideologies and imaginations have emerged regarding immigrants and borders, especially in relation to drugs, an extension of this perceived crisis. The first important geographical and social imagination is the discrepancy between a boundary and a border, two concepts that are crucial for understanding the division between the United States and Mexico. In strictly conceptual terms, a boundary is a line drawn in the sand, a physical demarcation of the point where one sovereign entity ends and another begins. Along some parts of the 2,000-mile U.S.-Mexico boundary, this division is demarcated using natural landforms, such as the Rio Grande River; in others, the two countries are definitively split by man-made fencing or walls.

The border, especially as it pertains to the U.S. and Mexico, is a much more fluid concept. A border, or borderland, is a region contiguous to a boundary that is impacted by the boundary’s presence. Such border regions are dynamic, frontier spaces, zones of transition and house multiple forms of social, economic, and political exchange that cross the boundary itself. However, there is no quantitative guideline for the expanse of this region. Because of its close proximity, and social and economic ties to Tijuana, for example, San Diego falls within what most would agree to be the border region. In Texas, the Falfurrias Border Checkpoint is located almost 70 miles from the Pharr Port of Entry, yet authorities there are responsible for policing “alien and narcotic traffic.” Due to the direct impact of the boundary on the Border Checkpoint, Falfurrias meets the qualitative criteria of a border region, but geographically, this distinction is not as clear-cut. On an even broader scale, one could inquire about whether a place like Oelwein, Iowa is a part of the border. The town of roughly 6,700, nicknamed ‘Methlehem,’ and featured in Nick Reding’s detailed study of the American "meth epidemic" Methland, has been plagued with methamphetamine addiction fuelled by “the modern Mexican drug-trafficking business.” Oelwein is also affected by the presence of the U.S.-Mexico boundary, much like San Diego or even Falfurrias, but due to its location, most would not consider it to be a part of the border region. Views of what constitutes

40 Ibid.
the ‘border’ can significantly differ, and can also influence border policy as a way to deal with immigration and drugs.

The border region and the boundary itself as a division also shape ideologies about membership both without and within. McGuire notes that “across the globe, democratic nation-states have fortified their boundaries to keep out desirable people and contraband,” and the U.S. is no exception.\(^{43}\) The U.S. government has increasingly demarcated and fortified its southern boundary with Mexico to protect American safety and sovereignty, but its very presence creates illegality by dictating what goods and persons can pass legally, and under what circumstances. Illegality can be described as “a form of extreme social marginalization… which throughout U.S. history… [has] served to justify the lesser status imposed on unauthorized migrants.”\(^{44}\) The term ‘illegal’ is used to create a sense of ‘us’ versus ‘them,’ and as a result, American authorities often “[treat] noncitizens as ‘aliens’ rather than ‘persons.’”\(^{45}\) It criminalizes persons based on their immigration status, which may have been impacted by income or mobility.\(^{46}\)

The term ‘illegal’ has come to be synonymous with unauthorized immigration by Mexicans, despite unauthorized immigrants converging on the U.S. from a wide array of other countries.\(^{47}\) Furthermore, stereotypes have classified Mexican immigrants as “poor, ignorant, [and] degraded.”\(^{48}\) Granting their entry into the U.S. is seen as “tantamount to opening Pandora’s Box”; by allowing Mexican immigrants into the country, the floodgates are opened for drug violence and other associated issues to spill over the boundary.\(^{49}\) This social construct of immigrants as criminal and foreign has impacted not only public opinion, but also the treatment of immigrants both

\(^{47}\) Ibid., 147.
\(^{48}\) Ibid., 129.
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authorized, who are unfairly discriminated against, and unauthorized, who face not only
discrimination but penalization from American institutions.

Criminalizing unauthorized immigrants enables a structure of detention institutions, a
system where the treatment of those detained is often questionable. According to Martin, “newly
implemented technologies of border inspection, identification, and surveillance follow
transboundary travelers before, during, and after their passage through a port of entry” and, as a
result of these increased policing measures, the number of non-citizens detained more than doubled
between 1999 and 2009.\textsuperscript{50} Many of the detention centers were former prisons, with staff that was
“trained as correctional officers… and received no re-training to address the needs of asylum-
seekers, migrants, children, and families.”\textsuperscript{51} Children were often separated from their parents,
where their belongings – crayons, drawings, and toys – were considered to be contraband by
authorities.\textsuperscript{52} However, due to the blanket criminalization of adults \textit{and} children, there is a “lack of
‘soft facilities’ for low-risk detainees” that could more appropriately manage non-citizens.\textsuperscript{53}

These persons have been socially constructed and legally enshrined as ‘illegal’ solely on the
basis of their immigration status, a status that serves to justify their exclusion “from the benefits of
citizenship,” as well as their detention and treatment.\textsuperscript{54} In the imagination of many Americans,
these unauthorized immigrants pose a security threat to the U.S. based on their ‘otherness’ and
associated stereotypical characteristics. These ideologies emerge out of the presence of the U.S.-
Mexico boundary, both as a dividing line between two countries and their distinct cultures and as a
division that, when crossed improperly, itself creates illegality. Perhaps these ideologies offer an
explanation for how Mexican immigrants are viewed in relation to drug smuggling and use in
America. Portraying and treating unauthorized Mexican immigrants as criminals marginalizes and
dehumanizes an entire population, thereby making it easier to frame them as also responsible for
the influx of drugs and the associated problems of drug abuse in the U.S. This way of thinking is

\textsuperscript{50} Lauren Martin, “‘Catch and Remove’: Detention, Deterrence, and Discipline in US Noncitizen Family Detention Practice,” \textit{Geopolitics} 17, no. 2 (2012), 313, 315, http://dx.doi.org/10.1080/14650045.2011.554463
\textsuperscript{52} Ibid., 483, 486.
\textsuperscript{53} Lauren Martin, “‘Catch and Remove’: Detention, Deterrence, and Discipline in US Noncitizen Family Detention Practice,” \textit{Geopolitics} 17, no. 2 (2012), 319, http://dx.doi.org/10.1080/14650045.2011.554463
present not only in the social and geographical imagination of drugs, immigration, and the border amongst the American public, but also in the U.S. government’s policies to deal with these issues.

U.S. Immigration & Drug Policies

For as long as the U.S.-Mexico boundary has existed, there have been numerous attempts to bring the border region ‘under control.’ Over the past six decades, this desire to pacify the border region has been particularly evident in the American government’s policies. It is through these policies that the link between drugs, immigration, and border policy is apparent. Over time, many of these policies, especially border policies, have aimed to uphold American sovereignty and security by combatting illicit drug smuggling and unauthorized immigration. These policies have “variously welcomed and discouraged persons from entering” the United States, carefully balancing American economic and security interests. However, in certain instances, they have been considered discriminatory and received widespread criticism. Throughout the late nineteenth and earlier twentieth centuries, American legislation pertaining to border security and immigration specifically targeted a number of ethnic groups. The 1882 Chinese Exclusion Act, the first piece of American legislation to restrict immigration based on national origins, banned labourers originating from China who were framed as a cultural threat and associated with widespread use of opium. Decades later, the National Origins Act of 1924 established quotas for immigrants of specific nationalities outside the Western Hemisphere. While the subsequent legislation did not always explicitly target a particular ethnic group, an underlying ethnically-driven focus on immigration, drugs, and border security was often present.

The first prominent example of such a policy targeting Mexican immigrants specifically was Operation Wetback in 1954. This operation was named for the wet backs of unauthorized immigrants who swam across the Rio Grande River to the U.S., though it is widely deemed to be a derogatory, if not racist term by today’s standards. Operation Wetback targeted border states and

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“involved the massive roundup” of suspected unauthorized immigrants. The U.S. Border Patrol apprehended and deported over one million individuals throughout 1954, but this did not happen without consequence: many American citizens of Hispanic heritage were apprehended as a part of this process. It followed another mass deportation during the Great Depression era when 415,000 citizens and non-citizens were expelled from the U.S. Operation Wetback drew criticism for dumping deportees at unnecessarily long distances from the boundary, in often harsh desert conditions, resulting in death in certain instances. Despite public outcry, “the government called the operation a success and said the border had ‘been secured’.”

In contrast with Operation Wetback, the Immigration Reform and Control Act of 1986 sought to reduce unauthorized immigration through three main channels: “sanctions of employers, increased border enforcement, and a legalization program” for unauthorized immigrants already in the United States. The IRCA imposed penalties on employers who hired unauthorized immigrants and increased funding to the then-Immigration and Naturalization Services (INS). It also offered temporary status to persons who entered the United States illegally, but who “could prove continuous residence since January 1, 1982,” and permanent status (following an 18-month waiting period) to “farm workers who could prove that they had worked for 80 days in the 12 months ending May 1, 1986.” The program legalized approximately three million unauthorized immigrants, the majority of whom originated in Mexico. At a time when both official and public sentiment among Americans favored “boundary enforcement and immigration restriction,” this policy did not bode well, and its success is arguable. It was “perceived as failing to address the issue of unauthorized crossings from Mexico,” and the boundary itself remained vulnerable to

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59 Ibid.
60 Ibid., 38.
65 Ibid., 77, 104-105.
Unauthorized crossing. Its tenets were also poorly understood by the American public and employers alike. According to a 1988 General Accounting Office Survey, an estimated “22 percent of employers did not know the existence of the [IRCA], while another 20 percent did not clearly understand its major provisions.” Furthermore, in 1988, the INS had approximately 635 personnel responsible for monitoring seven million employers; the agency was vastly outnumbered and ill-equipped to adequately hold employers accountable to IRCA regulations. Following the IRCA’s implementation, there was a significant decrease in Border Patrol apprehensions. However, Donato, Durand, and Massey assert that, while the IRCA likely influenced migration patterns, “evidence is mixed as to whether the IRCA actually deterred undocumented migrants from Mexico.”

Around the same time as the IRCA, U.S. policy outside the country’s boundaries sought to diminish the impact of Colombian drug rings on American soil. In 1987, the DEA launched Operation Snowcap, which aimed “to seize large amounts of cocaine and to cripple Colombian distribution routes that passed through Guatemala.” Guatemala had previously served as a ‘leapfrog’ state where Colombian drug traffickers could stop to refuel their planes en route to the U.S. However, Operation Snowcap inadvertently rerouted drug trafficking through Mexico, which shared a land border with the U.S., and where Mexican organizations charged a premium (often one-for-one) on Colombian drugs passing through. As a result, Mexican DTOs grew incredibly wealthy as well as highly centralized, with major repercussions for the U.S.

By the early 1990s, these organizations had evolved “into what the DEA would call five major DTOs,” each of which maintained control over a border sector. In response to this, coupled

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68 Ibid., 251.
71 Nick Reding, Methland: The Death and Life of an American Small Town, (New York: Bloomsbury, 2009), 156.
72 Ibid.
73 Ibid., 158.
74 Ibid., 113.
with a perceived need to control immigration and championed by the Clinton Administration, Operation Blockade (later renamed ‘Hold-the-Line’ due to the Mexican government’s disapproval of its original name) was launched in the El Paso border sector on September 19, 1993. Operation Blockade employed “400 agents and their vehicles in a highly visible show of force along a 20-mile section of the boundary;” at what had once been the second-busiest border sector, apprehensions were reduced to 80 to 90 percent of their previous levels.\footnote{Joseph Nevins, Operation Gatekeeper and Beyond: The War on “Illegals” and the Remaking of the U.S.-Mexico Boundary, (New York: Routledge, 2010), 111.}

The successes of Operation Blockade “served to provide intellectual and political inspiration of sorts for [Operation] Gatekeeper,” which was launched on October 1, 1994, in the San Diego border sector.\footnote{Ibid., 94.} Gatekeeper, largely modeled on Blockade, sought “to reduce unauthorized or illegal crossing [of contraband and persons]… across the U.S.-Mexico boundary in the area of San Diego, California,” through the use of sophisticated technology and increased Border Patrol visibility.\footnote{Matthew Jardine, “Operation Gatekeeper,” Peace Review: A Journal of Social Justice 10, no. 3 (1998), 329, http://dx.doi.org/10.1080/10402659808426165; Joseph Nevins, Operation Gatekeeper and Beyond: The War on “Illegals” and the Remaking of the U.S.-Mexico Boundary, (New York: Routledge, 2010), 5.} Although authorities touted Operation Gatekeeper as “necessary to establish a border for the first time,” the effectiveness of the operation is highly questionable.\footnote{Ibid., 115.} First, it posed difficulties due to its coincidence with the passage of the North American Free Trade Agreement (NAFTA) in 1994; NAFTA sought to liberalize trade for legal goods and services while Gatekeeper’s objective was to keep illegal contraband and persons out of the U.S.

As well, Wayne Cornelius, a specialist on Mexican migration to the United States at the University of California, San Diego, indicates that “the operation has led unauthorized migrants to rely increasingly on professional smugglers and guides.”\footnote{Quoted in Matthew Jardine, “Operation Gatekeeper,” Peace Review: A Journal of Social Justice 10, no. 3 (1998), 333, http://dx.doi.org/10.1080/10402659808426165} Operation Gatekeeper redirected the traffic of unauthorized immigrants eastward, into less navigable regions in Arizona, New Mexico, and Texas.\footnote{Ibid., 329.} This prompted subsequent Operations Safeguard and Rio Grande, in Nogales,
Arizona in 1995, and Laredo, Texas in 1997 respectively.\textsuperscript{82} The effectiveness of these large, sweeping operations, as previously mentioned, was questionable, and met with mixed opinion.

Most recently, the American government launched the Combat Methamphetamine Act. Unlike the previous overarching operations, the ‘Combat Meth Act’ is strictly devoted to reducing methamphetamine abuse through regulation. It was passed by the U.S. Congress in September 2005, and came into effect in March 2006, near the height of the so-called ‘meth epidemic.’ Among the legislation’s tenets was to “control the sale of over-the-counter ephedrine,” the widely accessible key ingredient to make methamphetamine.\textsuperscript{83} Previously, small-lab meth cooks had been able to purchase unlimited amounts of cold medication containing ephedrine, in order to produce methamphetamine.\textsuperscript{83} However, there was “a loophole in the ephedrine legislation that allowed pills containing pseudoephedrine [a synthetic version of ephedrine that is highly profitable to pharmaceutical conglomerates] to remained unregulated.”\textsuperscript{84} As Phil Price, the former special agent in charge of the Georgia Bureau of Investigation, notes, the Combat Meth Act was effective at deterring small-scale meth-makers, but it also empowered the powerful Mexican DTOs, who already had the resources to continue producing methamphetamine under increased demand.\textsuperscript{85} These well-intentioned policies aimed at eliminating drug abuse, smuggling, and unauthorized immigration were ultimately unsuccessful, and magnify the connection between drugs, immigration, and border policy.

The Roots of a ‘Drug Epidemic’

Despite ample efforts by the U.S. government to curtail drug abuse through legislation, the prevalence of drug use and abuse among the American population remains high. Some would go so far as to declare it an epidemic. Beginning in 2004, Portland’s The Oregonian ran an influential series of articles detailing a national methamphetamine epidemic.\textsuperscript{86} As recently as 2015, The New

\textsuperscript{82} Joseph Nevins, Operation Gatekeeper and Beyond: The War on “Illegals” and the Remaking of the U.S.-Mexico Boundary, (New York: Routledge, 2010), 156.
\textsuperscript{83} Nick Reding, Methland: The Death and Life of an American Small Town, (New York: Bloomsbury, 2009), 107.
\textsuperscript{84} Ibid., 112, 113.
\textsuperscript{85} Ibid., 180.
The New York Times has published articles about ‘America’s heroin epidemic.’ It is important to critically analyze how drug abuse can become so severe as to constitute an epidemic.

This phenomenon has been particularly evident in small Midwestern towns, where economic decline and lack of viability from agricultural income have given way to drug abuse. Oelwein and Ottumwa, Iowa are two such towns that have experienced the drug epidemic firsthand, specifically from rampant abuse of methamphetamine. These two eastern Iowa towns offer a glimpse of how economic hardship can render a population vulnerable to the social and economic deterioration that accompany widespread drug abuse.

Oelwein, a small, northeastern Iowa town of roughly 6,700 people, had been a prosperous agricultural hub for more than a century before the ‘meth epidemic’ struck. Farming could be described as the ‘lifeblood’ of Oelwein and, by extension, the entirety of surrounding Fayette County. As well, meatpacking plants offered stable jobs and a sustainable income for the local population. At Iowa Ham in Oelwein, employees earned “eighteen dollars an hour with full union membership and benefits.” This all changed in the 1980s when mounting debt made small-scale family farms a less reliable source of income, and in 1992, when Iowa Ham was purchased by Gillette and wages “fell from $18 an hour to $6.20,” placing a severe financial burden on its employees.

Similarly, in nearby Ottumwa, residents relied on the local meatpacking plant for employment. The Hormel meatpacking plant was sold to Cargill’s Excel Meat Solutions in 1987, and wages were cut “from $18 an hour to $5.60 with no benefits.” These low-paying jobs were swooped up by, as Reding describes it, “illegals streaming across the border to work in meatpacking plants throughout the Great Plains.” Many of these unauthorized immigrants are part of the highly decentralized network of DTOs that infiltrate small towns and deliver illicit drugs from their sources to American consumers. Such issues cannot simply be solved by

89 Ibid., 49.
90 Ibid., 50, 53.
91 Ibid., 69.
92 Ibid., 113.
93 Ibid.
increasing border security presence; criminalizing immigrants is not sufficient to eradicate America’s ‘drug epidemic.’ Rather, it is important to consider the root of micro-level domestic issues.

With the loss of jobs and pay in both Oelwein and Ottumwa, workers were often forced to take on additional jobs to make ends meet; these conditions rendered many susceptible to drug use. Methamphetamine’s effects include “increased wakefulness, increased physical activity, [and] decreased appetite,” all attractive attributes for those forced to take on multiple jobs with long hours. Fayetted County Prosecutor Nathan Lein described the scenario as a ‘nightmare’; places like Ottumwa and Oelwein had “lost all bases of civilized culture” to a highly addictive, sometimes psychosis-inducing drug.

Oelwein’s population declined throughout the 1980s and 1990s, resulting in “a long-term steady loss of tax revenue,” among other repercussions. Thus, Oelwein and Ottumwa, like many other places in the American Midwest, and in small towns across the U.S., have descended into a vicious circle. Initially, the changing nature of the agricultural and meatpacking industries led to economic decline, which led to drug use and abuse. Now, drug abuse has caused additional damage to the economic situation, which, in turn, leads to further drug abuse, a seemingly insurmountable cycle. The common root cause of this drug epidemic lies in a lack of stable jobs and reliable income, and it is only by addressing these issues that the epidemic can be eradicated.

Where To Go From Here

The link between drugs, immigration, and border policy is evident throughout the U.S.-Mexico border region and beyond. These three intertwined categories are present in the ideologies and policies pertaining to the border and immigration that shape public mindset, and influence public policy, which aims narrowly on hardening the border and criminalizing immigrants. Through these links emerges a picture of a complex relationship between these factors, in a nation

96 Ibid., 30.
where drug use and abuse remain a major problem. To resolve this issue, it is simplistic to only examine immigration and border policy. Certainly, there are many instances where drugs cross the U.S.-Mexico boundary due to inadequate policing. It would be nearly impossible to avoid this; in 1995, one customs official estimated that if every crossing vehicle were examined for narcotics, traffic would back up into Mexico City in just 15.8 days.\footnote{Joseph Nevins, Operation Gatekeeper and Beyond: The War on “Illegals” and the Remaking of the U.S.-Mexico Boundary, (New York: Routledge, 2010), 13.} There are indeed circumstances under which these drugs were trafficked by immigrants, as was the case with unauthorized Mexican workers and methamphetamine in small-town Iowa, but this remains an exception.\footnote{Nick Reding, Methland: The Death and Life of an American Small Town, (New York: Bloomsbury, 2009), 93.} It becomes easy to generalize Mexican immigrants, both authorized and unauthorized, as ‘foreign’ or ‘other,’ and to place blame on an entire group of people for the tangled web of drugs, immigration, and border policy in the context of the U.S.-Mexico divide. Thus, it is important to remove the stigmas surrounding immigrants from Mexico, regardless of their immigration status.

Irrespective of the source of these illicit narcotics, it is important to also look inwardly to examine the domestic issues plaguing American communities and forcing many to turn to drugs. Economic downturn, changing trends in the agricultural industry, and the outsourcing and decreasing of the American workforce are among the many issues that must be addressed as root causes of U.S. drug use and abuse. The American government needs to institute effective legislation that will alleviate these domestic issues causing Americans to use drugs and, unlike the ‘Combat Meth Act,’ will definitively halt the production, sale, and consumption of drugs. Drugs, immigration, and border policy remain intrinsically linked through ideologies, legislation, and an increasingly globalized world. It is important to consider each of these factors in-depth but also taken together as part of a much larger, complex issue. Addressing the both the specific consequences, and interconnectedness of these three factors is necessary because, like it or not, these linkages will likely persist for many years to come.
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Discovering the Palestinian Refugee Paradox in Lebanon
Carol Stephan

**Abstract:** This paper will attempt to analyze why Lebanon accepts so many refugees instead of initially denying them asylum since Lebanon’s refugee law reflects the country’s unwillingness to integrate refugees into its citizenry. It focuses on the case of Palestinian refugees in Lebanon and argues that Lebanon’s historical relations with Palestine and the Arab states, and its economic benefit from the refugees play a more powerful role than the country’s feeling of legal responsibility for granting these refugees asylum. The paper is divided into two sections: the first examines Lebanon’s refugee law and its consequences on the living conditions of refugees in Lebanon. The second section assesses the role of Arab nationalism and the economic benefit from refugees on influencing Lebanon to grant refugees asylum.

If Lebanon’s refugee law reflects the country’s unwillingness to integrate refugees into its citizenry, why does Lebanon accept so many refugees instead of denying them asylum in the first place?

The Syrian refugee crisis continues to uncover the ongoing challenges and obstacles that the refugees face. It is influencing millions of people around the world to further understand the human stories of these refugees. As such, it is of utmost importance to shed light on any laws that explicitly discriminate against refugees and to work towards improving them. Throughout the past century, the Middle East faced several major conflicts that generated refugee crises where citizens are forced to seek refuge mainly in neighboring countries such as Jordan, Turkey, Syria (pre-crisis) and Lebanon. Lebanon hosts a large population of mainly Palestinian refugees, yet over the past few years, it offered refuge to Syrians as well. There are nearly 455,000 Palestinian refugees in Lebanon who fled their homes as a result of the Arab-Israeli wars of 1948 and 1967. In addition, over 50,000 Palestinian refugees from Syria have fled to Lebanon due to the current conflict in Syria. Nonetheless, the country tends to have overly restrictive laws for its refugees. After more than 60 years of exile, Palestinians living in Lebanon continue to be explicitly discriminated against in terms of their civil, political, economic, social and cultural rights and liberties. It is of utmost importance to address these issues because many of those restrictions are considered to be in violation of human rights conventions such as the International Covenant on the Elimination of Racial Discrimination and the Convention on the Rights of the Child.

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Since Lebanon’s refugee law reflects the country’s unwillingness to integrate refugees into its citizenry, this paper will attempt to analyze why Lebanon accepts so many refugees instead of initially denying them asylum. By focusing on the Palestinian refugees in Lebanon, the paper argues that Lebanon’s historical relations with the countries of its region, and its economic benefit from the refugees play a more powerful role than the country’s feeling of legal responsibility for granting these refugees asylum. The paper is divided into three sections; the first section assesses the role of Arab nationalism on Lebanon and how it contributed to having the country open its doors to refugees; the second section examines Lebanon’s refugee law and its consequences on the living conditions of refugees in Lebanon; the third section evaluates that several economic factors influenced Lebanon’s acceptance of refugees.

Section One

This section argues that the factors that influence Lebanon’s acceptance of refugees – despite the country’s discriminatory laws – are caused more by Lebanon’s historical relationship with the countries of its region than Lebanon’s feeling of legal responsibility towards the refugees.

Arab Nationalism and/or other regional pressures:

Lebanon could have been pressured to accept refugees due to its Arab identity and the notion of pan-Arabism. Lebanese Arab policy remains a source of tension between the Arab nationalists and the Lebanese. Yet, these tensions were overshadowed in the mid-1940s, when “the political doctrine of Arab nationalism is thought to have emerged in reaction to imperial dictatorship during the late Ottoman Empire.” A measure of unity among the Arab states – including Lebanon – emerged, where they aimed to push towards the full independence of the Levant states. As such, one of the main goals of Arab nationalism was the end of Western influence in the Arab world. It called for political union in the Arab world and recognized the linguistic, cultural and economic ties between them. The creation of the Arab League in 1945, in addition to Lebanon being one of the first joiners, highlighted the collaboration and coordination between Lebanon and the other Arab member states in order to draw closer the relations between them. In the 1950s, Gamal Abd Al-Nasser, the president of Egypt, played an important role in the revival of Arab nationalism. He emphasized that the fight against Zionism and the liberation of Palestine should become a rallying point for Arab nationalism. In the years 1948 and 1967, the Arab states moved against Israel with

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the aim of liberating Palestine. Lebanon’s provision of support for the liberation of Palestine and its involvement in those wars emphasized the impact of Pan-Arabism on Lebanon. Lebanon’s forces equaled that of other Arab states; it actively joined all aspects of the war, which included sending its army to the war front and providing arms to the irregular Arab forces in Palestine.\(^8\)

The Lebanese Arab nationalist movement and some of Hezbollah’s framing tactics are a greater reflection of the mentality that Arabs are one nation. For instance in 1958, General Fu’ad Shibab was elected as President; Shibab shifted the Lebanese National Pact from being a Lebanese endeavor leading to a Lebanese partnership into an arrangement between the Lebanese nationalists and the Arab regional power, represented by the Lebanese Arab nationalist.\(^9\) Furthermore, Hezbollah in many instances framed their discourse within an Arab nationalistic context of fighting against foreign occupation.\(^10\) Hezbollah’s goal to liberate the 1948 borders of Palestine and its struggle against Israel are considered the core beliefs and the central rationale of Hezbollah’s existence. In 2005, a pro-Hezbollah Labor Minister, Trad Hamadeh, issued a decree that officially reduced the job restrictions imposed on Palestinian employment down to 25 jobs.\(^11\) Furthermore, Hezbollah’s influence towards Palestinians in Lebanese politics was emphasized in 2010. The party voted in favor for the bill that Palestinian refugees in Lebanon civil rights, allows them to buy property and exempt them from the work permit process.\(^12\) The bill passed in 2010, and created changes to the Palestinian refugees. Therefore, the impact of Pan-Arabism in Lebanon significantly contributed to having the country open its doors to the large influx of refugees.

Section 2:

This section finds that while Lebanon is not party to the 1951 Refugee Convention relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees, the principle of legal complementarity holds it accountable to refugees through its ratification and/or recognition of several international conventions. These include the International Covenant on Economic, Social and Cultural rights, the International Covenant on the Elimination of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. Lebanon’s non-compliance to these laws results in the violations of the rights of refugees.

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\(^8\) Al Solh, Lebanon and Arabism: National Identity and State Formation. p.311.
\(^9\) Ibid, 317.
Legal Status of Refugees in Lebanese Law and its consequences on Refugees:

Lebanese law does not have policies or laws addressing the status of its country’s refugees or asylum claims; it is one of the member states that did not ratify the 1951 Refugee Convention relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees.\(^\text{13}\) The Refugee Convention and Protocol seek to protect anyone who is “unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.”\(^\text{14}\) This protection is provided by granting the refugees some basic rights that include; the right to work, housing, education, public relief and assistance, access to courts, freedom of movement within the territory and the right to be issued identity and travel documents. Even though some parts of the Refugee Convention, notably nonrefoulement\(^\text{15}\) are considered customary international law, Lebanon does not respect these laws.

The most prominent actions taken by the Lebanese Government regarding refugees were creating the Central Committee for Refugee Affairs in 1950, and establishing the Department of Affairs of the Palestinian Refugees as an office within the Ministry of Interior, renamed as the ‘Department of Political Affairs and Refugees (DAPR), subsuming the Palestinian refugees with other refugees. The Committee and Department administer the refugee presence in Lebanon by maintaining records of those who live in camps such as their births and marriages. They also manage documents concerning refugees’ movements and security clearances and liaise with international relief agencies in Lebanon, such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and United Nations High Commissioner for Refugees (UNHCR), to ensure basic services.\(^\text{16}\) Despite the continued influx of Syrian refugees into Lebanon, the Lebanese government does not build any new refugee camps to accommodate the Syrians; they are instead forced to stay in the same refugee camps as the Palestinians.\(^\text{17}\) The many restrictions of Lebanese laws emphasize that the Lebanese government is not responsible for providing any basic services to its refugees; this is, in turn, reflected on the living conditions of refugees.


\(\text{15}\) Non-refoulement is a principle of international law that reflects the commitment of the international community to ensure to refugees the enjoyment of human rights, including the rights to life, to freedom from torture or cruel, inhuman or degrading treatment or punishment, and to liberty and security of person.


Inside the camps, refugees are living in extremely hostile environments. They face challenges including lack of access to adequate housing, food, education, clean water, healthcare, and clothing. For instance, families live in overcrowded camps that were originally designed as ‘temporary housing’ and are forced to cope with open channels of sewage and rotting piles of garbage. Such conditions facilitate the spread of diseases and having few clinics available to treat the sick intensifies this problem. Additionally, they have minimal access to electricity. During an interview by Clancy Chass, a correspondent for the Guardian based in Beirut, Samar a Palestinian refugee living in the Shatila Camp said: “There is never any electricity, last year we went nearly six months without electricity, we had to use candles at night and those who could afford to bought electricity from people with generators.” Furthermore, young men in the camps describe how they are harassed and beaten by the Lebanese security services; "Sometimes guys are dragged off and beaten just because they have a certain family name." said Rabieh. These conditions, create an environment where refugees cannot enjoy an adequate standard of living. In fact, according to UNRWA, the Palestinian refugees in Lebanon have the highest rate of people living in ‘abject poverty’ of all the Palestinian refugee communities in which they serve.

Outside the refugee camps, refugees are *de jure* and *de facto* discriminated against in relation to other non-citizens; this is mainly emphasized in their right to work and social security services. The Law pertaining to the Entry Into, Residence In, and Exit From Lebanon created in 1962 placed the Palestinians as equivalents with all foreigners. Foreigners are only allowed to work in Lebanon when their country allows a Lebanese national to work there; however, this option is unavailable for the dispossessed Palestinians. In other words, this law rendered the foreigner in Lebanon better treatment than the Palestinian. Until 2010, obtaining a work permit was considered by refugees a hypothetical principle; before that, one could obtain a permit either by marrying a Lebanese national, one year after which a permit may be granted, or having a certain value in working capital and employing at least three Lebanese. This changed in 2010, the labour laws were amended and granted Palestinian refugees work permits free of charge. Nevertheless, in the event that the refugees are able to obtain work permits, there are still many policies that deliberately exclude Palestinian refugees from working in 72 professions including law, medicine and engineering. For instance, in order to practice a legal profession in Lebanon, one needs to be firstly of Lebanese

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19 Ibid.
21 Ibid.
24 Ibid.
nationality for at least ten years; thus excluding the refugees from the profession. Iqbal Al-Assaad - a Palestinian refugee born and raised in Bar Elias, a small village in the Bekaa valley in Lebanon - got enrolled at Weil Cornell Medical College in Qatar when she was just 14 years old and was set by The Guinness World Records as the youngest medicine student in the world. However, Iqbal cannot work in Lebanon due to her status as a Palestinian, and is considering working in Qatar instead. These laws and policies further emphasize that Lebanon is explicitly discriminating against Palestinian refugees.

Legal Analysis

While Lebanon is not a signatory to the UNHCR 1951 Refugee Convention or the 1967 Protocol it is still bound by the customary law principle of nonrefoulement and by the obligations of the human rights treaties which it has signed, to at least provide temporary protection measures to ensure the safe admission of refugees, protect them against refoulement and respect their basic human rights. In this way, the treatment of refugees by Lebanon is in violation of several international covenants that Lebanon is a signatory to. Amnesty International has sent memorandums to the Lebanese government and briefings to UN Committees detailing its concerns about the human rights of Palestinian refugees in Lebanon.

Amnesty International claims that Lebanon has violated duties of the International Covenant on Economic, Social, and Cultural Rights (ICESCR); ICESCR states that the right to housing should not be interpreted as "merely having a roof over one's head… rather it should be seen as the right to live somewhere in security, peace, and dignity." Yet in Lebanon, a series of government policies have further worsened the poor housing conditions of the refugee camps. Some of these policies deny the right of refugees to improve or reconstruct their housing, by prohibiting the entry of building materials into refugee camps. Moreover, Amnesty's claims of Lebanon's violation of the International Covenant on the Elimination of Racial Discrimination (ICERD), are based on their concerns on issues regarding the legislative provisions and policies that have a discriminatory effect on the Palestinian population compared with other non-citizens, as Palestinians were considered discriminated with regards to rights to own property, rights to work and the right to social security. This is considered a breach since the ICERD has clarified that the states that are

28 General Comment 4 "the right to adequate housing" (article 11(1)), Committee on Economic, Social, and Cultural Rights, sixth session, 1991, Para 7.
Signatories to this convention should “take measures to eliminate discrimination against non-citizens in relation to working conditions and work requirements, including employment rules and practices with discriminatory effect or purpose.”

Furthermore, under the ICESCR and ICERD, Lebanon is also obliged to ensure that everyone who works is offered just and favourable conditions of work, irrespective of their status. Article 7 of the ICESCR states: “The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work.” Clause A (I) specifies “Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular, women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work...” Since both female and male refugees are not offered that, the country is violating its obligations of the Convention on the Elimination of All Forms of Discrimination Against Women. Amnesty International also describes how the discriminatory state policies and practices in Lebanon highlight that Lebanon’s noncompliance with its obligations under the Convention on the Rights of the Child with respect to refugee children. Their concern particularly includes the limitations on the right to an adequate standard of living, the right to education, the right to be registered and the right to a name, and the right to social security. For example, under article 7(1) of the Convention, every child has the right to be registered immediately after birth and the right to have a name and to acquire a nationality. Yet, children born to non-ID Palestinian fathers (who do not themselves possess recognized identity documents) are not registered with UNRWA and neither receive recognized identity documents from the Lebanese state nor have the ability to acquire a nationality even if they have a Lebanese mother as, under the current Lebanese law, nationality can only be passed on by the father.

There are many other obstacles that refugee children face, such as limitations on access to education. Law No. 686 of 1998, which amended Article 49 of Decree No. 134/59 provides that “public education is free and compulsory in the primary phase and is right to every Lebanese in the primary education age.” By only specifying that Lebanese children have a right to free primary education this law does not comply with Lebanon’s obligation under article 28 of the Convention, to “make primary education compulsory and available free to all”. This emphasizes how Lebanon fails to respect the rights of refugees through its non-compliance with several international laws.

31 CERD, General Recommendation No. 30, Discrimination against Non-Citizens, UN Doc. HRI/GEN/Rev.7/Add.1, para 33.
33 Ibid.
36 Ibid.
Section 3:

This section finds that in addition to Lebanon’s historical relationship with the countries of its origin, the contribution of Palestinian refugees to the Lebanese economy played a more powerful role in Lebanon’s acceptance of refugees, than Lebanon’s feeling of legal responsibility towards them.

**Economic factors:**

Economic factors played an important role in influencing Lebanon’s decision to grant refugees asylum. Amid the large influx of Palestinian refugees in 1948– before the work restriction policies have been imposed- Lebanon might have been welcoming to the refugees as it considered the middle class, in particular, to be beneficial to the country. Several Palestinians managed to construct (or reconstruct) substantial business networks in Lebanon that extended to the rest of the Arab world and further abroad. For example, Yusuf Baydas, a Palestinian, created Intra Bank, a Lebanese bank that was considered (until its collapse in 1966) the largest financial institution in the Middle East, with branches all over the Middle East, Africa, Europe and the Americas. In addition, Hassib Sabbagh, whose family originally owned an extensive textile and dyeing business in Safad, Palestine, started ‘Consolidated Contractors Company’ with two other Palestinians in Lebanon. The firm became enormously successful, overtaking the giant Lebanese Contracting and Trading Company in the late 1960s. It started with an initial capital of $3 million, and in the 1970s, its turnover was measured in the hundreds of millions. This, in turn, highlights that, historically, the Palestinian human capital has enriched the Lebanese economy, as successful Palestinian businesses have prospered and become an invaluable part of the economic fabric of Lebanon. This contributed to increasing employment (for both Lebanese and Palestinian people), total investment, and growth rates in the country.

Apart from the middle class, the majority of the refugees due to the employment restrictions are forced to work in the informal economy. According to an International Labour Organization study, these jobs often have exploitative working conditions for the Palestinians; very few Palestinian workers are entitled to health coverage, they also overworked; they work 47 hours a week on average yet receive very low wages. “Palestinians are paid 20 per cent less than Lebanese workers for performing the same work. Their average monthly income is below the Lebanese minimum wage of 675,000 LBP (US$ 450).” The exploitation of the refugees benefits the Lebanese employers and consequently, the Lebanese economy. Additionally, unlike other non-Lebanese

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40 "Policy Brief: The work of Palestinian refugees in Lebanon is a right and a common interest” *International Labour Organization*. 26 June 2014, p. 2-3.
workers, Palestinian refugees consume and save inside Lebanon, thus positively contributing to the country’s balance of payments and its gross domestic product (GDP). This is because their consumption patterns are comprehensive, especially those of food and medical services, which are the two main areas of expenditure. For example, in 2012, surveys estimated that Palestinian refugees in Lebanon contribute more than US$300 million a year to the Lebanese economy, with a particular effect in rural areas, where most Palestinians reside. The refugees have been a vital source of demand for locally produced services in Lebanon, particularly because they are funded from their own savings and labor income, from remittances of families abroad and from international aid. Moreover, the country receives large amounts of funds from international organizations such as UNRWA that are intended to provide health, education, and social services. Such projects hire different Lebanese experts, specialists, social workers and programme officers, hence mobilizing different sectors in the Lebanese economy.

Conclusion

In conclusion, Lebanon hosts over a million refugees but continues to have strict and discriminatory policies towards Palestinian asylum seekers. There are several factors that influence the country to open its doors to refugees; but Lebanon’s historical relations with the Arab countries and its economic benefit from the refugees are more powerful than Lebanon’s feeling of legal responsibility towards the refugees. This is portrayed in the country’s treatment of refugees, which is in violation of several International Conventions and human rights. The current influx of Syrian refugees to Lebanon and their desperate need for aid emphasizes the need to pressure Lebanon to resolve its legal challenges for refugees, and to respect the covenants and conventions that it has ratified and recognized. In order to expect the countries of the world to provide just treatment to the refugees, a neighboring country should be able to provide them that as well.

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The Rising Shi’a Crescent: Iranian Smart Power and Implications for the Middle East, Central Asia, and the Persian Gulf

Natalia Paunic

Abstract: The circumstances of the American war in Iraq, the Arab Spring, and the international fight against Da’esh have provided an opportunity for the Islamic Republic of Iran to consolidate its power in the Middle East, as foretold by King Abdullah II of Jordan in his coining of the phrase “Shi’a crescent” in 2004. Iran’s successful resurgence can be attributed to its effective use of “smart power,” or the combination of soft and hard power tactics. Iran’s hard power, in the form of Shi’a militias and proxies, is supported with soft power tactics. These include Iran’s export of the ideals of the Revolution and its model of an Islamic Republic, its role as leader of the global Shi’ite community, and its investment in cultural diplomacy across the Middle East as well as its renewed engagement with the West.

Introduction

In 2004, in an article for the Washington Post, King Abdullah II of Jordan voices his concerns over Iranian meddling in the January elections in Jordan and Iraq. In the article, he uses a new term, the Shi’a “crescent,” to describe a resurgent Iran and its imminent domination of the Middle East, caused by the destabilizing nature of the American war in Iraq. He voices his fears that Iranian control will spread to other Sunni countries, noting that “even Saudi Arabia is not immune from this.”

3 Baker and Wright.
Abdullah’s words were largely dismissed as alarmist, and the American invasion of Iraq continued to unfold. More than a decade later, the circumstances of American involvement in Iraq and Syria have resulted in an opportune moment for Iran to consolidate its power across the Middle East. The improvement of Iran’s geopolitical position due to the relative weakening of its neighbours, paired with Washington’s policy blunders and the awakening of Shi’a populations in light of the encouragement of democracy by the West has “opened up a strategic opportunity…for Iran to balance US power in the region.” But unlike the United States, whose use of hard power in the war in Iraq failed to encourage domestic support from Iraqis, Iran has implemented an effective policy of smart power, as defined by Joseph Nye. Iran has several soft power tools at its disposal including the revolutionary ideals of 1979, its position as leader of Shi’a Islam, and its cultivation of regional social, political, and cultural links. An additional element of Iran’s soft power is recently renewed diplomacy with the West, embodied by the end of international sanctions and the signing of the nuclear deal with the United States. Iran’s soft power tactics serve the dual purpose of underlining regional hard power with ideological elements and strategically engaging the West, therefore adding legitimacy to Iran as a rational actor on the global stage. Iran’s use of soft power, exemplified by the aforementioned examples, and its use of hard power, exemplified by the arming and financing of Shi’a militias, mark significant foreign policy changes that have resulted in Iran’s effective consolidation of power across the contemporary Middle East.

This paper will discuss the soft power tools at Iran’s disposal and how it has used them to compliment hard power tactics in the Middle East, Central Asia, and the Persian Gulf, amounting to an effective use of smart power by a rational international

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4 “The Shia Crescendo,” The Economist.
actor. Iran’s use of soft power, designed to appeal to various audiences in the East and the West, has given its military involvement a more multi-faceted and more long-term dimension and represents a foreign policy decision that could greatly improve Iran’s political position on the global stage. The limitations, then, on this paper, will be on the discussion of the mechanisms and politics of Iranian military involvement. In-depth analyses will therefore not be afforded to the civil war in Lebanon, Syria, or Yemen, as the focus is on how soft power has complimented Iran’s military efforts, rather than on how Iran’s hard power, interacting with a plethora of other actors, including Saudi Arabia, Russia, and the United States, has influenced the geopolitical scene.

Smart Power: A Definition

To understand Iran’s successful combination of soft and hard power, it is necessary to define both terms. Hard power coerces through tangible resources such as military force or payment, punishing or bribing parties into submission or compliance. Soft power, alternately, is an ability to “convince or persuade others to follow your example, without coercing them, offering them rewards or deceiving them.” In essence, it is the ability to convince others to “want what you want.” A state using soft power establishes a positive, enviable image of itself that other states or individuals wish to emulate. A lack of the deception associated with hard power also allows the state to establish reliability and lasting trust between itself and other states. Although hard power is oftentimes necessary, soft power “ultimately configures the context within which other nations make decisions in ways that favour the interests of soft power nations.” Smart power, then, is the ability to emotionally appeal to groups of people, ensuring their loyalty and consequently convincing them to pursue the same agenda.

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10 Ibid.
11 Gallaroti, 250.
using the same methods, derived from hard power. Due to the threat of nuclear war and the cost of maintaining sophisticated weapons and armies, the use of smart power is now more important than ever if a state is to succeed on the world stage. The American war in Iraq is a fitting example of a failure to implement a smart power strategy. Without sufficient attention to soft power, American involvement in Iraq has “increased rather than reduced the number of Islamist terrorists throughout the past five years [since 2003].” More recently, this failure is exemplified by the rise of radical Islam in light of the negative social effects of drone strikes. Unlike the United States, Iran softens its hard power tactics with a desire to improve diplomatic relations with other countries in the Middle East, Central Asia, and the Persian Gulf, thereby improving its diplomatic position.

Iran and the Model of the Islamic Republic

The first and most powerful soft power tool at Iran’s disposal is its role as both an Islamic Republic and a leader of Shi’a Islam. Firstly, and more broadly, Iran has proclaimed itself a champion for Islamic unity, especially in light of what Iran sees as the inability of Sunni countries to withstand Western influence. Due to Iran’s traditional view that it is “the rightful leading power in the Persian Gulf area and the natural leader of the Middle East,” it, then, emerges as a role model, willing and capable of filling the void created by the failure of Pan-Arab nationalism. Secondly, Iran’s connection to Shi’ite Muslims across the Middle East, the Persian Gulf, and

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15 Ibid.
Central Asia is also significant, especially with regard to the support of Shi’a opposition parties in Lebanon and Yemen, among other countries. These two soft power aspects, tied closely to the ideologies of the Islamic Republic, have aided Iran in establishing lasting influence.

Despite the sectarian differences between Sunni and Shi’a Islam, Iran has proclaimed itself as the defender of the Muslim world in the face of corrupt, anti-Islamic regimes. Furthermore, Iran has taken steps towards modernizing the Islamic Republic, emphasizing a political system with democratic elements supported by a large voter turnout, as well as introducing reforms to religious restrictions. Especially with the elections of so-called moderate presidents such as Hassan Rouhani, Iran has made promises to improve freedom of press and women’s rights and has also encouraged the formation of civil society groups. Notably, the Islamic Republic also raised the literacy rate from 40% during the Shah to 85% in 2000, as well as achieving 50% female enrolment in universities. For the aforementioned reasons, Iran has succeeded in projecting a much more positive post-Revolution image, as well as rebranding itself as the future of Islam. This is significant because, through this improved image, Iran has managed to prove the robustness of its political model and punch above its weight. This is exemplified by its involvement in the fight against Da’esh. Particularly during the Arab Spring, Iran presented itself as the potential leader of a united Islamic republic that would be created through the removal of geopolitical as well as sectarian borders. Ultimately, said republic would be fashioned after Iran’s own political model. Iranian authorities strategically supported popular demands in Arab Spring countries for increased communication between governments and people as a way to win favour with local populations and undermine the control of domestic governments and the United States. Iran’s tacit participation in the Arab Spring of countries like Egypt and Tunisia

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18 Ibid.
20 Çakmak, 56.
stemmed from their allusion to the Islamic Cultural Revolution of 1979 as the beginning of the “Islamic Awakening.” The Arab Spring, as Iran claims, was therefore simply a continuation of the demands for freedom and democracy posited by the Iranian people in their overthrow of the Shah in February of 1979. An indication of the success of Iran’s political soft power was a thaw in the relations between Iran and Egypt in 2011, precipitated by the Muslim Brotherhood’s response to Iranian rhetoric, and exemplified by Egyptian approval for Iranian warships to pass through the Suez Canal for the first time since 1979, an act seen as a direct provocation against Israel.

Although Egypt’s relationship with Iran has since changed, this moment in time shows the possibility of cooperation. Although Iranian relations with Arab countries in the Middle East and the Persian Gulf are fluid and subject to change, again, soft power tactics and diplomacy allow for an increased likelihood of rapprochement.

As an aside, it is important to note that Iran’s aggressive anti-American and anti-Israel rhetoric has also won it many allies in the Middle East. Although many Sunni States are threatened by Iran, they deem the threat from Israel and the United States far greater and are therefore susceptible to Iran’s influence as well. Again, Iran’s soft power is significant, especially considering Turkey’s attempt to claim the Arab Spring as resulting from its own soft power influence. Iranian policymakers largely discredited this notion by pointing out that Turkey’s model of secularization is incompatible with and unsustainable for Arab Spring states. Iran’s clear support of the spread of Islam and its emphasis on brotherhood amongst Muslims, therefore, allowed it to profit off of the Arab Spring. The export of Iran’s image as a defiant, robust and competent Islamic Republic, especially in the face of constant American pressure, is very strategically significant. This also led to Iran’s subsequent ability to influence new allies such as

21 Ibid.
23 Çakmak, 59.
24 Monier, 428.
Egypt, despite historically difficult relations and sectarian differences. Poignant examples of Iran’s influence regionally are surveys conducted in Cairo, Egypt and Amman, Jordan in 2007, illustrating the popularity of Mahmoud Ahmadinejad. It is, therefore, evident that Iran effectively implements smart power, by increasing its visibility and influence through soft power and arming its political aims with hard power.

Iran’s Role as Leader of Shi’a Islam

Although Iran’s pan-Islamic strategy for the Arab world fits its broader political narrative, it is only relatively successful when compared to Iran’s potential sway to influence the global Shi’ite community, due to the nature of Iran as a Persian, Shi’ite State. The failure of Arab Spring states to change hegemonic discourse in the Middle East and promote pan-Arabism during the Arab Spring has led to a lack of a unified Sunni bloc. This, in turn, has allowed Iran to exercise its influence undisturbed on Shi’a minority populations in Sunni-majority countries due to the lack of a collective Sunni response. This is of course not to mention Iran’s influence in countries with Shi’a majorities and Sunni governments, such as Iraq.

The so-called identity crisis of the Arabs due to the failure of pan-Arabism results in poor nation building, causing populations to associate more with ethnic, sectarian or religious affiliations than with their own nationalities. This creates rifts in society that can be exploited by other actors. Considering, then, that “Shi’ites in Iraq and across the Middle East are more loyal to Iran than to their own countries,” Iran can capitalize on political Shi’a Islam to achieve results in democracies across the Middle East, effectively consolidating power through indirect means. This is especially possible due to the

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26 Çakmak, 59.

boycott of elections by Sunni populations. Examples include the Iraqi presidential election of 2005, boycotted by the Sunni population on the orders of Al-Qaeda in Iraq (AQI)\textsuperscript{28} or Egypt’s presidential election of 2005, which suffered an extremely high abstention rate of 75%\textsuperscript{29}. Furthermore, the acceptance of a Shi’ite leader is more likely due to the championing of populist Arab issues, such as Israel, by leaders such as Sayyid Hasan Nasrallah of Hezbollah\textsuperscript{30}. The threat is therefore not exclusively from Iranian proxy militias, but from Iran’s ability to influence disenfranchised populations to seek political change. Iran, as a relatively democratic state, in comparison to others in the Middle East, that has not allowed itself to be dominated and has successfully withstood pressure from the West and from Israel offers an attractive model to dissatisfied populations.

As the ideological leader of Shi’a Islam, Iran stresses support and brotherhood between Shi’ites, as well as applying a generous undercurrent of monetary support to issues in order to establish trust with Shi’a communities. For example, this is shown through the billions of dollars Iran has invested in the reconstruction of infrastructure and medical facilities in Iraq\textsuperscript{31}. Although there are differences amongst Shi’a communities, their frequent alienation and brutal repression in Sunni countries make many of them susceptible to Iranian influence, especially in light of the “success story” of the Iranian Shi’ite State\textsuperscript{32}. As Iran gains power and influence in the Middle East, Shi’a communities, who are often clustered in the same areas, more confidently voice their outrage against their governments\textsuperscript{33}, allowing for unrest that could result in gains in Iran’s favour. A pertinent example of this is Saudi Arabia’s Shi’a community, which has repeatedly

\textsuperscript{28} Michael Weiss and Hassan Hassan. \textit{ISIS: Inside the Army of Terror}. New York: Regan Arts, 2015, 42.
\textsuperscript{31} Maximilian Terhalle, “Are the Shia Rising?” \textit{Middle East Policy} 14.2, 2007, 75.
\textsuperscript{32} Çakmak, 61.
\textsuperscript{33} “Grumblings and Rumbles: Shias in the Gulf,” \textit{The Economist}.
struck out against Saudi authorities, and is considered by the regime as “potentially a fifth column for Iran.”\textsuperscript{34} The ideological support of militias such as Hezbollah, with Hasan Nasrallah, who frequently consults Supreme Leader Ayatollah Khamenei for theological and ideological guidance,\textsuperscript{35} and the Houthi rebels in Yemen, create proxies that are more in tune with the foreign policy goals of Iran, as well as being more loyal in the long run. When interviewed, a commander of the Syrian branch of Hezbollah’s reason for fighting was ideological rather than opportunistic; he said, “each country is a separate operation, but the goal is one...a Guards of the Shia Revolution, one force across the whole region.”\textsuperscript{36} Again, through the use of soft power, Iran creates cohesion that is not dependent on threats or incentives but on credibility and attraction.

However, it must be noted that Iran’s projection of itself as the leader of Shi’a Islam, while providing an ideological and religious foundation for their foreign policy, serves a predominantly political purpose. This is underlined by Iran’s significant and historic rivalry with Saudi Arabia for regional hegemony. Each state sees itself as the undisputed leader of Islam, and more importantly, recognizes sectarianism and identity politics as the ideal tools for the consolidation of political power in weak and failing states.\textsuperscript{37} In the wake of the Revolution in 1979, Iran’s clear position as leader of Shi’a Islam saw large Shi’a populations in Gulf Arab states become “legitimate targets for expansionism.”\textsuperscript{38} Iran’s continued practice of agitating Shi’a populations throughout the Middle East continues to undermine the legitimacy of Saudi religious authority and pose a significant challenge to their regime.\textsuperscript{39} The eruption of conflict in Palestine, Iraq, Libya, Yemen, and most notably Syria has provided fertile ground for renewed

\textsuperscript{34}\textsuperscript{Çakmak, 54.  
\textsuperscript{35}\textsuperscript{Siperco.  
\textsuperscript{36}“The Shia Crescendo,” \textit{The Economist.}  
\textsuperscript{37}\textsuperscript{F. Gregory Gause, “Saudi Iranian rapprochement? The incentives and the obstacles.” In \textit{The Gulf’s Escalating Sectarianism}, Project on Middle East Political Science, 61.  
\textsuperscript{39}\textit{Ibid.}
sectarianism\textsuperscript{40} and new competition for power between Tehran and Riyadh. This is exacerbated by economic competition regarding oil and more recently, by the signing of the nuclear deal with the United States and the threat of a Western détente with Iran, which puts Saudi Arabia in an unfavourable position. In the light of the execution of prominent Shi'a cleric Nimr Al-Nimr by the Saudi government in January 2016, widely viewed as a direct provocation against Iran, tensions between the two states have risen, amounting to the severing of diplomatic ties.\textsuperscript{41} At this point, it is hard to say whether there will be a direct conflict between Iran and Saudi Arabia or whether there will be a rapprochement in the future. A deeper analysis of Saudi-Iranian relations is, however, outside the scope of this work.

On the note of sectarian competition, a short comment is needed. Scholars have long questioned Iran's ability to control and influence Shi'a communities and have claimed that Iran's soft power is vastly exaggerated.\textsuperscript{42} This can be due to differences in language, culture, and practice across Shi'a communities or the historical divide between Arabs and Persians. It is often simply due to long-standing antagonisms between states, such as those between Egypt and Iran. Although it is arguable that Iran's sway over Shi'ites is limited, the existence of ideological rhetoric as a tool to consolidate confidence domestically and project power internationally is undisputable. Sectarian rhetoric allows Iran to legitimize its authoritarian rule and identify and combat real and perceived political challenges, domestically and regionally. Iran's role as the defender of Shi'a Islam, militarily, economically, and ideologically, especially in the face of collapsing states across the Middle East, lends Iran's realpolitik foreign policy a more multifaceted dimension. As long as Iran's conviction in its own soft power product remains strong it will have an effect on oppressed Shi'ite populations and more importantly, on their

\textsuperscript{40} Marc Lynch, "Why Saudi Arabia Escalated the Middle East's Sectarian Conflict." In The Gulf's Escalating Sectarianism, Project on Middle East Political Science, 7.


\textsuperscript{42} Rahigh-Aghsan, and Jakobsen, 563.
governments. For example, the current proxy war between Saudi Arabia and Iran in Yemen illustrates how far Arab countries will go to quell concerns of the rise of a “Shi’a crescent.” In this way, despite criticism, the model of Iran as a Shi’ite leader will remain competitive.

Iranian Cultural Diplomacy

Depending on its audience, Iran also offers soft power products that differ from Shi’a Islam. The Iranian government, in a “top-down” fashion, has strategically implemented social, cultural, and political policies to proliferate its soft power in the Middle East. It has chosen to frame its rhetoric in one of two ways, either through shared Islamic Shi’ite culture or with an emphasis on shared historical and cultural ties to the Persian civilization, depending on which country is in question. If pertaining to the former, Iran’s primary method of promoting and preserving Shi’a Islam is through social and cultural dialogue with other Shi’a states. Iran uses its Islamic culture to create transnational religious networks of mosques, clerics, and seminaries thereby directly influencing religious communities, notably in Iraq, Pakistan, and Syria. Furthermore, Iran’s direct engagement of local communities creates lasting loyalty between non-Iranian Shi’ites and the Iranian government, long seen as the guardian of all Shi’a Muslims. Iran sponsors Shi’ite citizens through religious tourism to Shi’ite Holy Sites in Iran and Iraq such as Qom, Karbala, and Najaf and by funding student exchanges with religious institutions in Iran, as well as by directly responding to the concerns of Shi’ite communities. For example, Iran has accessed Pakistan’s large Shi’a

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45 Çakmak, 53.

46 Forrest, 114.
community (roughly 34.6 million people)\textsuperscript{47} by funding the construction of sites of worship, arranging religious education in Iran for thousands of Pakistani students, and providing religious guidance from Ayatollah Khamenei.\textsuperscript{48} Iran’s strategic benevolence and the violent political climate of sectarianism in Pakistan again allow Iran the opportunity to potentially consolidate power through a proxy achieved through soft power and further supported by hard power.

Evidence of heavy community outreach is also visible in Iran’s most valuable allies in the region, Shi’ite-run (arguably Iran-run) Iraq and Alawite-run Syria. In the campaign “to win hearts and minds,” to use the American term, in Iraq, Iran leads efforts to reconstruct and protect Shi’ite Holy Places, and encourages Iranian tourism to Holy areas.\textsuperscript{49} This resulted in one million Iranians travelling to Iraq on pilgrimages in 2008, stimulating the Iraqi economy.\textsuperscript{50} Most significantly, throughout the American war in Iraq, Iran circumvented Iraqi authorities to provide free medical treatment and surgeries for wounded civilians, as well as electricity and 1,000 tonnes of cooking gas.\textsuperscript{51} Iran’s investment in the building of deep relationships with the Iraqi people is evident and made the eventual spread of Iranian influence throughout the Shi’ite population a more natural process.\textsuperscript{52} Diplomatic relations are equally close with Syria, but the focus is more on Iran’s recognition of the parallels between the Syrian and Iranian civilizations and their importance for world history. For example, cultural centres host book fairs and culture weeks in Syria that present Iranian Islamic art, calligraphy, and

\begin{itemize}
\item \textsuperscript{48} Ibid.
\item \textsuperscript{49} Forrest, 115.
\item \textsuperscript{50} Ibid.
\item \textsuperscript{52} Nadia von Maltzahn, “The Case Of Iranian Cultural Diplomacy In Syria.” Middle East Journal of Culture and Communication 2, 2009, 41.
\end{itemize}
ceramics, as well as film and poetry. Through these cultural exchanges, it is the mission of both countries to revive Islamic culture and resist the negative effects of globalism for Islam, notably Westernization.53 Through cultural diplomacy, Iran wishes to create understanding between itself and Syria and therefore appeals to a varied demographic of Syrians. To encourage positive relations, Iran offers scholarships and trips to Iran to students in the department of Persian language and literature at Damascus University (opened in 2005, with the help of Iran), and recognizes members of the Syrian religious and political elite with annual awards for “fostering Syrian-Iranian relations.”54 Again, this commitment to familiarizing the population with Iran’s policies and goals smoothens Iranian use of hard power in Syria and its support of the Assad regime, depicting it as brotherly rather than geopolitically opportunistic. The continued survival of Assad’s regime in Syria represents a critical opportunity for Iran to consolidate its power through a close alliance and take the first step towards outfoxing Saudi Arabia on the Syrian stage and making a bid for regional hegemony. This adds another layer of significance to Iran's ability to project its soft power as a tacit component to military intervention, here exemplified by cultural initiatives.

More generally, Iran acts through the Islamic Culture and Relations Organization, a state-run chain of cultural centres teaching the ideals of the Revolution and improving relations between Muslim countries, as well as teaching the Persian language and civilizational history and culture.55 The ICRO takes orders directly from the Ayatollah, therefore exporting exactly the foreign policy and regional goals of Iran.56 Acting most successfully in Syria, Indonesia, Malaysia, and Pakistan57 the ICRO has opened offices around the Middle East, in in large European cities such as Paris, in some Muslim African countries, and notably in Bosnia and Albania in the Balkans, and is key for coordinating bilateral initiatives between Iran and other countries, tailoring them to the

53 Ibid, 42.
54 Ibid, 43-45.
55 Wastnidge, 371.
56 Ibid, 366.
57 Von Maltzahn, 49.
countries’ shared diplomatic history. With respect to countries in Central Asia like Afghanistan and Tajikistan, Iran pursues a policy based on sharing of culture and language, such as a Union of Persian-Speaking Nations, shirking religious initiatives in order to better navigate diplomatic relations.\textsuperscript{58} As explained by Edward Wastnidge in his piece on Iranian cultural diplomacy, “Iran regularly draws on cultural commonalities such as the celebration of the Persian New Year \textit{Nowrooz} across the region, and invited regional heads to the first international celebration of \textit{Nowrooz} in Iran in 2010.”\textsuperscript{59} The ICRO also helps connect the Iranian diaspora with the Islamic Republic. As Iran evidently realizes the importance of maintaining relations with Iranians living abroad, the ICRO also hosts cultural events and publishes works through its publishing house, Al-Hoda.\textsuperscript{60} It is also worthy to note that Iran has a significant network of international media, starting with Al-Hoda, which publishes materials on the Islamic Revolution and Iran in twenty-five languages.\textsuperscript{61} The Islamic Republic of Iranian Broadcasting (IRIB) also takes orders directly from the Ayatollah, again stressing the closeness between these cultural institutions and the government. Iran controls two channels in Arabic, \textit{Al-Alam} and \textit{Al-Kowthar}, specifically aimed at Shi’ite communities in the Arab world, an English channel, \textit{PressTV}, and \textit{Hispan TV}, broadcast in Latin America in Spanish, as well as numerous channels and newspapers in Farsi.\textsuperscript{62} IRIB is a useful tool of influence, as Iran presents its narrative on world events, therefore providing an alternative to Western media and again underlining the necessity of a focus on the point of view of the Muslim world.


\textsuperscript{59} Wastnidge, 370.

\textsuperscript{60} Ibid, 371.

\textsuperscript{61} Ibid.

\textsuperscript{62} Ibid.
As an aside, it is interesting to note that the Presidents of the Islamic Republic often play a very large role in advocating for cultural diplomacy. This ranges from Mohammed Khatami, who advocated for a “Dialogue among Civilizations” as the beginning of a détente with the West, to his successor Mahmoud Ahmadinejad, who refocused Iran’s cultural policy towards Muslim brotherhood in the region, a venture in which he was relatively successful. The efforts of Iran to unite the region under its leadership are indicative of a desire for widespread influence felicitated through soft as well as hard power. Iran’s efforts are especially impressive in light of more than thirty years of crippling economic sanctions and international alienation, as well as a geopolitical situation in the Middle East that has become increasingly difficult to navigate. Iran’s top-down cultural initiatives range in scope, depth, content and audience, and have successfully improved Iran’s regional image, despite its obvious military involvement in the arming and funding of Shi’a proxy militias.

Conclusion

In addition to the tools of Shi’a Islam, the Persian civilization, and Iranian initiatives in the region, the Islamic Republic has greatly improved its position through renewed diplomacy with the West. The signing of the nuclear deal on 14 July 2015, after more than thirty years of crippling economic sanctions and poor international standing, will have significant implications for the region and for Iran’s success in the future. Firstly, Iran’s re-acceptance into the international community by the five members of the Security Council plus Germany, has been named a “triumph of diplomacy,” and guarantees a vast improvement of the economy, including an estimate of $185 billion worth of foreign investment from the European Union and a re-entry into the oil market. Secondly, the re-emergence of Iran on the world stage has upset the balance of power in the Middle East, exemplified by Saudi Arabia and Israel’s vehement

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opposition to the deal. Iran’s increased political and economic clout in the region gives further importance to Iran’s use of smart power. This will allow Iran to pursue a two-track foreign policy. It can seek diplomatic recognition and common ground in the fight against Da’esh from the West, and engage its regional neighbours with hard power and soft power tactics.

And although Iran’s web of soft power is formidable, as Joseph Nye puts it, “Even though North Korean dictator Kim Jong Il likes to watch Hollywood movies, that is unlikely to affect his nuclear weapons policy.” In other words, soft power on its own, much like hard power on its own, is not enough. And behind Iranian soft power is an imposing force of Iranians and non-Iranians that are loyal to Iran for reasons precisely related to its projection of political and ideological soft power. Iran has capitalized on the fear of Sunni extremism or anti-Islamic Western meddling, whichever fits the narrative more cleanly that day, in order to arm, train, and finance powerful Shi’a militias such as the Mahdi Army or Badr Brigade (the military arm of the Supreme Council for the Islamic Revolution in Iraq), Hezbollah, and their subsequent recruitments in Syria, through them exerting direct control on Iraq, Lebanon, and Syria respectively. Iran’s military involvement is intensified by the reinforcement of Bashar al-Assad’s military with members of the Iranian Revolutionary Guard and Quds Special Forces. Iranian funds are also present in Sunni groups, whose activities could lead to opportunities for Iranian consolidation of power, these being the National Defence Force in Syria, the Iraqi Kurds, and Hamas, for example. Iran also offers tacit support to an international web of Shi‘ite communities in Saudi Arabia, Kuwait, the United Arab Emirates, Pakistan, and Yemen. Iran therefore, in addition to seizing power across the Middle East through proxies, has influenced them to seek the same geopolitical and

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65 Ibid., 487.
66 Nye, Obama’s Smart Power, 7.
67 Forrest, 101.
68 Shahram Akbarzadeh,”Iran and Daesh: The Case of a Reluctant Shia Power.” Middle East Policy 22.3, 2015, 44.
strategic goals as the Islamic Republic. It is for this reason, Iran’s successful combination of hard and soft power, that King Abdullah’s prediction in 2004 of a revival of Iranian power was not only accurate but quite astute. The emergence of a grave security threat in the form of the Da’esh and the threat of renewed sectarian violence mean that Iran’s smart power strategy and its regional engagement will soon be tested. The conflict, however, also grants Iran the chance to re-emerge definitively on the world stage. The spread of Iranian influence and military might also represent Iran’s best political position since the Islamic Revolution in 1979. Its smart power, then paired with the circumstances of the end of international sanctions and the signing of the nuclear deal with the United States, have created an ideal opportunity for the Islamic Republic to take regional leadership and mark a critical point in its history. Iran’s Shi’a crescent, then, has just begun to rise.

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Lines in the Sand: Shiites as % of Muslim Population

[Map showing percentages of Muslim population by country, with green shaded areas indicating Shiite majority and other colors indicating Sunni or mixed populations.]
Works Cited


Finer’s Conditions of Military Intervention: The Case of the 1999 Coup in Pakistan

Imaan Sandhu

Abstract: This paper assesses the validity of S.E. Finer’s “five conditions of military intervention in politics” in the context of the 1999 military coup in Pakistan. According to Finer, the professionalization of the officer corps, the rise of nationalism and the nation-state, popular sovereignty, the emergence of an “insurrectionary army” and the creation of “new, independent states” contribute to a military’s decision to supplant the civilian authority and intervene in the governance of a country. The findings of this paper confirm that while not all of Finer’s conditions are necessarily fully applicable to Pakistan, his overall framework nonetheless accounts for the major drivers of the 1999 coup.

Introduction

In his 1962 study, The Man on Horseback, S.E. Finer identifies five necessary “conditions of military intervention in politics:” professionalization of the officer corps, the rise of nationalism and the nation-state, popular sovereignty, the emergence of an “insurrectionary army” and the creation of “new, independent states.” Finer suggests that these conditions contributed to many of the military revolts and attempted coups in the 1960s, such as those in Lebanon, Turkey, Venezuela, Portugal and Ethiopia. While this may hold true for the geopolitical context of the 1960s, it remains to be seen if Finer’s framework has widespread applicability. The paper, therefore, proposes the following research question: does Finer’s framework hold for the case of the 1999 military coup in Pakistan?


2. Ibid., 1.
It will be argued that while not all of Finer’s conditions are necessarily fully applicable to Pakistan, his overall framework nonetheless accounts for the major drivers of the 1999 coup. The paper will define key terms, provide background on the 1999 coup, and outline the research design and present data for each of the five conditions to assess the findings. The paper will conclude with a discussion on future avenues of research.

Definitions

Finer refers to “military intervention in politics” as a scaled measurement with four distinct levels of severity. The first level is influence, whereby the military attempts to convince the civil government through reason or emotion. The second level is characterised by pressures or “threats of sanction” used to persuade civil authorities in favour of the military. These levels are similar because the military maintains “the supremacy of the civil power.” Civil supremacy is uprooted in the third level, entitled displacement, as the military “replaces one set of politicians with another more compliant set” either through violence or the threat of violence. The 1999 coup in Pakistan is an example of the final level, referred to as supplantment. This level represents the ultimate intervention in politics as the military overtakes the entire civilian regime and establishes complete control of the state.

“Finer’s framework” is comprised of the following five “conditions of military intervention in politics:”

The professionalization of the officer corps: According to Finer, professionalism may lead to military intervention in politics if officers see themselves as “the servants of the state rather than of the government in power.” The likelihood of intervention amplifies if the government’s policies are perceived to “impinge on the military task” or if politicians are seen as “using” the armed forces for their “own sordid purposes.” Finer notes that corporate unity

3. Ibid., 77.
4. Ibid., 22.
5. Ibid., 23.
and expertise, in particular, perpetuate this belief because armed forces begin to view themselves as better judges of military and security matters than the civilian authority.⁶

The rise of nationalism and the nation-state: Finer contends that this condition could trigger intervention because it reinforces the military’s perception that it is the guardian of the nation’s values.⁷ In this context, the government must demonstrate that it is “synonymous with and representative of the nation” to avoid intervention and gain the military’s loyalty.⁸

The substitution from the divine authority of kings to the dogma of popular sovereignty: Popular sovereignty is the idea that “the people are the sole source of all legitimate power.”⁹ Finer argues that popular sovereignty provides a rationale for any group, including the military, to seize power by claiming to represent the will of the people.¹⁰

Insurrectionary armies: Such armies are particularly prone to intervene in politics because, by definition, they seek to liberate the territory and overthrow social order.¹¹

The emergence of new, independent states: Finer notes that the quest for independence often breeds nationalism and exacerbates existing economic, ethnic and religious cleavages.¹² He contends that these conditions represent “a sure invitation to military intervention” because the professional military is not only a symbol of nationhood, but it is often able to fulfill the “need for a strong central government.”¹³

Background

Pakistan has a long tradition of military intervention in politics, including three military coups since its creation in 1947.¹⁴ The 1999 coup was especially important not only in so far as

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⁶ Ibid.
⁷ Ibid., 189.
⁸ Ibid.
⁹ Ibid.
¹⁰ Ibid., 190.
¹¹ Ibid., 191.
¹² Ibid.
¹³ Ibid.
it ended almost eleven years of democracy but also because it marked the beginning of nearly a decade of military rule.\textsuperscript{15}

The coup was triggered by Prime Minister Nawaz Sharif’s decision to replace General Pervez Musharraf as Chief of the Army Staff on October 12\textsuperscript{th}, 1999.\textsuperscript{16} Tensions between Musharraf and Sharif had been brewing since May 1999, when without consulting Sharif, Musharraf ordered Pakistani troops to cross into the Indian-controlled area of Kashmir.\textsuperscript{17} This decision by Musharraf triggered a series of back-and-forth retaliations with India, which eventually resulted in the Kargil War.\textsuperscript{18}

Sensing an emergent loss of political control over Musharraf and the military, in July 1999, Sharif travelled to Washington D.C. Sharif’s objective was to seek US President Bill Clinton’s support in order to legitimize his authority in Pakistan.\textsuperscript{19} Strobe Talbott, then US Deputy Secretary of State, recounts that it became evident that Sharif “neither knew everything his military high command was doing nor had complete control over it.”\textsuperscript{20} Talbott notes that Sharif acted genuinely surprised when Clinton, using US intelligence reports, explained that Musharraf was preparing nuclear weapons to attack India.\textsuperscript{21} Indeed, Sharif maintained that he had never authorized such an action.\textsuperscript{22} During his visit, Sharif also revealed to Clinton that “he was worried for his life.”\textsuperscript{23}

Clinton’s position, however, remained firm: a precondition to US intervention would be a complete and unilateral withdrawal of Pakistani troops from the Indian side of the border.\textsuperscript{24} After intense pressure from Clinton, Sharif reluctantly agreed to withdraw his troops.\textsuperscript{25} In exchange, Clinton agreed to take a “personal interest in encouraging” the Lahore peace process.

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\textsuperscript{16} Aziz, \textit{Military Control}, 90.
\textsuperscript{18} Ibid.
\textsuperscript{20} Ibid., 167.
\textsuperscript{21} Ibid.
\textsuperscript{22} Ibid.
\textsuperscript{23} Ibid., 168.
\textsuperscript{24} Ibid., 165.
\textsuperscript{25} Ibid., 168.
\end{flushright}
between Pakistan and India. Sharif’s withdrawal agreement with Clinton and decision to re-engage in the Lahore process was strongly contested by Musharraf. Musharraf, according to Bruce Riedel, a Special Assistant to Clinton, “was said to be a hardliner on Kashmir, a man some feared was determined to humble India once and for all.”

Suspecting backlash from Musharraf and the military, Shahbaz Sharif, Nawaz Sharif’s brother, asked the U.S. State Department to release a statement to “strongly oppose” any attempt by “political and military actors” to remove the government from power. There was a looming sense within the Sharif camp that a military coup would be imminent.

Musharraf, for his part, was well informed of Sharif’s trepidation. In his memoir, In the Line of Fire, he writes, “it was unfortunate that (Nawaz Sharif) distrusted my good intentions…his misplaced perception of my loyalty, coupled with the suspicion that I was planning a coup, must have led to Nawaz Sharif’s paranoia.”

To circumvent a potential coup, Sharif dismissed Musharraf on October 12th, 1999 appointing a new Chief of Army Staff. Upon hearing the news, Musharraf’s army subordinates refused to accept his replacement; planning and orchestrating instead a military coup within a mere 17 hours. At the time, Musharraf was mid-air on a commercial flight returning back to Pakistan from an official visit to Sri Lanka. Sharif denied landing privileges to Musharraf’s flight in hopes of forcing Musharraf into exile. However, Sharif was unsuccessful in these efforts, because after circling for several hours and running out of fuel, the plane eventually managed to make an emergency landing in Karachi.

26. Ibid.
27. Ibid.
32. Ibid.
33. Ibid.
34. Ibid.
35. Ibid.
Upon his arrival in Karachi, Musharraf immediately declared a state of emergency and appointed himself as Chief Executive of Pakistan. His cohorts overtook Parliament in Islamabad, placing Sharif under arrest, facing a possible death penalty. After interventions from the US and Saudi Arabia, Musharraf relented, allowing Sharif to leave Pakistan. Thus, on December 11th, 2000 Sharif was exiled to Saudi Arabia and the coup was “legitimized by the Supreme Court under the doctrine of state necessity.” In his memoir, Musharraf describes Sharif’s decision to replace him as “a gross misuse and misapplication of the law,” likening it to a coup in and of itself. According to Musharraf, the army’s response was merely a “countercoup.”

Research Design and Methodology

The following table presents specific measures for each of Finer’s five conditions. The measures were derived directly from Finer’s study and will be used to assess whether Finer’s framework holds for the Pakistan case. The thesis will be confirmed if the Pakistani case proves to be consistent with the majority of the measures presented below:

37. Ibid.
38. Ibid., 187.
39. Ibid.
41. Ibid.
Table 1: Measures for Finer's framework

<table>
<thead>
<tr>
<th>Condition 1: Professionalization of the officer corps</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Are the Pakistan Armed Forces a “professional” military?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expertise: Specialized knowledge and skill acquired through education and experience</td>
<td></td>
<td></td>
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<tr>
<td>Social responsibility towards the state</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporate unity: Sense of organic unity and consciousness of themselves as a group part from laymen</td>
<td></td>
<td></td>
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<tr>
<td>1.2 Did professionalism contribute to the military's decision to launch the 1999 coup?</td>
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<td></td>
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<tr>
<td>Gap between role and responsibility of the army and politicians</td>
<td></td>
<td></td>
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<tr>
<td>Perception that politicians’ control over foreign affairs and domestic matters frustrates and impinges on the military task</td>
<td></td>
<td></td>
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<tr>
<td>Condition 2: Rise of nationalism and the nation-state</td>
<td></td>
<td></td>
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<tr>
<td>Armed forces as visible symbol and pledge of nationhood</td>
<td></td>
<td></td>
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<tr>
<td>Military ideology and programme based on nationalism</td>
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<tr>
<td>Military loyalty to the nation</td>
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<tr>
<td>Condition 3: The substitution for the divine authority of kings of the dogma of popular sovereignty</td>
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<tr>
<td>Military plea that it embodies the sovereignty of the people</td>
<td></td>
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<tr>
<td>Condition 4: Insurrectionary armies</td>
<td></td>
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<tr>
<td>Military history of working for the liberation of the national territory</td>
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<td></td>
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<tr>
<td>Military history of working for the overthrow of social order</td>
<td></td>
<td></td>
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<tr>
<td>Condition 5: The emergence of new, independent states</td>
<td></td>
<td></td>
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<tr>
<td>Recent independence from colonialism</td>
<td></td>
<td></td>
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<tr>
<td>Emergence of economic, ethnic and religious cleavages</td>
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<td></td>
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<tr>
<td>Call for a strong, central government after independence</td>
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<td></td>
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</tbody>
</table>

The paper will employ data from both primary and secondary sources to explore the above measures. Sources include official government publications, speeches, and memoirs from military personnel, including Musharraf, as well as case studies by both Pakistani and Western scholars.

42. The table is organized according to Finer’s own classification of measures as they relate to each of the five conditions.
The paper assumes that Finer’s observations regarding the 1960s coups and the logic behind the five conditions are sound. For example, the paper accepts his logic that professionalism impels the military to intervene in politics. Moreover, it assumes that professionalism does, in fact, carry universal meaning and can be applied to non-Western armies such as the Pakistani Armed Forces. The paper also assumes that it is reasonable to quantify Finer’s narrative style into specific measures as presented in the above table.

As with all research, this paper has certain limitations. It does not use statistical analysis to assess the degree of correlation between the five conditions and military intervention, nor does it assess the extent to which each of the conditions individually contributed to the coup. Instead, it aims to demonstrate that the framework, as a whole, holds for the coup. Further, the paper only covers the case of the 1999 coup in Pakistan. Therefore, the findings will be relevant only for this case and cannot be generalized to all contemporary military interventions.

Lastly, the paper relies heavily on secondary sources which may produce different results regarding professionalism and the role of the military than reliance on government publications or official military documents. The decision to consult secondary sources is largely based on the fact that most military documents in Pakistan are unavailable to the public.

Despite these limitations, this paper contributes to the existing body of research on civil-military relations in two distinct ways. First, it tests the validity of Finer’s framework. This is important because while past scholars have offered critiques of Finer’s study and have even considered its applicability to more recent cases, none have tested it in this specific context.43

The second contribution is that the paper attempts to understand the 1999 coup through a theoretical lens. As noted by Zulfiqar Ali, many scholars have “explored the causes

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attributed to the failure of democracy in Pakistan,” however few have “employed a theoretical framework to understand the empirical reality.”

Results and Data Analysis for Condition 1

**Professionalization of the officer corps**

The first “condition of military intervention in politics” is the professionalization of the officer corps. This section will present data regarding the expertise, social responsibility and corporate unity of the Pakistan Armed Forces to determine whether they constitute a “professional” military. It will then assess whether professionalism contributed to the military’s decision to launch the 1999 coup by considering whether there was a gap between the role of the army and politicians. The section will also assess whether there was a perception that civilian control over foreign affairs and domestic matters frustrated or impinged on the military task.

*Are the Pakistan Armed Forces a “professional army?”*

1.1.1 Expertise

Huntington defines expertise as “specialized knowledge and skill acquired through education and experience.” According to Stephen C. Cohen, the Pakistan Armed Forces first started to exhibit these characteristics in 1955 when Pakistan joined the Baghdad Pact, a Cold War alliance between Iran, Iraq, Pakistan, Turkey and the United Kingdom. The Pact was organized largely by the US and exposed the Pakistani army to American military training, doctrine and “approaches to problem-solving.” Between 1955 and 1958, for instance, over 200

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45. Finer, The Man on Horseback, 189.
46. Huntington, The Soldier and the State, 8.
48. Ibid.
Pakistani artillery officers attended American institutions.\textsuperscript{49} This training abroad was coupled with frequent visits by American nuclear and military experts to the Command and Staff College in Quetta, Pakistan.\textsuperscript{50} Cohen recounts reviewing official college documents, noting that the visits by Americans “proved most useful and resulted in modification and revision of the old syllabus” to become consistent with the “fresh data” provided by the US.\textsuperscript{51}

The Pakistani Armed Forces recommitted to professionalism after a crushing defeat against India in 1971.\textsuperscript{52} The Chief of the Army Staff, General Mohammed Zia ul-haq established the National Defence University (NDU) in Islamabad “to impart higher education in policy and strategy formulation at various tiers with emphasis on national security and defence, and act as a national think tank.”\textsuperscript{53} Leading up to the 1999 coup, NDU’s program for colonels and brigadiers comprised of two courses: the War Course and the National Defence Course. Both “acted as a ladder for promotion to the tank of two star major generals.”\textsuperscript{54}

The Pakistan Army also offers physical training and courses on desert warfare, equitation and high altitude combat.\textsuperscript{55} The Army has twelve training centers including the School of Armour and Mechanized Warfare in Nowshera, the School of Artillery in Nowshera, the Military College of Engineering in Risalpur, the Military College of Signals in Rawalpindi and the School of Infantry and Tactics in Quetta.\textsuperscript{56}

Cohen notes that this expertise and training is often used to justify military intervention in politics. He recalls a 2001 interview with a major general responsible for “one of Pakistan’s key military training institutions” who said, “We are recruited and promoted on the basis of merit, we go to many schools such as this one, we have to pass a serious of tough tests, and

\textsuperscript{49} Ibid.
\textsuperscript{50} Ibid.
\textsuperscript{51} Ibid.
\textsuperscript{52} Ibid., 106.
\textsuperscript{54} Shah, The Army, 201.
\textsuperscript{56} Ibid.
only the best of us reach higher rank.” He added that politicians do not require formal education to attain public office.

Therefore, for the purpose of Finer’s framework, it is reasonable to conclude that the Pakistani military possesses a degree of specialized knowledge in military and security matters. This being said, further avenues of research may consider the effectiveness of Pakistan’s military education and training and the usefulness to soldiers in combat.

1.1.2 Social responsibility towards the state

A sense of responsibility towards the client is a key characteristic of any profession. In the case of the Pakistani Armed Forces, interviews with former generals illustrate a keen sense of social responsibility towards the Pakistani state. Following the 1999 coup, for instance, General Musharraf, declared that the “Pakistan Army has accepted the challenge to assist the nation in these trying and uncertain conditions.” He further added that “the spirit of loyalty is instilled deeply in all ranks of the army…At the senior command level, there is a larger sense of loyalty to a common cause or toward the protection of the nation.”

Similarly, in his 1994 army training document, Col. Saifi Ahmad Naqvi noted that the army is responsible for the “defence of the country,” including “safeguarding the integrity, territorial boundaries, and the ideological frontiers to which the country owes its existence.” Naqvi’s document was published in the Pakistan Army Green Book, a guide to training and motivate new army recruits. According to Cohen, such training is a key factor in instilling an “undeniable patriotism and commitment to the people of Pakistan” within the Pakistan Army.

This commitment is demonstrated through the Pakistani army’s role in nation-building and disaster relief activities. That is to say, the military has actively aided the civil authority in

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58. Ibid.
61. Musharraf, In the Line of Fire, 139.
62. Ibid
64. Cohen, The Idea of Pakistan, 126.
responding to domestic issues throughout Pakistani history, including managing communal riots in 1950, 1952, 1954, as well as distributing aid and providing security during floods, food shortages, famine and infectious disease outbreaks, throughout Pakistan’s history.\textsuperscript{65} In 1992, for instance, The Times, a British newspaper, reported that Indus river floods “illustrated how much Pakistan depends on the armed forces in times of crisis. The corps of engineers mobilised all its resources to save the irrigation barriers while civilian agencies dithered and squabbled.”\textsuperscript{66}

1.1.3 Corporate unity

According to Ayesha Siddiqa, the Pakistani military’s professional training, ethnic homogeneity and unity against India contribute to its corporate ethos. She notes that these factors combined, “provide the essential bonding, especially among the officers, that give the organization the appearance of a monolithic force.”\textsuperscript{67}

In terms of ethnicity, for instance, the Pakistani Army is largely Punjabi. In 1990, Punjabis constituted 65\% of the army. Pashtuns followed with 14\% representation, Sindhis and Baluchis constituted 15\%, Kashmiris represented 6\% and other minority groups represented a mere 0.3\%.\textsuperscript{68} Cohen notes that the heavy representation of Punjabis is primarily a function of the size of the Punjab, its military tradition, and its high education levels.\textsuperscript{69} Indeed, over half of the Pakistani population lives in Punjab.\textsuperscript{70} This high concentration of Punjabis, while representative of Pakistan’s demographics, nonetheless had created a public perception that the military is an “exclusive club” for the Punjabis.\textsuperscript{71} Many minority groups, including Bengalis in East Pakistan, felt excluded and underrepresented by the armed forces, which regarded them as being unfit to join the ranks.\textsuperscript{72} As noted by C. Christine Fair, it is this feeling of exclusion and Punjabi domination that eventually gave rise to the separation of East Pakistan in 1971.\textsuperscript{73}

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\textsuperscript{68} Nawaz, \textit{Crossed Swords}, 570.
\textsuperscript{69} Cohen, \textit{The Idea of Pakistan}, 99.
\textsuperscript{71} C. Christine Fair, “Using Manpower Policies,” 82.
\textsuperscript{72} Ibid., 83
\textsuperscript{73} Ibid.
In addition to ethnic homogeneity, the perceived threat from India acts as a “unifying force” for the military and “gives it its professional essence.”\textsuperscript{74} Musharraf’s insistence on continuing to fight against India during the Kargil War is an excellent example because it received broad support from the military and further distinguished the army’s goals and interests from those of the civilian authorities.\textsuperscript{75}

These examples illustrate that the Pakistan Army does in fact, meet Finer’s condition of a professional army. It possesses expertise in the use of force, instils social responsibility in its leadership, and has a strong corporate identity stemming from its ethnic make-up and adversarial relationship with India.

1.2 Did professionalism contribute to the military’s decision to launch the 1999 coup?\textsuperscript{9}

1.2.1 Gap between role and responsibility of the army and politicians

According to Finer, professionalism impels the army into politics because it creates a gap between the armed forces and politicians whereby politicians are charged with policy-making while the armed forces control the use of force.\textsuperscript{76} The argument is that having a gap creates the possibility for mistrust and animosity which could lead one to intervene into the others’ domain. This is in contrast to the “old regimes” where the aristocracy had full control of both policy-making and the use of force, which left little room for intervention.

Article 245 of the 1973 Constitution of Pakistan clearly articulates the gap between the armed forces and the civil authority. It notes that “the Armed Forces shall, under the directions of the Federal Government, defend Pakistan against external aggression or threat of war, and subject to law, act in aid of civil power when called upon to do so.”\textsuperscript{77}

\textsuperscript{74}Shah, \textit{The Army}: 209.
\textsuperscript{75}Ali, “Contradiction of Concordance Theory,” 545.
\textsuperscript{76}Finer, \textit{The Man on Horseback}, 188-189.
1.2.2 Perception that politician’s control over foreign affairs and domestic matters frustrates and impinges on the military task

This condition was perhaps the most important factor in the military’s decision to execute the coup in 1999. As noted by Siddiq, Nawaz Sharif had decided to negotiate a peace deal with India to end the Kargil War. Siddiq argues that this decision, aimed at creating long-term peace with Pakistan’s arch rival, challenged the military’s very raison d’être, thereby instigating extreme opposition from the military.

Indeed, Musharraf’s writings illustrate the extent to which the military believed that Sharif’s decision impinged on its task of gaining control of Kashmir. He writes:

“The Kargil episode created the biggest divide between the prime minister and myself. We had both wanted to put Kashmir firmly on the world’s radar screen, politically as well as militarily. The Kargil initiative succeeded in doing so. Yet when external political pressure forced Nawaz Sharif to vacate the liberated area, he broke down...It was in dealing with Kargil that the prime minister exposed his mediocrity and set himself on a collision course with the army and me.”

These examples not only demonstrate that the Pakistani army does, in fact, fit the definition of a professional army, but they also show that professionalism contributed to the army’s decision to launch the 1999 coup by creating a gap between the army and politicians and by fuelling the perception that the Sharif government was disrupting the military’s task. It can therefore be concluded that the first of Finer’s conditions, the professionalization of the officer corps, holds for the Pakistani case.

Results and Data Analysis for Condition 2

*Rise of nationalism and the nation-state*

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79. Ibid., 97.
The second condition of military intervention is the rise of nationalism and the nation-state. Finer argues that nationalism contributes to military intervention if the armed forces become a visible symbol and pledge of nationhood, if the military ideology and programme are based on nationalism and if the nation is the object of military loyalty.

2.1 Armed Forces as visible symbol and pledge of nationhood

The Armed Forces first became a symbol of Pakistani nationhood under the dictatorship of President Ayub Khan who executed Pakistan’s first military coup in 1958. According to Cohen, Ayub Khan glorified the army in order to promote a Pakistani national identity and ideology strong enough to withstand a variety of perceived threats, including the countervailing influence of Indian nationalism and the self-interest of individual Pakistani provinces.

This process followed Benedict Anderson’s concept of “imagined communities” because Ayub Khan in fact employed state-controlled media, textbooks, and even privately owned businesses to promote the image of a “monolithic Muslim community.” Anderson notes that political elites often use such means to create a sense of nationhood in societies where there is no common language or lineage, as is the case with Pakistan with its multi-lingual, multi-ethnic make-up. Alan B. Simmons calls this an “imagined future” whereby policy-makers use national identity as a tool to advance a broader political agenda for their country, often to consolidate their own power.

In Pakistan, this process continued into the 1970s when following the separation of East Pakistan, the government of Zulfiqar Ali Bhutto introduced a new national education policy aimed at “building national cohesion.” The policy included a compulsory course entitled

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81. Finer, The Man on Horseback, 189.
82. Ibid.
84. Ibid.
85. Ibid.
87. Alan B. Simmons, Immigration and Canada: Global and Transnational Perspectives (Toronto: Canadian Scholars’ Press Inc, 2010), 16.
“Pakistan Studies” for all students in grade 9 and 10.\textsuperscript{89} Naureen Durrani recounts that course textbooks were filled with images of the military and teachers were encouraged to “represent the army as a central symbol of national identity.”\textsuperscript{90} She adds that when asked to draw an image of “us,” (i.e. Pakistanis) the majority of male students in Durrani’s study drew illustrations of either weapons, bombs, army helicopters, soldiers or the banner of \textit{Nishan-e-Haider} (the highest military honour in Pakistan).\textsuperscript{91} As forecasted by Finer’s framework, this example illustrates that the Pakistani public started to view the military as an essential component of what it means to be Pakistani. The consequence, as Finer predicted, was that the military started to “attract esteem.”\textsuperscript{92}

2.2 Military ideology and programme based on nationalism

Finer argues that nationalism often provides the military with an ideology and programme promoting the military as the “guardian of the national territory.”\textsuperscript{93} Musharraf’s rationale for the coup illustrates Finer’s argument because, in Musharraf’s view, the military was acting to preserve the sovereignty of the country. For instance, in his address to the nation on the night of the coup, Musharraf stated, “Dear Brothers and Sisters, your Armed Forces have never and will never let you down \textit{insha’Allah}. We shall preserve the integrity and the sovereignty of our country to the last drop of our blood.”\textsuperscript{94} This idea of “guarding the national territory” became the cornerstone of Musharraf’s vision for Pakistan.\textsuperscript{95} Following the coup, for instance, he introduced the slogan “Pakistan First,” which aimed at creating a national identity based on a commitment to preserve the state.\textsuperscript{96}

2.3 Military loyalty to the nation

\textsuperscript{89} Ibid.
\textsuperscript{90} Ibid., 230
\textsuperscript{91} Ibid.
\textsuperscript{92} Finer, The Man on Horseback, 189.
\textsuperscript{93} Ibid.
\textsuperscript{96} Ibid.
Finer argues that military is more likely to intervene in politics if its loyalty is directed towards the nation-state, rather than the civil government. That is to say, the military may perceive a “duty to be disloyal to the government” in order to preserve the integrity of the nation.

This condition is applicable to the 1999 military coup in Pakistan because Musharraf repeatedly expressed his allegiance to the state as more important than his duty towards the government. For example, he explained his decision to undermine the Constitution by stating “The choice was between saving the body—that is the nation, at the cost of losing a limb—which is the Constitution, or saving the limb and losing the whole body. The Constitution is but a part of the nation, therefore I chose to save the nation.”

Aqil Shah notes that the “army’s messianic mission to resuscitate the nation” was engrained into the top level of army officials. Major General Asif Duraiz Akhtar, for instance, writes:

A focal point of the Army’s role in nation-building must be that of a surgeon, who has to make hard decisions on behalf of the patient for saving his life, including amputation if required. Those decisions will bother some who have vested interests…but the condition of the patient warrants such bold actions.

It can be concluded that the rise of nationalism laid the foundation for military intervention because the military increasingly regarded itself as the “custodian of the nation’s values,” thereby prioritizing the perceived interest of the nation above the authority of the elected government.

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97. Finer, The Man on Horseback, 189.
98. Ibid.
100. Shah, The Army, 203.
102. Finer, The Man on Horseback 189
Results and Data Analysis for Condition 3

_The substitution for the divine authority of kings of the dogma of popular sovereignty_

Finer observes that people are the sole source of legitimacy in republican regimes, as compared to monarchies.\(^{103}\) In other words, both elected governments and the military are subordinate to the opinions of the electorate.\(^{104}\) He argues that this recognition of popular sovereignty could lead to military intervention in politics if the military claims to represent the will of the people.\(^{105}\)

3.1 Military plea that it embodies the sovereignty of the people

In his memoir, Musharraf explains that the coup was executed on behalf of the Pakistani people. He writes that “… (the current) state of affairs left people disillusioned. Pakistanis started losing faith in their country. The young, in particular, were despondent. I had my work cut out for me.”\(^{106}\)

While Musharraf implies that the military represented the will of the “disillusioned people,” other military officers argue that the people were not aware of what was in their best interest. Lieutenant General Ahmed Shuja Pasha, for instance, stated that the due to their lack of education, “the electorate finds it easy to be manipulated and identifies itself more with representatives from their own ill-educated stock.”\(^{107}\) Finer’s framework accounts for this variation because Finer notes that while the intervener may not represent the “actual observed will of the people, he (may claim) to represent its ‘real’ will- what is in its true interest, or what represents its higher morality.”\(^{108}\)

Results and Data Analysis for Condition 4

_Insurrectionary Armies_

\(^{103}\) Ibid., 189-190.  
\(^{104}\) Ibid.  
\(^{105}\) Ibid.  
\(^{106}\) Musharraf, In the Line of Fire, 148.  
\(^{107}\) Shah, _The Army_, 193.  
\(^{108}\) Finer, The Man on Horseback, 190.
Insurrectionary armies are prone to intervention because they exist to “liberate the national territory or the overthrow of the social order.” Finer notes that the leaders of such armies tend to become political rulers in an ensuing new social order, which then sets a precedent for military involvement in politics.

4.1 Military history of working for the liberation of the national territory

This measure does not apply in the Pakistan case because the “national Pakistani territory” did not exist at the time of independence. Instead, both the Pakistani territory and the military were created when the British Indian Empire was divided into two states: the Dominion of Pakistan and the Union of India. Indeed, as noted by Veena Kukreja, “there was little military organization to speak of when Pakistan was created in 1947, as the old British Indian army had to be unscrambled and reorganised into fresh units.”

Because of the inapplicability of this one particular measure, one may be led to question the appropriateness of Finer’s entire framework to the Pakistani case. That, however, would not be justifiable. A more reasonable conclusion, as evidenced by this example, is that depending on the specific context and circumstances, it is the combination, not the necessarily the entirety, of Finer’s conditions that can trigger military interventions.

4.2 Military history of working for the overthrow of social order

Although the Pakistani military has not worked for the liberation of the national territory, it does have a long history of working for the overthrow of social order. The 1999 military coup, for instance, was the third time the democratically elected civilian government was toppled by the military. This tradition is summarized by former chief General Jehangir Karamat who states that “Whenever there is a breakdown in...stability, as has happened frequently in Pakistan, the military translates its potential into the will to dominate, and we

109. Ibid.
110. Ibid.
111. Kukreja, Civil-Military Relations, 46.
112. Aziz, Military Control, 1.
have military intervention followed by military rule.” Indeed, Kukreja notes that “Pakistan has essentially been ruled by men in uniform for approximately 24 years during the 43.5 years of its existence.

Despite its tradition of intervention, however, Pakistan’s army does not qualify as an insurrectionary army because according to Finer, insurrectionary armies intervene in politics because “this is why they have come into existence.” In other words, “nationhood and revolution come at the bequest of the army.” As noted previously, the Pakistan army was created to “defend Pakistan against external aggression;” not to liberate the nation or create a new social order. Therefore, the condition of insurrectionary armies does not hold for the case of Pakistan.

Results and Data Analysis for Condition 5

The emergence of new, independent states

Finer argues that new states often breed nationalism and exacerbate existing economic, ethnic and religious cleavages. If these factors lead to a call for a strong, central government, then the military may be inclined to intervene to provide such a service.

5.1 Independence from colonialism

Pakistan was formed as a country on August 14th, 1947, following the Partition of India in the aftermath of the end of the British colonial period in India. India was separated into East and West Pakistan at the insistence of the Muslim League during the British Raj. Political groups like the Muslim League, which were mostly comprised of the elites of Indian Muslim

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115. Finer, The Man on Horseback, 190.
118. Ibid.
community, feared that they would be unable to exercise power as a minority within a united India.\textsuperscript{120}

As Cohen notes, the Partition resulted in a clear “underdog mentality” among the Pakistani political elite which fuelled its “desire to disprove Indian predictions that their state would fail.”\textsuperscript{121} On occasion, this mentality has spilled over into pre-emptive Pakistani military aggression, particularly in the case Kashmir, a contested territory between India and Pakistan.\textsuperscript{122}

As noted by Hassan Abbas, the “Kashmir conflict landed Pakistan in a security dilemma” whereby the military budget and leadership of the Armed Forces became essential to realize the claim over Kashmir.\textsuperscript{123} The military thus became an essential player in Pakistan’s foreign policy— to the point that Musharraf was able to launch an unprovoked attack against India in 1999, without prior approval from Sharif.

Cohen also explains that Pakistan experienced severe economic instability and a lack of industry and resources following the Partition.\textsuperscript{124} This resulted in an influx of foreign aid and economic support from Western countries including the United States.\textsuperscript{125} Cohen notes that Pakistan received significant “military assistance in the form of grants and aid (weapons sold at concessional rates, or with reduced interest).”\textsuperscript{126} This aid helped to strengthen the army and consequently, facilitated its ability to intervene in politics through successful coups.

5.2 Emergence of economic, ethnic and religious cleavages

Pakistan experienced economic uncertainty, as well as ethnic and sectarian conflict leading up to the 1999 coup. For example, annual gross domestic product growth had fallen to

\begin{itemize}
  \item \textsuperscript{120} Ibid.
  \item \textsuperscript{121} Ibid., 55
  \item \textsuperscript{122} Hassan Abbas, Pakistan’s Drift into Extremism: Allah, the Army and America’s War on Terror, (Amonke: An East Gate Book, 2005), 17.
  \item \textsuperscript{123} Ibid.
  \item \textsuperscript{124} Cohen, The Idea of Pakistan, 55.
  \item \textsuperscript{125} Ibid.
  \item \textsuperscript{126} Ibid.
\end{itemize}
3%. This contributed to widespread poverty and inequality within the population, which was further exacerbated by Prime Minister Sharif’s decision to encourage state-owned banks to loan money to his supporters. The decision resulted in $3.5 billion in default loans. The economic outlook worsened in 1998 when following nuclear tests, Pakistan was the target of heavy U.S. sanctions.

Pakistan has also experienced significant ethnic and sectarian violence since independence including the separation of East Pakistan in 1971, an insurgency in Baluchistan in 1973, communal violence between the Muhajir and the Sindhis in the 1980s and conflict between the Sunni majority and Shiite minority in the 1990s. Sectarian violence between the Sunni majority and Shiite minority peaked in the 1970s when the Soviet invasion of Afghanistan brought an influx of weapons into Pakistan. The country experienced 581 deaths and over 1,600 injuries related to religious violence between 1990 and 1997.

This backdrop yet again points the relevance of Finer’s framework: poor economic conditions and ethnic conflicts result in “passionate nationalism,” which in turns creates the pre-conditions for the military to propel itself into the political sphere.

5.3 Call for a strong, central government after independence

Muhammed Ali Jinnah, the founder of Pakistan, introduced “a highly centralised constitutional system” that placed politicians under “bureaucratic tutelage and afforded extraordinary powers to the Governor-General” over provincial governments. According to Iftikar Malik, this “weak tradition of party politics,” resulted in politicians being subservient to
the bureaucracy, and later to the military as it became increasingly involved in politics.\textsuperscript{136} Hasan Askari Rizvi adds that the need for a strong, central government, rather than “participatory political institutions” created an environment favourable to military intervention as the military was not only seen as a symbol of nationhood but it also possessed a certain coercive power necessary to create a strong government.\textsuperscript{137}

Therefore, it can be concluded that the measure generally holds for Pakistan. This being said it is difficult to measure the extent to which it contributed to the 1999 coup. It could be argued, for instance, that Musharraf was not interested in pursuing a “strong, central government,” because his “seven-point plan” for Pakistan included “devolving power to the grassroots.”\textsuperscript{138}In this regard, it is fair to state that the inability to draw clear causal linkages through statistical analysis is a limitation of this paper.

The following table summarizes the findings of this section, showing that thirteen out of fourteen measures applied to the Pakistani case:

\begin{itemize}
  \item \textsuperscript{136} Iftikhar H. Malik, “The Military coup in Pakistan: Business as usual or democracy on hold!” \textit{The Round Table} 90, no. 360, 360.
  \item \textsuperscript{137} Hasan Askari Rizvi, \textit{Military, State and Society in Pakistan}, (Basingstoke: Macmillan, 2000) p. 1
  \item \textsuperscript{138} Musharraf, In the Line of Fire, 149.
\end{itemize}
<table>
<thead>
<tr>
<th>Table 2: Summary of findings</th>
<th>Yes</th>
<th>No</th>
</tr>
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<tbody>
<tr>
<td><strong>Condition 1: Professionalization of the officer corps</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 Are the Pakistan Armed Forces a “professional” military?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expertise: Specialized knowledge and skill acquired through education and experience</td>
<td>✔</td>
<td></td>
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<tr>
<td>Social responsibility towards the state</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Corporate unity: Sense of organic unity and consciousness of themselves as a group part from laymen</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>1.2 Did professionalism contribute to the military’s decision to launch the 1999 coup?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gap between role and responsibility of the army and politicians</td>
<td>✔</td>
<td></td>
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<tr>
<td>Perception that politicians’ control over foreign affairs and domestic matters frustrates and impinges on the military task</td>
<td>✔</td>
<td></td>
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<tr>
<td><strong>Condition 2: Rise of nationalism and the nation-state</strong></td>
<td></td>
<td></td>
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<tr>
<td>Armed forces as visible symbol and pledge of nationhood</td>
<td>✔</td>
<td></td>
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<tr>
<td>Military ideology and programme based on nationalism</td>
<td>✔</td>
<td></td>
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<tr>
<td>Military loyalty to the nation</td>
<td>✔</td>
<td></td>
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<tr>
<td><strong>Condition 3: The substitution for the divine authority of kings of the dogma of popular sovereignty</strong></td>
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<tr>
<td>Military plea that it embodies the sovereignty of the people</td>
<td>✔</td>
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<tr>
<td><strong>Condition 4: Insurrectionary armies</strong></td>
<td></td>
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<tr>
<td>Military history of working for the liberation of the national territory</td>
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<td>✔</td>
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<tr>
<td>Military history of working for the overthrow of social order</td>
<td>✔</td>
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<tr>
<td><strong>Condition 5: The emergence of new, independent states</strong></td>
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<tr>
<td>Recent independence from colonialism</td>
<td>✔</td>
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<tr>
<td>Emergence of economic, ethnic and religious cleavages</td>
<td>✔</td>
<td></td>
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<tr>
<td>Call for a strong, central government after independence</td>
<td>✔</td>
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</table>
Conclusion

This paper set out to explore if Finer’s framework holds true for the case of the 1999 military coup in Pakistan. The data revealed that to a large extent it does, except for one measure for one of the framework’s condition: military history of working for the liberation of the national territory. That is to say, the conditions of the professionalization of the officer corps, the rise of nationalism and the nation-state, the substitution for the divine authority of kings of the dogma of popularity, and the emergence of new, independent states were all applicable to the 1999 military coup in Pakistan. However, condition four, entitled by Finer as “insurrectionary armies,” was not fully met because the Pakistan Army was not directly involved in the liberation of the national territory. This implies that military intervention in politics is not always or necessarily attributable to the five conditions outlined by Finer. In Pakistan, the military was able to intervene, even though the circumstances surrounding intervention did not fully prescribe to Finer’s framework.

That having said, the fact that thirteen out of fourteen measures of Finer’s framework leads the paper to sufficiently conclude that the framework is a useful tool to explain and enhance the academic study of the 1999 military coup in Pakistan. The findings of this paper are therefore relevant to the field of civil-military relations because they illustrate that Finer’s framework has applicability beyond the 1960s coups examined in *The Man on Horseback*. Further research may include a comparison of the conditions surrounding the 1999 military coup against those surrounding present-day Pakistan. Such a comparison could help assess whether Pakistan is likely to experience a military coup in the coming years.

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The Role of Climate Change in Armed Conflicts across the Developing World and in the Ongoing Syrian War

Anaïs Voski

Abstract: This study examines the causal relationship between warming temperatures and armed conflicts in the developing world, and specifically, in Syria. The goal is to find and establish a correlation between the two factors and to understand how their complex dimensions might be influenced by the political, economic, social and environmental context in which they take place. This has been done by examining studies from Africa and the ongoing war in Syria, where resource scarcities resulting from changing weather patterns and environmental mismanagement have contributed to current political, economic and social instability. By demonstrating the increasingly prominent role climate change plays in armed conflicts, this study highlights the security challenges of political stabilization and sustainable industrialization in weak states.

Introduction

As seen in numerous headlines around the world and an increasing number of research projects and policy assessments, many experts are beginning to make the case that underlying environmental factors can be blamed for sparking the civil war in Syria. Although the issue seems to be a hot topic in the news nowadays, the environment versus security debate has been ongoing for almost three decades. In 1987, the World Commission on Environment and Development argued that environmental degradation in the future would lead to shortages in resources, which in turn would lead to violent struggles for those increasingly scarce resources.1 But by the 1990s, experts suggested that the abundance, rather than the scarcity, of resources was to blame for the new wars of the era.2 The debate re-emerged after the 2003 invasion of Iraq and again in 2007, when United Nations Secretary-General Ban Ki-moon asserted, “the Darfur conflict began as an ecological crisis arising at least in part from climate change.”3 But according to later studies, rainfall actually increased before the Darfur war,

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2 Indra de Soysa, “Ecoviolence: Shrinking Pie or Honey Pot?” Global Environmental Politics 2, no. 3, 1-34.
which meant the conflict could not be blamed on drought. A recent study on Syria successfully reignited the debate all over again, when the authors boldly stated that a severe drought, which preceded the civil war, contributed and led to the outbreak of the conflict. Inarguably, the topic has remained highly contentious over the past couple of years, and with seemingly no end to the debate, the question remains: does climate change cause conflict, and is it to blame for sparking the war ongoing war in Syria?

This essay will argue that climate change is an increasingly prominent contributing factor to armed conflicts in the developing world, and more specifically in Syria, where the socio-economic consequences of a warming world directly contributed to the outbreak of the ongoing war. This paper’s first section will examine the highly polarized debate about the link between climate change and armed conflict while the second section will focus on Syria as a case study. More specifically, the second section will examine the complex and interrelated connections between climate change, the Fertile Crescent drought, and Syria’s pre-war political, economic and social dimensions that laid the basis for economic scarcity, societal tensions, and what early on might have started as an environmental and humanitarian crisis.

Main

It is undeniable at this point: climate change is one of the most pressing political, scientific and even economic challenges of our time, with over 97 percent of scientists agreeing that it is caused by human activity. Climate change, as most commonly defined, is a change in regional and global climate patterns that is mainly due to the increased levels of atmospheric carbon dioxide produced by the use of fossil fuels. The most prominent effects of climate change include, but are not limited to, rising temperatures and sea levels, increased natural disaster,
changing landscapes and precipitation patterns, increased risk to wildlife and risk of fire and flood, as well as resource scarcity, economic losses, and increased risk of droughts – with the latter three effects being particularly relevant in the case of Syria.

It is important to mention that we are living in a new era – one that is not only relatively the most peaceful times known in human history, but one that has also been defined as the Anthropocene, or the “new geological era.”\(^8\) Indeed, on one hand we have seen a steady decline in human violence and conflict not only over the general course of human history,\(^9\) but also most recently, as the number of armed conflicts has been steadily decreasing since the early 1990s.\(^10\) On the other hand, changes in climate patterns have only started to become more apparent in the mid and late 20\(^{th}\) century and are becoming even more noticeable as global warming continues to push forward in the 21\(^{st}\) century.\(^11\) Even researchers who have argued heavily against linking climate change with conflict, such as Halvard Buhaug, have admitted that the many effects and complex processes associated with climate change and rising temperatures have only truly started to appear in the past 15 years.\(^12\) This means the research and data are both fairly recent and thus should be utilized with caution. Since the environment is now considered to be inseparable from human actions, “the sheer scale of human activities now means that we are living in a new geological era, the Anthropocene, where we are actively remaking the environment.”\(^13^{14}\) It is in this context that the link between climate change and armed conflicts has emerged as one of the most contentious topics in environmental politics, both in the general discourse and in the context of the ongoing Syrian war.

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\(^12\) Ibid.
\(^14\) Dalby, Peacebuilding and Environmental Security in the Anthropocene, 8.
Section I: Climate change vs. armed type of conflicts

While examining the link between climate change and conflict, this paper will focus specifically on armed type of conflicts in the developing world. The rationale behind this are the complexities and challenges of defining war and non-armed type of conflicts, as well as the overall decrease in interstate wars since the end of World War II. However, while this decrease has led to more peaceful years in the West, it has also led to a relative increase in intrastate conflicts in various developing countries across the Middle East, Africa, and South America. The reason why developing countries are significant in this particular case is because they so often lack, or partially lack, the solid political, economic, and social structures that would make similar conflicts in Western, stable nations unlikely. In fact, there definitely appears to be a consensus that economic, political and social factors determine “how countries handle resource scarcity” – a factor that is key to analyzing the link between climate change and conflict more in-depth.

Numerous studies, experts, NGOs, and policymakers have argued over the past decade that there is a link between climate change and conflict. Most notably, a Christian Aid report from 2007 painted quite an alarming and apocalyptic picture of the future. The organization reported that, according to their estimates, by 2050 more than a billion migrants might destabilize entire regions due to fighting over basic needs such as water or food. The United Nations Intergovernmental Panel on Climate Change, the Pentagon, and Homer-Dixon are no exceptions from making similar claims; the latter has stated that “climate change will help produce [...] insurgencies, genocide, guerrilla attacks, gang warfare, and global terrorism”, whereas the Pentagon has painted a “Hobbesian state of nature whereby humanity would be engaged in ‘constant battles for diminishing resources.’” Prior to 2007, the majority of studies focused on state-level factors when attempting to quantify the relationship between resource scarcity and violent conflict. The discourse took a new direction, however, when an

16 Ibid.
article found that environmental change is often either confined to smaller-than-state areas or spans across international borders.\textsuperscript{20}

In 2009, a prominent study described “strong historical linkages” between rising temperatures and armed conflict in sub-Saharan Africa, arguing that, based on their data, “warmed years lead to significant increases in the likelihood of war.”\textsuperscript{21} By sub-Saharan Africa, the authors were referring to all countries within the five regions of the continent, including West Africa, Sahel, Central Africa, Eastern Africa, and Southern Africa. According to the authors, climate change will inevitably worsen instability in already volatile regions as the effects of global warming – such as the possible decline in global food production – will have disruptive effects on human enterprise.\textsuperscript{22} Studies before have attempted linking climate change and conflict by focusing on the role precipitation plays in the relationship, but the problem is that future projections of rain pattern changes are sometimes contradictory when calculated using different climate models for the specific continent.\textsuperscript{23} Luckily, there seems to be more agreement between calculations predicting future temperature changes, which helps remove some of the uncertainty from such studies. Using temperature-based data, the authors found substantial increases in overall conflict in Africa during warmer years. In numbers, the authors found that a 1 percent increase in temperatures leads to a 4.5 percent increase in civil war. The authors also calculated future scenarios: based on current temperature trends, armed conflict is expected to increase roughly by 54 percent by 2030, resulting in an additional 393,000 total number of battle deaths. Based on Correlates of War project, which has provided modern society with the now-standard 1,000 battle deaths per year measure, this is no insignificant prediction – in fact, it could mean more than 26,000 annual deaths in the upcoming 15 years based on the study.

\textsuperscript{20} Raleigh and Urdal, “Climate change, environmental degradation and armed conflict”, 675.
\textsuperscript{22} Ibid., 20670.
One of the main challenges, of course, is trying to apply quantitative analysis to complex situations such as conflict that potentially involve political, economic and social factors besides underlying environmental ones. In an article titled ‘Climate not to blame for African civil wars,’ prominent expert in the field Halvard Buhaug challenged the findings of the above report, arguing “climate variability is a poor predictor of armed conflict.”  

Using different calculations and alternative measures of drought, temperature and war, Buhaug concluded that sub-Saharan African civil wars are caused by “more obvious” reasons such as struggling economies, ethnic tensions and the collapse of the Cold War system, as opposed to increasing temperatures and climate change. According to Buhaug, the 2009 study’s method of analysis was fundamentally flawed. He argued that the authors made a mistake by not distinguishing between peace and smaller conflicts (< 1,000 annual casualties) in the case of the Sierra Leone civil war or by only using data from the 1981-2002 period, despite the relative decrease in African conflicts after 2002. However, the question remains somewhat open, as Buhaug has admitted in an earlier study that he and other researchers could not rule out the possibility that there is a general link between climate change and conflict. At the same time, limitations in data and research design, as well as the lack of empirical foundation for such claims, means that any absolute conclusions would be premature and that the link between the two events remains “indicative at best and numerous questions are left unanswered.”

It is important to mention that, according to the same study, the frequency of armed conflicts and the variability in temperature correlated negatively, but the latter variable was measured as an anomaly in temperatures as opposed to actual Celsius degrees. This detail could be significant for those who argue that the variable levels of temperature anomalies are not indicative of the overall progression of climate change and its effects on the environment, and thus should be used with caution in statistical analysis.

Despite the strong claims on both sides of the debate, the real challenge appears to be establishing a direct causal relationship between climate change and armed conflicts – and this,
as of 2015, is yet to happen. A more recent article in *Science* compared 60 different studies and found that there is “more agreement across studies regarding the influence of climate on human conflict than has been recognized previously.”

Most studies highlighted three specific consequences of climate change, which contributed to instability first and which then later contributed to conflict. The three main factors are the intensification of natural disasters, increasing resource scarcity, and rising sea levels, which are known to have damaging effects on infrastructure, health, and livelihoods. This is especially true in the geographical regions of the Mediterranean, northern Sahara, and southern Africa, where rising temperatures and changing precipitation patterns have been making the regions “notably dryer and hotter.”

Unfortunately, based on projections by both the Pentagon and the Intergovernmental Panel on Climate Change, the warming trend is definitely expected to continue in the future.

Rather than arguing that the effects of climate change are the direct cause of conflict – which would mean linking nature and society directly – it is in fact the societal tensions and economic scarcities caused by rising temperatures that appear to lead to increased conflict in the developing world. Even skeptics such as Buhaug agree that “several factors that increase general conflict risk are sensitive to climate change.” It can be argued, then, that even though climate change might not be the direct cause of armed conflict, it is, at the very least, an indirect contributing factor. This would explain why ongoing droughts in California have not caused conflict in a stable, developed country such as the United States: because “violence is a probable outcome only in societies already suffering from a multitude of other ills.” Or rather, as Homer-Dixon has put it, “environmental scarcity is never a sole or sufficient case of large migrations, poverty, or violence; it always joins with other economic, political, and social factors to produce its effects.”

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29 Buhaug. “Climate not to blame for African civil wars”.
31 Ibid.
The indirect link between climate change and armed conflict means that focusing on the middle factor, namely the socio-economic consequences of climate change, will have to be made a priority when attempting to determine how global warming might result in more conflict in the future. These socio-economic effects include, but are not limited to, the failure of governments to deliver public goods due to economic scarcity, as well as resource mismanagement. These often result in resource competition among citizens, unemployment, migration, job losses and a scarcity-induced decrease in economic output.\(^{35}\) The effects of climate change on developing economies and their citizen’s mobility is what International Alert’s Dan Smith called “a recipe for conflict,”\(^ {36}\) as climate change will inevitably continue to push forward in the foreseeable future and make societies more vulnerable to turmoil. The developing world has become a key element to this debate; not only because most developing countries are geographically situated in areas projected to be most vulnerable to climate change, but also because their governments often lack effective and reliable governance structures. Unsurprisingly, the 20 countries most vulnerable to climate change formed a bloc in late 2015\(^ {37}\) and have already demanded a 1.5 Celsius degrees warming limit at the currently ongoing UN climate change summit in Paris.\(^ {38}\) The developing world is hence undoubtedly becoming increasingly vulnerable to the damaging effects of climate change, and Syria is no exception.

Case study: Syria

Having established that climate change can contribute and indirectly lead to conflict in the developing world, the question is whether or not it can be blamed for sparking the civil war in Syria. In 2008, officials at the American embassy in Syria’s capital city of Damascus sent a

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cable back to the homeland in which they voiced their concerns over the ongoing drought in Syria and its implications for rural economies.\textsuperscript{39} According to a recent study published in March 2015 in the \textit{Proceedings of the National Academy of Sciences} (PNAS), there is solid evidence that the drought between 2007-2010 contributed to the Syrian conflict.\textsuperscript{40} For context, it is also important to mention that the ongoing civil war in Syria is most often said to have begun back in March 2011, when the Arab Spring sparked pro-democracy protests and uprisings across the Arab world, including anti-Assad and anti-regime protests in Syria.\textsuperscript{41} Based on the numbers, it is evident that the four-year drought that started in 2007 did in fact immediately precede the civil war – a dramatic change in rainfall that the authors of the PNAS study called “the most severe drought in the instrumental record.”\textsuperscript{42}

The PNAS study is noteworthy because on one hand, it is “the first of its kind to look at a modern, ongoing war”, but also, because it combined precipitation and temperature data to prove that the 2007-2010 drought had a “catalytic” effect on the war.\textsuperscript{43} The authors found that the four-year decrease in rainfall and increase in temperatures was consistent with projections of a long-term drying-and-warming trend in the East Mediterranean. The prolonged drought caused widespread crop failure, as well as inflation, GDP drop, unemployment, widespread displacement and mass migration. According to data from the Central Bureau of Statistics and the World Bank, Syria’s agricultural sector accounted for 20.4 percent in 2007, but that number dropped to 17 percent by 2008.\textsuperscript{44} As the authors of the PNAS study explain in detail:

Atieh El Hindi, the director of the Syrian National Agricultural Policy Center, has stated that between 2007 and 2008, drought was a main factor in the unprecedented rise in Syrian food prices; in this single year, wheat, rice, and feed prices more than doubled (17, 18). By February of 2010, the price of livestock feed had increased by three fourths, and the drought

\textsuperscript{42} Ibid, 3241.
nearly obliterated all herds (16, 19). There was a dramatic increase in nutrition-related diseases among children in the northeast provinces (20), and enrollment in schools dropped by as much as 80% as many families left the region.45

According to reports, hundreds of thousands – or as many as 1.5 million – rural farmers moved to the already overcrowded and economically-depressed larger cities and suburbs, which could not immediately adapt to the sharp increase in numbers.46 This led to severe strains on the already crumbling urban infrastructure47 and basic services such as per-capita water availability,48 in addition to increased unemployment among Syria’s young demographic.49 As Brauch points out, the fundamental requirements of human security include, but are not limited to, basic infrastructure, sanitation, and emergency and disaster preparedness,50 which indicates the extent to which some rural and urban Syrian regions were struggling to meet basic human security and living standards requirements.

Similar arguments made by the PNAS study and U.S. President Barack Obama have certainly sparked intense debate over the environmental factors of the Syrian crisis, both within academic circles and among the general public. In an opinion piece, British professors Jan Selby and Mike Hulme argued the PNAS study is “deeply flawed.”51 According to Selby and Hulme, the ‘1.5 million displaced Syrian farmers’ figure is “almost certainly wrong” based on Syrian government documents and UN estimates, which both put the number of displaced farmers at approximately 250,000. The fundamental problem, of course, with both estimates is the same as the problem with any other estimates coming out of a fragile state or war zone such as Syria: namely, there is no way to know which estimates are correct. During the Ghouta chemical attack in Syria on August 21, 2013, rockets containing sarin struck several areas in the

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45 Kelley et al., Proceedings of the National Academy of Sciences, 3242.
49 Zastrow, “Climate change implicated in current Syrian conflict.”
Damascus suburbs. Although the perpetrator remains unknown, French intelligence estimated the number of fatalities to be 281, while the United States estimated that at least 1,429 were killed. Indeed, even the international report produced by the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic only cited “numerous casualties” resulting from the attack, as opposed to a specific number. While on average most news organizations cite over 1,000 victims resulting from the chemical attack, the uncertainty clearly indicates that conflicting data and numbers emerging from war zones and unstable regions should be treated with caution and a grain of salt.

There is, of course, a real possibility that Syria’s ongoing civil war could be obscuring what originally started as an environmental and humanitarian crisis, rather than an armed conflict. In this instance, securitized discourses about climate change would obscure an ecological and humanitarian crisis triggered by an authoritative government that is responsible for causing both the pre-war mass migration by ineffective agricultural policies and also the post-war mass migration caused by inadequate crisis responses. The Assad regime’s ineffective agricultural policy practices meant it favoured water-intensive crops such as cotton, for example, despite the anticipated decrease in regional precipitation. According to numerous reports, in the years leading up to the four-year drought, the Syrian government prioritized agricultural development in rural areas in order to gain support from local populations instead of building an infrastructure with the ability to adapt to the changing environmental conditions. The Assad government reportedly subsidized wheat and cotton cultivation in the

arid and steppe regions “regardless of the agro-economic consequences.”\textsuperscript{57} This not only led to the over-extraction of water but also contributed to the increasing desertification of the land.\textsuperscript{58}

The mismanagement of natural resources is not only an agricultural, political and economic policy failure – it’s also an environmental one. As already mentioned above, the most prominent effects of climate change include but are not limited to, resource scarcity. The increasing scarcity of renewable resources in the developing world, understood as the “low per capita availability of a resource”, includes fertile soil and fresh water – which happened to be the two largest scarcities Syria faced before the war.\textsuperscript{59} It is perhaps no surprise then that mismanaging resources lead to increasing resource variability that is “associated with higher levels of unpredictability” and that can constitute one of the “the greatest challenges to human livelihoods.”\textsuperscript{60}

Another environmental and underlying dimension that might have contributed to the outbreak of the war is migration induced specifically by climate change. This phenomenon has led to the emergence of the terms ‘environmental migrant’ and ‘environmental refugee’. According to Stern, the effects of changing climates such as increasing desertification, water shortages, droughts, floods, precipitation changes, the collapse of forests and biodiversity, rising sea levels as well as extreme weather events may all cause mass migration.\textsuperscript{61} In the case of Syria, that would mean that the significant internal flow of migrants moving from rural areas to the cities could also be attributed to the consequences of climate change. Similar to how resource scarcities have been shown to lead to increased amounts of violence, Reuveny argues that migration can also lead to more conflict by causing people to cross fault lines – for example, by moving from rural to urban areas – which in turn could lead to distrust, ethnic tensions, and even more competition over limited resources in the cities.\textsuperscript{62} Indeed, data indicates food prices increased in 2007-2008, which is the beginning of the Syrian drought, as well as in 2010-2011 around beginning of the Arab Spring, due to various regional and global

\textsuperscript{57} Weinthal et al., International Environmental Agreements: Politics, Law and Economics, 303.
\textsuperscript{59} Buhaug et al., “Implications of Climate Change for Armed Conflict,” 2009.
\textsuperscript{60} Ibid.
\textsuperscript{62} Rafael Reuveny. “Climate change-induced migration and violent conflict.” Political Geography 26, no. 6 (2007): 656-673.
causes such as financial speculation and deregulated commodity markets.\textsuperscript{63} According to local news reports, “severely limited” cereal production caused by the Syrian drought led to a spike in local food prices and placed pressure on basic food supplies.\textsuperscript{64}

The challenge of trying to establish a direct causal relationship between the changing Syrian climate and the outbreak of civil war remains ongoing. Similar to how at the macro level the general literature about climate change and armed conflict is yet to draw a direct causal relationship between the two, the situation is same at the micro level in Syria. Nonetheless, an indirect relationship through a middle factor – such as the socio-economic consequences of global warming – can be argued within reason to be one of the many factors that contributed to the outbreak of the conflict. The Syrian civil war is inarguably a “result of complex interrelated factors” – while this does not establish a direct causal relationship between climate change and the ongoing conflict specifically, it does establish one between climate change and the known socio-economic consequences of a warming world.\textsuperscript{65} In fact, as Gleick argues, water and climatic conditions played a “direct role” in the deterioration of Syria’s economic conditions, and economic conditions have been proven to play a large role in the outbreak of civil wars.\textsuperscript{66}

While the relationship between the four-year drought and the drop in Syria’s GDP and agricultural output is quantifiable, the same cannot be said for its political instability, social unrest, and ‘what-if’ speculations. The challenge is that we cannot know, nor even hypothesize, what would have happened in Syria if the four-year drought did not happen – would the war have still broken out? And even if it would, would the conflict have the same characteristics it does today? There is no way to know the answer to those questions, which leaves a significant portion of the debate up to further data collection and hypothesis testing. The bottom line is that, since conflicts are rarely, if ever, caused by a single reason,\textsuperscript{67} any future attempts to

\textsuperscript{66} Ibid.
\textsuperscript{67} Ibid.
further analyze the underlying causes of the Syrian war will have to include a multitude of complex and interrelated factors, which can be well presumed to include environmental factors attributable to climate change.

Conclusion

This essay argued that climate change is an increasingly prominent contributing factor to armed conflicts in the developing world, and more specifically in Syria, where the effects of climate change are continuing to push forward and are becoming more noticeable at an accelerating rate. The current academic literature has failed to establish a direct causal relationship between global warming and the outbreak of the war – that, however, does not mean that such a relationship does not exist, and thus the issue will continue to remain a fascinating and ongoing research area. In the meantime, it can be argued that the recent changes in the Syrian environment were one of the indirect contributing factors to the conflict. While the discourse on Syria tends to focus on regime change, the triggers for such conflicts often include “a broad set of religious and sociopolitical factors and the erosion of the economic health of the country.”

As many have argued before, we are living in a new era – the Anthropocene – that is redefining not only our attitude towards the environment but also international security as a whole. In the words of U.S. Secretary of State John Kerry, this new era might be one fought for survival: “you think migration is a challenge to Europe today because of extremism. Wait until you see what happens when there’s an absence of water, an absence of food, or one tribe fighting against another for mere survival.” While fighting for mere survival might remain in the unforeseeable future, for now, it is clear that in order to reduce the risk of conflicts in the third world, the industrialization of developing countries will need to go hand in hand with adaptation measures to changing climate patterns. This is especially and increasingly important

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68 Ibid.
in volatile regions that are already struggling with political, social and environmental instability.
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