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WITH A SPECIAL CONTRIBUTION FROM

**MICHAEL WALDMAN**



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The *Journal of Politics & International Affairs* at New York University is a student-run publication comprised of original student essays on relevant, thought-provoking topics in the international landscape. The *Journal* seeks to partially satisfy the definitive need for a forum for students, believing their contributions to be not only legitimate and positive, but also crucial to the development of the intellectual growth of students at New York University and of students nationwide. The *Journal's* editors select respected academics to headline each issue with an article of their choosing. The remaining articles are written, edited, and published exclusively by students.

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## EDITORS' NOTE

The articles in the *Journal of Politics & International Affairs* do not represent an agreement of beliefs and methodology. Readers are not expected to concur with all the opinions and research contained within these pages, for the views of the writers and editors themselves are frequently at odds with one another. The *Journal* seeks to inform and inspire the NYU community by presenting a wide variety of topics and opinions from a similarly broad range of ideologies and methods. While we do not accept responsibility for the views expressed in the *Journal*, we accept responsibility for their publication.

Manuscripts submitted to the *Journal of Politics & International Affairs* are handled by two editors-in-chief, three editors, and a staff of six located at New York University. Papers are submitted via e-mail and selected over several rounds of readings by the entire staff. Final selections are made by the editors-in-chief. Papers are edited for clarity, readability, and grammar in multiple rounds, during which at least three staff members and four editors review each piece. Papers are assigned on the basis of fields of interest and expertise of the staff and editors, in addition to a variety of other considerations such as equalization of the workload and the nature of the work necessary. Once edited, the pieces are sent back to the original authors for their review. After receipt of their changes, the papers are further edited as necessary.

## AN INTERVIEW WITH MICHAEL WALDMAN

CONDUCTED BY MICHELLE HUANG

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*Michael Waldman is a nationally prominent public interest lawyer, government official, teacher, and writer. He became director of the Brennan Center for Justice at New York University School of Law in October 2005. Mr. Waldman was Director of Speechwriting for President Bill Clinton from 1995-1999, serving as Assistant to the President. He was responsible for writing or editing nearly 2,000 speeches, including four State of the Union speeches and two Inaugural Addresses.*

*The Brennan Center is a non-partisan public policy and law institute that focuses on fundamental issues of democracy and justice. Its work ranges from voting rights to redistricting reform, from access to the courts to presidential power in the fight against terrorism. The Brennan Center seeks to combine scholarship, legislative and legal advocacy, and communications to implement measurable change in the public sector.*

*Mr. Waldman's latest book, A Return to Common Sense, examines the framework of American democracy and suggests specific policy recommendations for better government.*

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### 1. What moved you to write *A Return to Common Sense*?

It seemed to me that the problems facing democracy in America were reinforcing one another. American democracy has always faced a struggle to live up to its ideals. For more than two centuries, we've worked very hard to expand the circle of participation to more and more people. It is not news that there are barriers to effective government and democracy—it was Mark Twain, not Jon Stewart, who said, “There is no native criminal class except Congress.”

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Having worked in both government and law, I felt strongly that things had gotten worse. With the book I was trying to blow the whistle and point to some implementable solutions. Even before the economic crisis raised the stakes, I really believed that in order to solve the country's problems, we have to look to the original tenets of democracy.

## **2. How long, and what will it take, to have a true third party?**

At the national level, third parties have always played a very important role in moving the debate forward but tend to vanish after one or two elections. In America's winner-take-all system, unlike in parliamentary countries with proportional representation, voters have to decide whether they are going to cast a protest vote or pick between the two likely winners. Historically, third parties have had a significant effect on the Presidential election: the Progressive Party with Theodore Roosevelt in the 1912, George Wallace in 1968, in 1896 it was the Populist party, Ross Perot in 1992. Once we see third-party or independent candidacies bringing up new issues, usually the two major parties compete for the voters, take up their issues, and eventually absorb the third party.

One reform that makes having multiple parties possible, without giving up participation in the winner-takes-all system, is what we have in New York: fusion voting, where the Conservative Party or the Working Families Party can endorse either Republican or Democratic candidates. In most other states, candidates cannot be endorsed by more than one party.

With our current system, I believe it is unlikely that we will see a true third party. It's too bad because while there has been a market for a centrist, reform-minded party, our system is naturally obstructive to third-party growth.

## **3. Can we keep the Electoral College but modify it to reduce the risk of a split between the popular vote and the Electoral College?**

I would like to see the Electoral College eliminated, but it isn't necessary to have a constitutional amendment to bypass the Electoral College and move to a national vote. You could have a compact made among states, where they agree to cast their electoral vote for whoever wins the national popular vote. That would end the risk of what political scientists call "the wrong winner," which has happened four times in the country's history, and almost happened again in 2004. We all know about George W. Bush and Al Gore in 2000, but in 2004, with Bush well ahead of [John] Kerry in the popular vote, 60,000 votes in Ohio would have had us seeing Kerry finishing his term today. And Republicans would think that was illicit.

The Electoral College is an artifact of earlier days that we need to move past. Even when the popular vote and electoral votes go to the same person, the Electoral College still distorts things—it's why we end up seeing candidates spending all their time trying to woo Joe the Plumber in Ohio and ignoring people and issues in other states.

**4. Nearly 400 publicly-funded candidates were elected to office in 2008, more than ever before and an 85 percent increase from 2006. What are the implications of this trend?**

The trend could be that more candidates are buying into public financing at the local level, or it could be a fluke in terms of who is running. The good news is that public financing, over the last two decades, has been introduced at the local level in Arizona, Maine, Vermont, and New York City. The bad news is that one of those publicly funded candidates is not the next President of the United States.

Publicly funded campaigning on the federal level has collapsed; there is not enough money in the system. We need to fix the federal public financing system for the presidential campaign in a way that reflects our current reality. The small donor explosion that we saw in the [Barack] Obama campaign is a positive development, and as we build the public financing system, we need to make sure to continue boosting the participation of small donors.

**5. How can Congress reassume its watchdog function in government? Who do you see leading this reform?**

From 2001 to 2007, we saw a complete breakdown of oversight. Congress' role as an independent branch simply vanished. That was when the Republicans controlled both the White House and Congress. When the Democrats got back Congress, more oversight was introduced. Now the Democrats have the White House and Congress, and the real challenge is a way for Congress to play its proper role even though the President is of the same party. Our country has gotten so close to having ideologically-split parties, like Europe, instead of evaluating issues on a case-by-case basis. Congress needs to step up and bring back accountability, and Obama needs to curb the imperial presidency. But in the first instance, it is up to Congress to act.

**6. The power assumed by the executive branch in America has been expanding over the years and enormously so with the current administration. Do you think that over the next four years we will see a withdrawal of executive power in general, in certain areas, or not at all?**

Here is where we will see whether having a constitutional law professor as president makes a big difference. The executive branch has grabbed power since September 11, 2001. What we need is something very unusual: we need a new president to give some of that power back. Anyone who reads Shakespeare or Freud, let alone history, will tell you that it's pretty unimaginable. Obama has been pretty clear in what he's said about making this issue a priority and so have new members of his administration. Eric Holder, who has been offered the position of Attorney General, has been very outspoken on the need to restore checks and balances. Now it is up to us to hold them to their word.

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**7. How often do you disagree with the stances that the Brennan Center takes on certain issues, and how do you reconcile this with your position as Executive Director?**

I don't feel like I have to personally agree with everything everyone at the Brennan Center says or writes. Of course, when an issue is a formal position of the Brennan Center, it is important I feel comfortable with it because I have to defend it. I am more concerned about the rigor and caliber of research and staying independent and nonpartisan. If an issue can be justified and defended on those lines, then I don't have to worry much about my personal feelings.

**8. Even if the United States institutes better energy reforms, China is putting up two new coal factories a day. However, their per-capita consumption is still 20 percent that of the United States. Given the environmental challenges facing the world, what will be the key factors contributing to global cooperation in deciding energy policy?**

This is an area where Barack Obama can really make a difference. Regarding energy reform, the United States has insisted on going it alone, which gives China and India no incentive to be part of the solution. China faces a real challenge—it's growing, and it is understandable why people in China would say, "When the West was growing, you didn't limit industrialization, so why should we?" However, enlightened development says that China needs to grow in a different, better way than we've grown in the past. If the U.S. refuses to cooperate, then China and India will simply have less reason to follow along. Building a real strategic relationship with China, especially around this issue, is of growing importance, and something the new administration seems to understand.

**9. What can the U.S. do to best support the efficacy of elections in other countries, such as Kosovo?**

I think we've learned in the last 20 years that elections by themselves do not give you democracy. Without building a civil society, without enough freedom of speech so that there can be a real contest, without a reduction in violence so that people feel free to participate, there can be no democracy. The United States and the international community have done a lot in places like Kosovo to help spur successful elections, but the challenge is not just elections, it's building more democratic nations. Interestingly, many observers who monitor elections in other countries, including Jimmy Carter, won't monitor in the United States because we are so far behind where we should be.

**10. Foreign policy rhetoric—how important is it, how carefully do you need to choose your words? For example, in the dispute between Russia and Georgia, where Georgia's role as the victim is now starting to be questioned, what is the lasting takeaway?**

Words matter. When you're President, words matter. And it's a huge mistake for presidents to huff and puff rhetorically because it sounds good, especially when it ends up having big foreign policy consequences. The "axis of evil" presented in the 2002 State of the Union address had huge foreign policy implications. It lumped together North Korea, Iraq, and Iran, none of which are related, and in fact, two of which were enemies. I remember when Bush said "the axis of evil," I called up a friend of mine who had been a speechwriter for Clinton and asked him, "How come nothing you wrote ever got a million people on the streets of Teheran?"

The Russian and Georgian conflict has been revealed to be a lot more complex than simplistic rhetoric made it seem at first...sometimes caution can have its benefits. When you're President, make policy, not headlines.

**11. In the current environment, what are the best steps that politically-inclined college students can take to learn more and get involved in politics and policy making?**

We've just seen an amazing election—one where politically-inclined college students elected a president. Young people—through activism—were the heart of Obama's campaign. There weren't many more young voters that came out for this election, but young people have begun to change the way they get involved. However, they need to stay involved, and this is not something Obama is going to be able to do on his own. People should not be star-struck about Obama: they need to look at the issues and hold him accountable for the ones they care about. There is a very robust community of nongovernmental and nonpolitical organizations, all of which are able to shape policy. My advice is: if you have a chance to work in government, you should do it. Get a job. Get an internship. Government and politics are fields where young people can go far and fast, and you wouldn't believe the impact you can make. Finally, people actually need to run for office. People should not just be watching from the sidelines.

# THE EFFECT OF THE REFUGEE EXPERIENCE ON TERRORIST ACTIVITY

AMANDA EKEY

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*The attempt to understand what drives terrorism in the global community has flummoxed policy makers and researchers alike. The American government is in the seventh year of its global “War on Terror,” devoting tremendous resources to counter-terrorism and focusing its foreign policy on eradicating support for terrorist groups worldwide. Yet the academic community, governments and international organizations continue to struggle to pinpoint the causes of terrorism. This study investigates the relationship between the presence of refugee populations in a country and the numbers of terrorist attacks that groups based in that country are responsible for. The data will show that the size of refugee populations has a significant impact on terrorist activity. It also demonstrates the important role of humanitarian aid to refugees in curbing terrorist activity. This is the first study to empirically evaluate the effect the lack of efficient resolutions to conflicts that produce refugee populations has on terrorism.*

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## I. Introduction

The world refugee population experiences economic destitution, political alienation, hopelessness, and a general lack of national identity. Refugees have experienced the horrors of war and terrorism firsthand in their own countries and then are pressed to seek asylum, which often mires them in personal wars against poverty and political or social oppression (Crisp 2003b). Populations in asylum are often subjected to lives spent in temporary camps with political alienation, extreme poverty, and little opportunity for integration into society.

This study argues that the refugee experience of inescapable poverty, political and geographic alienation, and desperation contributes to an increase in terrorist attacks

perpetrated by groups based in the country hosting the refugee population. To date, academic literature on terrorism and its causes has focused primarily on microcosms of terrorist activity, investigating political and economic factors as causes of terror. Most studies focus on terrorist movements or groups in one region, typically the Middle East (Berrebi 2003, Krueger and Maleckova 2003). Many of these studies evaluate causal claims within the scope of economic factors (i.e. income and level of education) or claim political and religious motivations as a cause of terror (Berrebi 2003, Krueger and Maleckova 2003, Saleh 2004, Pape 2003).

This study analyzes terrorist activity, the dependent variable, as a function of the number of active terrorist groups in a country as well as the number of incidents that those groups are responsible for and relates that data to refugee populations as of 2005 and 1993. It uses a new data set for terrorism which accounts for all terrorist groups active in the year 2005 and the acts they have committed, as well as refugee data obtained from the United Nations High Commission for Refugees (UNHCR) and the United Nations Relief and Works Agency (UNRWA).

## **II. Definitions of key terms**

This study deals with two terms that are inherently difficult to define and measure: “terrorism” and “refugee.” The common idea that “one man’s terrorist is another man’s freedom fighter” makes terrorism a concept whose definition is problematic. Similarly, the increasingly complex nature of global conflict has made refugee status difficult to discern, particularly now that internal and regional conflicts generate large internally displaced populations that are difficult for the UN aid agencies to account for and aid (UNHCR 2006a).

The definition of terrorism utilized by Terrorist Knowledge Base (TKB), the main source of terrorism data utilized in this paper, will be used throughout the study. TKB defines terrorism as:

“violence, or the threat of violence, calculated to create an atmosphere of fear and alarm... This violence or threat of violence is generally directed against civilian targets. The motives of all terrorists are political, and terrorist actions are generally carried out in a way that will achieve maximum publicity... Finally, terrorist acts are intended to produce effects beyond the immediate physical damage of the cause, having long-term psychological repercussions on a particular target audience.”

A refugee is a person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...” (Refugee Status Convention 1951). The term “refugee” is used interchangeably in this study with what the United Nations High Commission on Refugees (UNHCR) refers to as “persons of concern,”

defined by the UNHCR as refugees, asylum-seekers, returned refugees, internally displaced persons, returned internally displaced persons, stateless persons and various others. When speaking about the “refugee population” in this paper, I am referring to the total number of persons of concern to the UNHCR. The terms asylum-seekers, returned refugees, internally displaced persons, returned internally displaced persons and stateless persons differ technically from the term “refugee” because they distinguish differences between those displaced within their home country, those who have no national home to speak of, and those who are relocated or “in asylum” in a foreign country. The UNHCR treats these populations as one when discussing humanitarian concerns, and therefore, I will use the larger population of concern in this paper.

### III. The Refugee Experience

The United Nations High Commission on Refugees is primarily responsible for ensuring the protection of refugees’ rights and providing humanitarian aid to refugees. The other major institution given the role of protecting refugees is the United Nations Relief and Works Agency (UNRWA), an organization specifically responsible for aiding Palestinian refugees.

There were 25.2 million people designated as a ‘person of concern’ by the UNHCR and UNRWA in 2005, a 6 percent increase from 2004 (UNHCR 2006a, UNRWA 2005). In their annual “State of the World’s Refugees” report, the UNHCR claims that this increase is due to two factors. First, the “War on Terror,” has initiated new or fueled old conflicts, which has in turn generated large refugee populations. This is the case in Afghanistan, Iraq, Palestine, Pakistan, Chechnya, Aceh and Georgia. The second factor that possibly contributes to the increase in the population of concern over the last several years is the increasing incidence of internal strife or civil war, which is a problem generating large numbers of refugees, particularly in Africa (UNHCR 2006a).

The UNHCR is also the main source of literature on the status of refugee situations worldwide, providing several studies about risks associated with unresolved refugee situations, as well as a breadth of regional and national case studies. Aside from UNHCR literature, articles analyzing the psychological and socio-political effects of mass migrations and refugee generating conflicts provide a basis for investigating the refugee experience and its possible affects on terrorism.

Several common trends in the experience of refugees are outlined by Jeff Crisp (2003 (a) and (b)). Crisp notes important facts and trends common to refugees in camps, particularly geographic isolation, the threat of violence, poverty and an inability to protect human rights. In refugee populations in Africa, refugee camps are often isolated in desolate border areas where they are unable to integrate with the host country’s society or economy (Crisp 2003a). Hostility from host populations is frequently a problem for refugees in camps. Moreover, violence from domestic conflicts can be directed at those populations.

Geographic isolation and lack of integration are two factors contributing seriously to the extreme poverty of refugees (Crisp 2003b). Refugees living in camps have little access to jobs and are generally entirely dependent on aid from agencies such as the UNHCR. This lack of self reliance is claimed by Turner (1999) to have created vast societal changes

in the Burundian refugee population in Tanzania, where communities in camps are bound by expectations of Western agencies such as the UNHCR. This has subjected populations to a rapid “Westernization” process, which has been culturally straining. For example, the gender equality mandated by the UNHCR represents a large change in cultural habits for Burundian refugees. Turner argues that men in these camps find themselves frustrated by social changes, often referring to the UNHCR as the “universal husband” who provides for the community.

Lastly, refugee populations are promised protection from host countries (which they do not always receive) but often are not granted political rights (Crisp 2003b). According to Crisp, refugee populations are often kept from seeking legal naturalization. In addition to the hardships that refugee populations experience, Crisp notes that countries are increasingly unwilling to accept refugee populations, leading to larger populations of Internally Displaced Persons (Crisp 2003b).

These factors establish the basis of our understanding of what can be assumed to be a common “refugee experience,” with differing degrees of severity in each situation. The effects of these experiences have been academically evaluated with regard to their political and psychological ramifications.

#### *Political Effects*

Svante Cornell’s 2003 paper on the conflict in Chechnya hypothesizes that refugee situations can lead to an increased level of terrorism. Cornell suggests that the prolonged territorial or ethnic conflict between Chechen rebels and the Russian government has radicalized the Chechen cause and has aligned it with extremist groups in other regions, especially in the Middle East. Cornell argues that the conflict, which the international community has regarded as ethnic and domestic to Russia, has caused extensive damage to future generations of Chechens. Cornell notes that increasingly, Chechens affected by the conflict are “withdrawn, irritable, and quick to take offense or aggression.”

The second important impact of the conflict according to Cornell is the proliferation of extremist Islamic groups with links to terrorist organizations within Chechnya. Cornell insists that “the longer the war goes on, the longer the Russian brutality continues, the more recruits the Islamic radicals will find among the Chechens.”

While Cornell shares this paper’s hypothesis that refugees are prone to recruitment by, and operating within terrorist organizations, Cornell does not provide empirical evidence to substantiate his claim.

#### *Psychological Effects*

Psychological studies range in type from short-term analysis to long-term evaluations. The body of psychological research conducted on refugee populations has established that as many as 50 percent of refugees experience Post Traumatic Stress Disorder (PTSD) and between 15 and 80 percent experience major depression soon after exposure to a life-threatening event. Bosnian refugees were found to have PTSD at a rate of 26 percent, while 39 percent suffered from depression, and 21 percent suffered from both conditions (Durieux-Paillard and Whitaker-Clinch 2006). A study conducted by the

World Health Organization in Chechnya established that psychological disorders are widespread amongst Chechen refugees, which has also led to social stigma and alienation (Gutlove 1998).

Derrick Silove (2002) conducts a long-term analysis of 1,413 Vietnamese refugees who had been living in asylum in Australia for an average of 14.8 years. Seven percent of these refugees were found to have psychological disorders related to trauma. The majority of refugees evaluated in this study had fewer symptoms of trauma-related mental illness as time passed. However, refugees who had experienced more than three traumatic events were more prone to long-term mental illness. The far lower incidence of trauma related mental illness experienced by the Vietnamese refugees in Australia is unsurprising, since the strain of the refugee experience should be far less in Australia than it would be in a refugee camp.

These studies help us understand that there are tangible effects common to the refugee experience. The presence of psychological trends amongst refugee populations related to their traumatic experiences leads us to inquire whether the trauma, compounded with other experiences of life in camps or resettlement communities contribute to an increase in terrorism.

#### **IV. Literature Review**

##### *Crenshaw's Theory of Preconditions*

Crenshaw (1981) provides a convincing general theoretical analysis regarding the causes of terrorism, which provides a useful lens for investigating the theoretical propensity for refugees to engage in terrorist acts. While her paper is not data-based, her theory of terrorism and its causes is comprehensive in terms of causal claims.

The preconditions she describes include a set of “concrete grievances” amongst an isolated subgroup within society, as well as a lack of opportunities for political participation available to a population. Crenshaw claims both of these factors, which are relevant to the refugee experience, lay the foundation for the elite within a subgroup to emerge as leaders or supporters of terrorist movements on the behalf of an oppressed minority. Using Crenshaw’s theoretical framework of preconditions, it can be argued that the refugee experience (which combines several of Crenshaw’s factors) can “precondition” terrorism.

##### *Economics as a determinant*

Theories of criminal behavior state that as one’s education increases, one’s opportunities for participating in the legal sector of society should increase, as should one’s wealth. As one’s wealth increases, the risk associated with participating in illegal activity increases, and subsequently, rational actors should choose not to participate in illegal activity (Becker 1968).

Berrebi (2003) and Krueger and Maleckova (2003) have produced studies that conclude the opposite of the criminal behavior intuition. Both studies find that economic factors are unrelated or slightly positively correlated with terrorism. Berrebi uses a sample of 335 biographies of Palestinian suicide terrorists to create a data set

that captures the economic and educational status of individual terrorists who executed or orchestrated terrorist attacks in Israeli territory. Krueger and Maleckova use several sources of data, including a survey of residents in the West Bank and Gaza Strip, a study of Hezbollah members in Lebanon, and a data set which uses aggregate economic data from impoverished countries to determine if the wealth level of the community affects terrorist activity. Both studies conclude that if there is any relationship between economics and terrorist activity, it tends to be the case that terrorists are wealthier and more educated than the average person in their communities.

These results reflect problems with the data sets used because surveys and analyses of biographical information do not provide ideal economic indicators. However, Crenshaw's precondition three might explain these somewhat baffling results. If, as Crenshaw postulates in her third precondition, the elite of a sub-group are acting on the behalf of an alienated minority, then economics might remain an impetus for terror even if the terrorists performing the acts are not impoverished (Crenshaw 1981).

Saleh (2004) hypothesizes that as economic conditions in the Palestinian territories deteriorate, terrorist acts should increase. He uses unemployment figures and income per capita as measures of economic well-being, expands the sample of terrorist incidents used in Berrebi's paper and controls for the level of conflict intensity between Israel and Palestine at the time of each incident. An additional improvement upon earlier papers is Saleh's inclusive data on attack type. This paper is not restricted to suicide incidents, which frequently require higher degrees of planning and are very selective missions (Hassan 2001). Saleh's data set encompasses shootings and miscellaneous types of attacks. A Poisson analysis reveals that both economic indicators are correlated with terrorist incidents.

The findings remain ambiguous. All of the studies evaluated are confined to terrorist acts executed by Palestinian terrorist cells in Israel, making it difficult to extrapolate the relationships found to other regions. This study, unlike many of those before it, analyzes terrorism on a macro-level by using data from 166 countries and does not restrict terrorist incidents by attack type.

## **V. Research Design**

*Hypothesis I:* Due to the coincidence of several variables typically cited as causes of terrorism, namely poverty and political alienation, as well as Cornell's study which critiques the refugee situation in Chechnya as a breeding ground for terrorism and the demonstrated psychological effects of the refugee experience, the size of refugee populations in a country will be positively correlated with terrorist activity in that country.

*Null Hypothesis I:* Refugee populations have a negative or no effect upon the level of terrorist activity observed in the host country.

*Hypothesis II:* The existence of a protracted refugee conflict produces higher levels of terrorism in the host country than those observed in countries without refugee populations or without protracted refugee conflicts.

*Null Hypothesis II:* The presence of a protracted refugee conflict in a country has no effect

on that country's level of terrorism.

"Protracted refugee situations" are of particular concern to this research. A protracted refugee situation is "one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is often unable to break free from enforced reliance on external assistance" (Executive Committee of the High Commissioner's Programme 2004).

If, as postulated by Hypothesis I, refugee populations are prone to high rates of terrorism, then areas with prolonged refugee situations should generate higher rates of terrorism than those areas where refugee situations are resolved quickly. According to reports published by the UNHCR, there were 38 prolonged refugee conflicts worldwide in 2005, accounting for 6.2 million refugees. This number does not include the Palestinian refugees residing in Jordan, Syria, Lebanon and the West Bank and Gaza Strip. Including the Palestinian numbers, there are a total of 34 countries coded as having prolonged conflicts in this data set; several countries have more than one prolonged conflict. The UNHCR has declared that refugees in only six of the 38 non-Palestinian conflicts have integrated into the economic fabric of the country of asylum (Executive Committee for the High Commissioner's Programme 2004).

This surprisingly low rate of successful integration is likely a result of hostility towards large refugee populations from residents of the asylum country, as well as the refugees' restriction to camps, where access to job markets and the domestic economy is very limited (Crisp 2003b).

While acknowledging the risks associated with protracted refugee situations, the UNHCR has not conducted an empirical analysis of terrorism within countries hosting these populations or within the populations themselves. This study includes a separate analysis of the 34 protracted conflict countries and terrorist activity within the countries of asylum.

## **VI. Hypothesis Testing**

Testing Hypothesis I is accomplished by comparing 2005's active terrorism data with 2005's refugee statistics, and also by comparing 2005's level of terrorism with refugee statistics from 1993. The two-stage testing accounts for a possible lag effect caused by the large number of refugees that are children. In theory, it is likely that since a significant number of refugees are children, they will not become involved in terrorist activities for 10-15 years. I use refugee data from 1993 to compare with 2005's level of terrorism in order to correct for the possibility that today's terrorists were refugees 15 years ago.

In order to test Hypothesis II, it is necessary to create a dummy variable representing what the UNHCR has deemed "prolonged conflicts" as of 2005. This variable is then compared with the relevant terrorism data. If Hypothesis II is not proven false, it would suggest that refugee conflicts are more damaging the longer they last, a theory that is accepted by the international community as demonstrated by the existence and the mandates of relief agencies such as the UNHCR and UNRWA.

## VII. Description of Data

### *Dependent Variable*

Terrorism is particularly difficult to measure given that terrorists and the organizations that they are affiliated with are not likely to reveal themselves so that academics might count them. The clandestine nature of these groups and their operatives makes measuring the level of terrorism difficult to determine. Tragically, our only clear indicator of terrorism is when a group or individual succeeds in executing an attack. Ideally, measuring terrorist activity in a country would involve ascertaining recruitment levels, support from civil society and activities such as planning attacks and training operatives, but those data are unavailable.

This study consists of a cross-sectional analysis of refugees' impact on terrorism using data on terrorist groups that were active in 2005 and refugee population data for the years 2005 and 1993. I use terrorist incidents as the main indicator of terrorist activity and as the primary unit of analysis.

Originally the data set included fatality and casualty data but those variables proved to be extremely volatile since fatalities and casualties are largely determined by chance. Therefore, fatalities and casualties were dropped as dependent variables.

In using the number of incidents "successfully" carried out by groups in each country, we are able to capture the strength of terrorist organizations and thus the aggregate strength of terrorism within each country. However, since groups do not execute attacks exclusively in the countries in which they operate, measuring the number of incidents that a group is responsible for and that group's base country are the most relevant statistics to this study, not the number of incidents that occur domestically.

It is worth noting that TKB marks groups as "active" based upon the date of their last attack, which did not always occur in the year 2005. In fact, many of the incidents in the data set did not occur in 2005, but are attributed to an active group and included in the data. This measure of terrorist activity is meant to ascertain a group's strength as of 2005, which requires using past incidents as measures for a group's current strength. We would be unlikely to consider al-Qaeda a weak terrorist group, but using incident numbers from 2005 alone would classify al-Qaeda as currently dormant. While this might seem to skew the cross-sectional analysis to a degree, it is important to remember that the data is measuring the strength of terrorist groups within a country as of 2005.

### *Independent Variables*

Relevant non-Palestinian refugee statistics were obtained from the United Nations High Commission for Refugees. Statistics on Palestinian refugees were obtained from the United Nations Relief and Works Agency. Palestinian data are also based on country of asylum, and the data for the occupied territories of the West Bank and Gaza Strip are aggregated into one "territory of asylum" which is coded as a base country of its own (West Bank/Gaza Strip).

Since the UNHCR and the UNRWA operate independently from one another, the method of reporting data and the type of statistics recorded differ at times between the Palestinian data and the rest of the data set. The UNRWA is responsible for Palestinian

refugees in Syria, Lebanon, Jordan and the West Bank/Gaza Strip. Due to this division of responsibilities between the UNHCR and the UNRWA, the data for countries and territories hosting Palestinian refugees sometimes differs from the general UNHCR data. Such a discrepancy occurred when gathering refugee statistics for the year 1993. Unfortunately the UNRWA did not have available data on refugee populations in 1993, but provided population statistics for the years 1990 and 1995. The data for 1990 was used for the variable named “Number of Refugees in Asylum in 1993” for Jordan, Syria, Lebanon and the West Bank/Gaza Strip.

The refugee statistics described above comprise the main independent variables (“Number of Refugees in Asylum in 2005” and “Number of Refugees in Asylum in 1993”) that are logged in the data set. The other independent variable used is a dummy variable indicating the existence of a prolonged conflict. This variable is coded as a “1” in countries where the UNHCR has designated a “protracted refugee situation”, as well as in the four asylum countries of Palestinian refugees. The rest of the sample is coded as a “0”. This variable will allow analysis of Hypothesis II, that the length of a refugee situation is positively correlated with terrorist activity.

Due to the common causal claim made regarding economics and terrorism (Krueger and Maleckova, Berrebi, Saleh), this study controls for economic factors such as GDP per capita, GDP growth and unemployment levels. The unemployment statistics were obtained from the CIA Factbook. GDP growth, GDP per capita and growth of GDP per capita data were obtained from the World Bank’s annual publication “World Development Indicators 2005.”

In order to account for political factors such as a country’s level of political freedom and civil liberties, I use the Freedom House measures of civil liberties and political rights, which rate countries from a 1 (most free), to a 7 (least free) based on criteria that determine the level of democracy and freedom in a country.

The role of the UNHCR and UNRWA in the worldwide refugee community is essential and cannot be overlooked in a study on humanitarian issues in refugee populations. It is reasonable to assume that, where UN agencies are aiding a greater portion of the population, refugees are less likely to engage in terrorist activities due to the anticipated mitigation of some of the more trying elements of the refugee experience. On the other hand, looking at agency aid numbers reveals that a proportionally greater number of people are receiving aid in “worse” conflict areas (Annual Report on Refugees and Persons of Concern 2005). While it makes sense that the aid go where it is most immediately needed, if the more severe or immediate conflicts are receiving more aid, the above assumption about aid itself quelling the likelihood of increased terrorist activity would be weakened. Nonetheless, data on humanitarian aid received from UN organs might provide a type of gauge as to intensity or urgency of the refugee situation. Therefore, the study is controlled for the number of refugees aided by the UNHCR or UNRWA in each country of asylum.

The aid data is difficult to report due to discrepancies in reporting techniques employed by the two agencies over the time period 1993-2005, and the differences that exist in the way that the UNHCR and the UNRWA report aid statistics. The most notable issue with this data is its absence for the Palestinian asylum countries for the year 1993 and its ambiguity for those populations in 2005. The aid numbers for 1993 are unavailable.

The UNRWA disaggregates the 2005 aid data by types of aid, such as health, education, etc. This is different from the manner in which the UNHCR reports aid statistics, which is as the number of total refugees aided. Due to the ambiguity in the total number of Palestinian refugees receiving UNRWA aid in 2005, there are two measures of the number of aid recipients for the Palestinian countries used in this study. The first is the rough UNRWA estimate that “one in two Palestinian refugees worldwide is aided by the UNRWA” (UNRWA). This is a very general indicator of the level of aid. It is reflected in the variable “UN Assisted Refugees in 2005”, which for Jordan, Syria, Lebanon and the West Bank/Gaza Strip is the “Number of Refugees in Asylum in 2005” halved. Due to the imprecision of this indicator, I created an alternate control variable named “Number of Refugees Assisted in 2005, Adjusted for Palestinians in Camps,” which uses the number of Palestinian refugees in UNRWA camps in Syria, Jordan, Lebanon and the West Bank/Gaza Strip as the number of aided refugees. Despite the large discrepancy in the number of aided refugees between these two indicators, the results obtained when using one or the other differed very little.

One problem has resulted from using countries of base as the unit of analysis. Many organizations are based in more than one country, while the numbers associated with those organizations are not disaggregated. This creates a potential problem with double-counting data, since the data for number of incidents is attributed to groups that are counted more than once. It is important to note that these organizations were able to develop roots in each of the countries that they are “based” in. However, this might cause some misrepresentation in the data, which is most clearly illustrated by the large numbers of incidents that al-Qaeda transfers to the many countries that it is based in. I have controlled for this al-Qaeda balloon effect by creating a dummy variable coded as “1” in countries where TKB determined al-Qaeda to be active and “0” where it is inactive.

Lastly, due to the frequent regional studies conducted on terrorism (Berrebi 2003, Krueger and Maleckova 2003, Saleh 2004), I have included a “Region” variable. This allows for regional analysis and enables a more rigorous evaluation of results.

## **VIII. Results**

Hypothesis I tests whether an increase in refugee populations contributes to a higher rate of terrorism in the country of asylum. If this contention were true, we would expect a positive correlation between the variables “Log of Terrorist Attacks” and the “Log of No. of Refugees in Asylum.” This paper is arguing that an increase in the refugee population will cause an increase in terrorist acts. If we observe a negative correlation between these two variables, we will reject this hypothesis.

The contention that an increase in the size of refugee populations causes an increase in terrorist activity was not falsified, with a positive co-efficient of 0.183 (Table 1). The results indicate that a one percent increase in the size of a country’s 2005 refugee population creates a corresponding 18 percent increase in terrorist attacks committed by groups based in that country; these results are significant at the 0.01 level.

There was not a significant relationship found between refugee populations in 1993 and levels of terrorism in 2005. The variable “Log of No. of Refugees in Asylum

**Table 1: Results of primary regression**

Variable	Log of Number of Attacks	Robust t-statistics
Log of No. of Refugees in Asylum in 2005	0.183***	-2.88
Log of No. of Refugees in Asylum in 1993	-0.038	-0.83
Existence of Prolonged Refugee Conflict as of 2005	-0.203	-0.51
Log of No. of Refugees Assisted in 2005 (Adjusted for Palestinians in Camps)	-0.072	-1.36
Log of No. of UN Assisted Refugees in 1993 (^)	0.074*	-1.80
Presence of al- Qaeda in Country Base	2.830***	-10.41
Level of Political Rights as of 2005	-0.240	-1.12
Level of Civil Liberties as of 2005	0.292	-1.28
Constant	-0.223	-0.42
Observations	149	
R-squared	0.49	
* Significant at the 10% confidence level, ** Significant at the 5% confidence level, *** Significant at the 1% confidence level, ^ The variable "Log of No. of UN Assisted Refugees in 1993" does not include data for Palestinian populations.		

1993" was included in the data in order to account for a theoretical "lag" in turnaround time between the refugee experience and the initiation of an individual's involvement in terrorist activity. However this lag had no academic basis and was purely a caution, therefore the lack of correlation between this variable and the number of terrorist attacks is not particularly significant to the study.

The existence of a significant positive relationship between the size of refugee populations and terrorism found here is an important result and can be the basis for further research.

Table 1 also includes results regarding Hypothesis II. Hypothesis II contends that the presence of a prolonged refugee conflict in a country increases its level of terrorism. If this hypothesis is not falsified, we will observe a positive co-efficient between the number of terrorist attacks and the dummy variable "Existence of a Prolonged Refugee Conflict as of 2005." There was no such relationship observed. There was no significant relationship established between prolonged conflicts and terrorism. These results are surprising given the significant positive relationship demonstrated between the size of a refugee population and terrorist activity. It is possible that deficiencies in the data produced this result; the data does not include groups that became inactive prior to 2005 but might have been active and responsible for acts of terrorism during the time period of the prolonged conflict. This could have resulted in an under-estimation of the level of terrorism over the life of

the prolonged conflict. If possible, it would be ideal to include all groups that were active throughout the duration of the conflict and their attack information in our estimate of terrorism when investigating Hypothesis II further.

Two other variables were found to be relevant, with varying degrees of significance. The first is the al-Qaeda control, which has a positive coefficient of 2.83 at the 0.01 level, indicating that the presence of al-Qaeda is very significant in determining the number of attacks committed. This is not surprising given that al-Qaeda is a highly organized and effective terrorist organization. The level of UN aid to refugees in 1993 was also found to have a very small positive coefficient (significant at the 0.10 level). The positive relationship between 1993's aid level and terrorist attacks is surprising in light of results regarding aid that are presented in the next section. However, this result might be tainted since there is missing aid data from Palestinian countries for 1993.

The positive relationship established between refugee populations and terrorist acts is an important finding, and the lack of a relationship between prolonged conflicts and terrorist acts provides an opportunity for continued study, which might yield different results with an adjustment in the terrorism data.

The Palestinian refugee population is the largest in the world. The Palestinian case is also what inspired this paper, though it is my firm belief that it is the refugee experience that "pre-conditions" individuals to engage in terrorist acts, and therefore can be applied globally.

In order to test the global relevance of Hypothesis II, I have conducted a separate analysis of the data excluding the Middle East and Persian Gulf region (Table 2).

Hypothesis II was not falsified when the Middle East data was excluded. Results excluding Middle Eastern data indicate that with a one percent increase in the size of the refugee population, terrorist acts will increase by 18.6 percent (significant at the 0.05 level). These results indicate that the significant relationship found between refugee populations and terrorist acts is not being driven by the severity of the conflict in the Middle East.

"UN Assisted Refugees 1993" was again found to be positively related to terrorist acts, with a coefficient of 0.119 significant at the 0.10 level. As was mentioned in the analysis of Table 1, the results for "UN Assisted Refugees in 1993" are perplexing. Further investigation will be required to establish why populations that received more aid 12 years in the past are committing more terrorist acts today. While this relationship is weaker than others observed (it is only significant at the 0.10 level), it is worth reporting to prompt further study.

The opposite effect was seen for the 2005 aid data, which is an interesting (and heartening) result. Excluding the Middle East, UN aid in 2005 was shown to have a mitigating effect upon terrorism, decreasing the percentage increase in terrorist attacks by 12.9 percent (significant at the 0.05 level as reported in Table 2). In other words, higher levels of UN aid in 2005 would appear to be helping to combat the increase in terrorist acts experienced with increases in refugee populations in non Middle Eastern countries.

This is important to note, since humanitarian aid to refugees by developed nations has significantly decreased since the end of the Cold War (Crisp 2003b). The UNHCR's "Income and Expenditure Trends" indicates that aid donations from governments to

**Table 2: Results excluding the Middle East/Persian Gulf**

Variable	Log of Number of Attacks	Robust t-statistics
Log of No. of Refugees in Asylum in 2005	0.186***	-2.67
Log of No. of Refugees in Asylum in 1993	-0.05	-1.19
Existence of Prolonged Refugee Conflict as of 2005	-0.484	-1.17
Log of No. of UN Assisted Refugees in 2005	-0.129**	-2.32
Log of No. of UN Assisted Refugees in 1993	0.119***	-2.79
Presence of al-Qaeda in Country Base	2.891***	-10.48
Level of Political Rights as of 2005	-0.196	-1.05
Level of Civil Liberties as of 2005	0.272	-1.33
Constant	-0.27	-0.53
Observations	134	
R-squared	0.54	
* Significant at the 10% confidence level, ** Significant at the 5% confidence level, *** Significant at the 1% confidence level,		

the UNHCR were at their peak in 1993, amounting to 1.6 billion dollars. That number hit a low in 2000, at 900 million dollars. The level of donations to the UNHCR is on the rise again after a significant decrease, and this study helps illustrate why this trend must continue. The amount of aid that the UNHCR provides to refugees on the ground correlates positively with the amount of donations it receives from governments and outside donors (UNHCR 2006b). Thus it is essential for governments to increase their donations of humanitarian aid funds to the UNHCR in order for refugee aid levels to increase. While the United States has been the leading donor to the UNHCR in dollar amount in the last 15 years, its per capita donation of \$1.10 pales in comparison with the leading donor, Luxembourg's \$16.66 (UNHCR 2006d, UNHCR 2006c).

In light of this study, counter-terrorism funding could be partially redirected to humanitarian aid agencies assisting refugees such as the UNHCR and UNRWA. Most importantly, this result demonstrates that whatever is causing the increase in terrorism amongst refugee hosting countries is fixable. This result indicates that humanitarian aid has a very real effect on the global refugee crisis.

Due to the ambiguous nature of aid statistics for Palestinian populations discussed in the data description, and the relevant findings regarding the aid controls observed earlier another regression was run that replaced the variable "Log of UN Assisted Refugees 2005" with an alternate variable which measures aid to Palestinians not as a half of the total population, as was suggested by the UNRWA and used in the regression represented by Table 1, but instead using the number of Palestinian Refugees

**Table 3: Results using adjusted measure of aided Palestinian refugees**

Variable	Log of Number of Attacks	Robust t-statistics
Log of No. of Refugees in Asylum in 2005	0.183***	-2.88
Log of No. of Refugees in Asylum in 1993	-0.038	-0.83
Existence of Prolonged Refugee Conflict as of 2005	-0.203	-0.51
Log of No. of Refugees Assisted in 2005 (Adjusted for Palestinians in Camps)	-0.072	-1.36
Log of No. of UN Assisted Refugees in 1993 (^)	0.074*	-1.80
Presence of al- Qaeda in Country Base	2.830***	-10.41
Level of Political Rights as of 2005	-0.240	-1.12
Level of Civil Liberties as of 2005	0.292	-1.28
Constant	-0.223	-0.42
Observations	149	
R-squared	0.49	
* Significant at the 10% confidence level, ** Significant at the 5% confidence level, *** Significant at the 1% confidence level, ^ The variable "Log of No. of UN Assisted Refugees in 1993" does not include data for Palestinian populations.		

in UNRWA run camps. This was a cautionary measure, and proved irrelevant. The coefficients across all variables, including UN aided refugees, were nearly identical in the results of Table 1 and Table 3, indicating that the different measures of Palestinian aid had no effect the observed results. UN aid was not a significant variable in either of the regressions run that included Middle Eastern data. This indicates that UN aid is only a significant mitigating factor to terrorism outside of the Middle East. Why this is the case should absolutely be investigated further. It might be due to insufficient data, which this study has attempted to account for in its two measures of Palestinian aid levels, but it might also have something to do with the historical and political nature of the Arab-Israeli conflict, which may make the humanitarian aid received obsolete due to history, the length of the conflict and the ensuing political circumstances.

Future studies might benefit from disaggregating the terrorist attack data and attributing attacks not to all countries where a group is based, but instead to only the countries whose branches of the organizations had definite involvement in the planning or execution of the attack itself.

A second area for growth is re-testing Hypothesis II, which could be accomplished by adding the incident data from groups that have gone inactive as of 2005, but were active during the life of protracted conflicts. This would enable a more rigorous evaluation of the effect of the length of the refugee situation upon terrorism.

## IX. Conclusions

This research has demonstrated that an increase in the number of refugees a country hosts leads to an increase in the activities of terrorist groups based in that country. It has also shown that this connection is weakened when refugee populations receive aid from international humanitarian organizations. The international community, particularly the Western countries that are the primary financiers of the UNHCR, have, in the last 15 years drastically cut their level of aid (UNHCR 2006b). This is a trend that should not continue, especially given the increasing number of persons of concern worldwide (UNHCR 2006a). The results of this study decisively show that the world's refugees are an extremely important part of our global community, and that the hardship that almost 25 million people are experiencing around the world today has dangerous implications outside of the humanitarian impact on those populations, which must be mitigated.

In recent history, the level of attention surrounding refugee issues has been insufficient. This study recommends the immediate increase in attention given to the swift and efficient resolution of refugee generating conflicts, both for the good of the refugee populations of the world and as per the results demonstrated here, the safety of the international community.

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# THE EFFECTS OF ETHNIC COMMONALITY ON THE DECISION TO INTERVENE

MICHAEL ARTHUS

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*There has been much debate on what compels the United States to intervene in certain foreign ethnic conflicts (such as Bosnia) while ignoring others (such as Rwanda). One theory contends that these decisions are made based on a senator's calculations of how much commonality his or her constituents feel on ethnic or religious grounds with the foreign group that is being persecuted. This study will demonstrate that the level of ethno-religious similarity between a U.S. constituency and a foreign victim group has a positive effect on the likelihood that the relevant senator will vote in favor of an intervention in a given conflict. In so doing, it will be shown that in the realm of international politics, identity and affinity are crucial elements of a political leader's intervention calculus.*

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## **I. Introduction**

An increasing amount of attention is being given to the paradox of American intervention in foreign ethnic conflicts. What drove the United States to intervene in Bosnia, but not Rwanda? To remain engaged in Iraq yet turn a blind eye to Sudan?

One common assertion is that the U.S. is choosing its interventions based on ancestral or ethnic considerations. Proponents of this theory claim that the U.S., and any country for that matter, is more likely to intervene when a nation in crisis is more similar to on some demographic level—often racially or religiously (Power 2002: 509). This idea would seem to explain excerpts such as the following, printed in the *Washington Post* shortly after the Srebrenica massacre in Bosnia, “Images like these have not come out of Europe since a war whose depredations and atrocities—it has been agreed again and again—would never be allowed to recur” (Power 2002: 277). Those supporting the ethnic-ties theory would claim that the mention of Europe highlights a key factor in American motivation

to support intervention in Bosnia, while simultaneously explaining why the nation failed to acknowledge the concurrent genocide in Rwanda: Europeans were simply “more like us.”

This paper will seek to answer whether or not racial or religious commonality between the citizens of an intervener state and those being oppressed in a foreign nation increases the likelihood that a political leader in the former state will support an intervention in the latter. This theory has been explored earlier—most notably by Stephen Saideman in 1997—but such prior studies are incomplete, at least as far as the United States is concerned. Earlier studies have analyzed the U.S. from a purely national level, with the president as the decision maker who must answer to his “constituents” in hopes of being reelected. Such analyses fail to take into account the uniquely federalist nature of the American system—that the president is elected not directly but through an electoral college system, and that it is congressmen and senators who are elected by a popular vote. Accordingly, it is congressmen and senators whose views are more directly in line with their narrowly-defined state-level constituencies. With the federalist structure of the American system in mind, this study will be conducted on a state-by-state, rather than a national, level.

The choice to study the United States rather than an aggregate of powerful world nations is also unique to this analysis. The U.S. is without question the most powerful nation in the world: it “possesses the capabilities to deploy a massive array of firepower to distant portions of the globe within days... This capacity, coupled with a likely proliferation of regional and civil violence in the coming decades... suggests that the United States will face increasing demands and opportunities for military intervention” (Western 2005: 1). This fact makes the U.S. paradox all the more intriguing, as, despite its power, America has participated in only four of the nine humanitarian interventions carried out by the United Nations since 1991 (Welsh 2004: 81).

This study will demonstrate that the more similar the racial and religious demographics of a U.S. state are to those of a victim group in a nation embroiled in ethnic conflict, the more likely that state’s senator will be to vote in favor of a relevant humanitarian intervention. More simply, the statistics will bear out the aforementioned hypothesis that commonality among internationally separated groups does matter. This finding has serious implications for the future of American foreign policy, and will serve to help resolve the paradox of U.S. intervention in foreign ethnic conflicts.

## II. Literature Review

Some of the existing literature on U.S. foreign intervention offers support for this paper’s Congress-centered approach to analyzing the constituent-leader relationship. As Richard Sobel describes in his book *The Impact of Public Opinion on U.S. Foreign Policy Since Vietnam*, “As the outcome of a central intermediary institution between the public and administration policy, congressional action constitutes both a measure of public opinion and a basis of public policy” (Sobel 2001: 10). He further goes on to say that “constituents’ opinions... affect representatives’ voting patterns, while congressional decisions constrain administration policymaking” (Sobel 2001: 10). In other words, congressmen are responsive to the opinions of their constituents—including their ethnic, racial, and religious concerns—

and vote accordingly. These votes then serve as a signal of overall national opinion for the president as he or she makes decisions regarding U.S. military intervention. It is this model that will be employed in carrying out this study.

Much of the remainder of the literature regarding U.S. intervention in foreign ethnic conflicts suffers from one of three major flaws: an incorrect frame of reference, a misguided causal relationship, or the presentation of sweeping assertions without relevant empirical evidence.

### *Incorrect Frame of Reference*

As mentioned above, with regard to the United States, the study conducted by Stephen Saideman in *Explaining the International Relations of Secessionist Conflicts* is correct in its core sentiments but flawed in its level of analysis. Saideman's main hypothesis is that the ethnic ties between a politician's supporters and the combatants in a foreign secessionist conflict help to explain intervention decisions. His model, termed the "ethnic-ties model," frames the causal relationship as follows: Politicians, who lose credibility if they express concern for an ethnic conflict but then take no action, are compelled by the demographics of their constituents to take sides with one group in the conflict over another (Saideman 1997: 727).

As he more directly explains, "Ethnic identity, by its nature, creates loyalty, interest, and fear of extinction. International boundaries do not cause members of ethnic groups to ignore the condition of those who are similar to themselves—their ethnic kin" (Saideman 1997: 727). Furthermore, "Because constituents care about those with whom they share ethnic ties, they prefer their state to take sides in ethnic conflicts elsewhere, supporting the side with which they have ethnic ties" (Saideman 1997: 727-728). These relevant ties are described to be those of "race, kinship, religion and language" (Saideman 1997: 726). Finally, Saideman goes on to equate presidential politics within the United States with other foreign countries—a president wants to get reelected, so he analyzes the overall demographic makeup of his country and bases intervention decisions on his findings.

There are two major problems with Saideman's study. The first is that he implicitly assumes that nuanced ethnic differences, such as those between Tutsi and Hutu, will carry over into a foreign country. By asserting that leaders can side with one party in a conflict over another, he is implying that, in the Rwandan example, Bill Clinton tried to determine the number of Hutu and Tutsi in the U.S. and then made his decisions accordingly. It would seem to be more appropriate to look not at which side a politician takes in a nuanced conflict (as most ethnic conflicts are), but rather at the overarching categories that may lead a politician to support or not support intervention (for example, whether or not his constituents are black and feel ethnic commonality with Africans, rather than Hutu and feel commonality with Rwandans). There simply are not enough members of certain small, strictly regional ethnic groups in the United States for such a factor to have an impact on decision-making.

Saideman also assumes that U.S. presidential politics—where the president is elected by "electoral votes"—is the same as French presidential politics, where he or she is elected by a direct popular vote. In the U.S., congressmen and senators are elected by direct popular vote; thus, to study the influence of popular opinion in the U.S., a state-by-state

analysis is more appropriate. Saideman's hypothesis shares much in common with that of this paper, but it lacks a sufficient statistical test, appropriate to the United States, to back up its claims. This study will apply such a test.

### *Misguided Causal Relationship*

One example of a misguided causal relationship—a relationship which views public sentiment on intervention as being driven from the top-down rather than the bottom-up—is delineated in Ryan Hendrickson's *War Powers, Bosnia, and the 104th Congress*. Hendrickson seems to view the public as having had no effect on the congressional decision to support intervention in Bosnia in 1995. Rather, as he sees it, the whole intervention came down to party politics: Congress acquiesced to Bill Clinton's desire to intervene because it instead wanted to focus on the budget issue and as such avoid being seen as obstructionist (Hendrickson 1998: 241). Hendrickson's focus on party politics at the expense of any discussion of public sentiment will be overcome in this study by utilizing variables that will control for such partisan maneuvering.

Andrew Kohut and Robert Toth go one step further: they view the public as a group whose support for an intervention arises from presidential manipulation (Kohut and Toth 1994: 49). Rather than seeing the public as putting pressure on its political leaders to intervene in foreign conflict, they instead embrace a worldview that sees all politics as a top-down exercise in propaganda.

However, they inadvertently provide empirical support for the ethnic-ties model: they find that, in general, wealthy, conservative white males support national security goals, while women, African Americans, and the poor are more supportive of humanitarian interests (Kohut and Toth 1994: 58). It is no coincidence that the groups cited by Kohut and Toth as being the most supportive of humanitarian interventions are also the most demographically similar to groups likely to be persecuted in ethnic conflicts. Kohut and Toth's evidence, though not directly taking commonality into account, further serves to strengthen the hypothesis that such commonality is integral to creating support for humanitarian intervention.

### *Sweeping Statements*

There is plenty of relevant literature that utilizes, either explicitly or implicitly, the commonality argument to explain U.S. intervention in foreign ethnic conflicts; however, much of this literature is lacking in the empirical support that this study seeks to provide. Henry Shue, in his essay *Limiting Sovereignty*, puts forth his hypothesis that "the average citizen is far more willing to see her own income reduced for the sake of alleviating poverty among compatriots than for alleviating it among non-compatriots, even when the poverty among non-compatriots is more severe" (Shue 2004: 25). To extrapolate the poverty example to ethnic conflict, Shue would seem to be implying that people are more willing to support assistance for those they have something in common with than those they have nothing in common with, even if the latter group is in more serious trouble. This would be one way to use the ethnic-ties hypothesis to explain the choice to intervene in Bosnia but not in Rwanda—Americans felt they had more in common with white Europeans than black Africans. Directly addressing commonality, Shue states that, "Humans are not

to die for...We would need to feel a stronger sense of community before we could find the motivation for such great sacrifice” (Welsh 2004: 25-26). This community feeling and greater motivation is demonstrated in commonality.

Richard Sobel seems to support the idea that basic emotions, such as those raised by commonality, can serve to drive public support for action. As he says, “Individuals utilize ‘heuristics,’ or information shortcuts, to make political judgments and to relate preferences toward specific foreign policy issues to general attitudes” (Sobel 2001: 14). His empirical test of this assertion, however, focuses only on the public opinion’s effect on the president, Secretary of State, and Secretary of Defense, none of whom are directly elected (only one of whom is elected at all). This study will put his idea that emotions such as those brought about through commonality affect a leader’s decisions to a more direct, more U.S.-appropriate test.

By far though, the most intriguing statements made on U.S. interventions in foreign ethnic conflicts, and those most demanding empirical support, are those made by Samantha Power in *A Problem from Hell: America and the Age of Genocide*. Power’s statements support the theory that racial and religious commonality drives leaders to support or reject intervention in an ethnic conflict. As she says, “It is in the realm of domestic politics that the battle to stop genocide is lost” (Power 2002: xviii). She goes on to imply a racial/religious commonality argument when she states that, with regard to Bosnia, “However disturbing viewers and readers found images from prior genocides, there was nothing like their discomfort that such horrors could occur again in Europe” (Power 2002: 277). And she goes all the way in asserting that commonality has an effect on the calculations of political leaders when she says that, “President Clinton and his advisers knew that the military and political risks of involving the United States in a bloody conflict in central Africa were great, yet there were no costs to avoiding Rwanda altogether” (Power 2002: 335). She is implying that the U.S. did not intervene in Rwanda because its citizens were black, while the majority of the U.S. constituency was not. Power’s comments, though intriguing, suffer from the same frame of reference and lack of empirical evidence issues as the rest of the studies above. This study will seek to correct such inadequacies, and, in doing so, provide support for the ethnic-ties theory.

### **III. Theory and Causal Model**

Before beginning a discussion of the theory underlying this study, it is first important to define some key terms so as to render the parameters of this paper clear.

For the purposes of this study, two definitions are critical: Welsh’s description of an intervention, and Talentino’s definition of an internal conflict. Jennifer Welsh defines an intervention as “coercive interference in the internal affairs of a state, involving the use of armed force, with the purposes of addressing massive human rights violations or preventing widespread human suffering” (Welsh 2004: 3). Andrea Talentino classifies an internal conflict as one that “is primarily generated and waged between different groups expressing grievances over the distribution of political and economic power within a single state” (Talentino 2005: 10). Therefore, for the purposes of this study, a foreign intervention constitutes armed U.S. action (or U.S. provision of arms to a victim group) against a state

in which one ethnic group is being oppressed by another, within the boundaries of that foreign state, without a spillover into greater conflict in a region. A victim group is the group that is out of political power and has been targeted for persecution; an aggressor group is the one that is in power and performing the oppression. The conflict is ethnic when the reason (or one of the stated reasons) for the oppression and persecution of one group is the racial, ethnic, tribal, or religious identity of its members.

The theory put forth in this paper begins with the assertion that political leaders seek to hold onto power and remain in office. The best way to remain in office is to take actions that impose the lowest costs while providing the greatest benefits, generating political capital that can be used to retain power. In direct election democracies, leaders seek to maximize the satisfaction of their constituencies in order to get reelected. In the U.S., to analyze the actions of political leaders who are directly elected, one must examine those of congressmen and senators. The fact that senators serve six year terms (as opposed to two years for congressmen) and are not hampered by term limits (unlike presidents) makes them ideal for such a study: as they are better equipped to consider the long-range electoral ramifications of their votes, rather than being plagued by the “quick fixes” that are often characteristic of votes in the House of Representatives.

Intervention is a potentially highly costly action, carrying the risks of failure in armed maneuver. As a result of the potentially heavy cost for supporting interventions (costs which can prove politically fatal), senators will only vote to intervene if either the costs of nonintervention or the expected benefits from intervening are higher than the potential cost of failure. The cost of nonintervention will be higher than the cost of failure if a senator’s constituents demand that the intervention take place, and may cease supporting the senator if it does not occur. Therefore, it logically follows that senators will vote to intervene in a foreign ethnic conflict if their constituents particularly want them to do so.

This raises the core question of this study: when do a senator’s constituents want an intervention to take place? As discussed in the literature review section, certain political scientists (Sobel, Shue, Saideman) have provided support for the view that people have a unique and strong affinity for others who are “like them” in some way. This affinity is capable of crossing international boundaries (Saideman 1997: 727). The public will support helping others who resemble them in some way over helping others with whom they feel they have nothing or little in common (Shue 2004: 25). So when people see others similar to them being persecuted for traits they have in common, they are more likely to support governmental action to alleviate this suffering, by armed force if necessary.

While it is true that the power to intervene rests strongly in the president’s corner in U.S. politics, votes by senators for or against an intervention can serve as a costly signal to their constituents about where they stand on said intervention (Saideman 1997: 728). Voting in favor of a failed intervention is costly, but voting against an intervention that one’s constituents are demanding out of a feeling of affinity can bear even higher costs. Thus, Senators, directly elected in the U.S. system, and seeking to remain in power, will be more likely to support intervention in foreign ethnic conflicts when the racial, ethnic, or religious demographics of their state more closely resemble those of the victim group in a foreign ethnic conflict. Or, more simply, ethnic conflict is a direct manifestation of identity politics, so identity politics is critical in the decision to intervene.

One caveat: this study does not seek to assert that ethno-religious commonality with a victim group is the only factor influencing a senator's vote in favor of or against an intervention. It is only one of many, but, as intervention is potentially highly costly, it can influence heavily—in one direction or another—the decision to intervene.

#### **IV. Research Design**

The hypothesis this study will seek to vindicate relies on four key assumptions:

*Assumption 1:* Constituents have full and complete information about the details of a given ethnic conflict and the demographic makeup of the victim group in question.

*Assumption 2:* Senators have full and complete information about both the demographic makeup of their constituents and of the victim group in a foreign ethnic conflict.

*Assumption 3:* Constituents' votes for or against reelecting their senator are based heavily on the senator's votes regarding intervention in foreign ethnic conflicts.

*Assumption 4:* A yes or no vote takes place on an intervention: critical conflicts come to the floor for a vote, and there are no absent votes or abstentions.

The unit of analysis for this study is a senator and his or her vote on a given intervention resolution for a post-1989 foreign ethnic conflict. 1989 has been chosen as the starting point in order to control for the effects of Cold War strategic thinking on a senator's vote to intervene, reducing this decision to a largely ethnic-based one. As Karen Feste writes, "During the Cold War intervention was used by the superpowers to manage their rivalry in the context of a dynamic international environment" (Talentino 2005: 31). Empirically, Patrick Regan also found that the effects of the U.S.-Soviet Cold War rivalry were significant in the decision-making regarding which conflicts to intervene in (Regan 2002). By beginning in 1989 (symbolically recognized as the end of the Cold War with the fall of the Berlin Wall), these confounding effects are eliminated.

For the purposes of this study, the dependent variable being analyzed is a vote aye or no on a given foreign ethnic conflict intervention resolution by a given senator. This can be represented symbolically as  $V_{ic}$ , with "V" representing an *aye* or *no* vote, "i" representing a particular senator, and "c" representing a particular conflict. The independent variable whose effects are being observed is the level of commonality between the citizen of a U.S. state and the citizens of the victim group in a foreign ethnic conflict, specifically the level of commonality on the issue for which the group is being persecuted. This is represented symbolically as  $\theta_{sv}$ , where "θ" is the degree of commonality for a given trait, "s" is the citizens of a U.S. state, and "v" is the victim group in a foreign ethnic conflict. For example,

Bosnian Muslims were the victim group in 1995, so “ $\theta$ ” would be the degree to which citizens of a U.S. state and citizens of Bosnia were similar in their demographic “Muslimhood.”

This study will attempt to control for other forms of commonality that transcend racial and religious identification, as well as U.S. party politics. Alternate commonalities will be controlled for by measuring the level of educational and economic commonality between a U.S. state and a foreign country, and party politics will be controlled for by analyzing a senator’s political party, and whether this places him in opposition with the president, the majority party, both, or neither.

Following the logic of the theory delineated above regarding ethnic-ties and U.S. senatorial decisions to intervene, the following hypotheses become testable:

*Null Hypothesis:* As commonality index  $\theta_{sv}$  increases for a conflict state-U.S. state dyad, then senator  $i$  will be more likely to vote “yes” on a given intervention resolution regarding that conflict. As commonality index  $\theta_{sv}$  decreases for a conflict state-U.S. state dyad, then senator  $i$  will be more likely to vote “no” on a given intervention resolution regarding that conflict.

*Alternative Hypothesis:* An increase or decrease in commonality index  $\theta_{sv}$  has no effect on the likelihood of senator  $i$  voting “yes” or “no” on a given intervention resolution regarding that conflict.

The first step in testing these hypotheses is to compile the key statistics regarding racial and religious makeup, as well as those for other control factors such as economic indicators, educational information, and party politics. For this study, the relevant ethnic conflicts (the only ones the U.S. Congress has had votes on) are Bosnia (Serb vs. Muslim), Haiti (Black Victims), Somalia (Black Victims), Kosovo (Muslim Victims), and Iraq (Muslim Victims). These statistics were collected using data from the United States Census (for state-by-state data) and the UN Statistical Division (for demographic data relevant to foreign victim groups), as well as the American Religious Identification Survey. Once the relevant statistics have been gathered for both the U.S. state and the foreign victim group, it is then possible to compile the level-one commonality indexes for race, religion, economics and education. There are two levels of commonality: level-two commonalities test for general degrees of similarity between a U.S. state and a foreign state for overarching categories, such as race and religion. A level-one commonality index is the commonality of a given subset of a relevant level-two commonality between a foreign victim group and a U.S. constituency. In more basic terms, the level-two commonality is the meta-level of commonality, while the level-one commonality is a sublevel. The level-one index is found by multiplying the magnitude of the subfactor for the U.S. state by the subfactor for the foreign victim group.

For example, take the Bosnia situation. The overall (level-two) commonality index for race can be broken down into level-one commonality indexes, namely white, black, Asian, and Hispanic. The level-one commonality index for “white” is determined by multiplying the percentage of a given U.S. state (say Alabama) that is white with the percentage of Bosnia that is white. This creates a relative index number: it displays which

U.S. states are more and which are less similar to Bosnia on specific racial grounds.

The subfactors for religions are Catholic, Protestant, Muslim, and Jewish. The subfactors for race are White, Black, Asian, and Hispanic. Economic subfactors are per capita income and poverty level. And the educational subfactor is the percentage of students completing high school.

However, the level-one commonality indexes are only a means to an end: the much more telling level-two commonality indexes are the indexes that will be utilized in the regression analysis. Level-two commonality indexes measure which states have more and which have less in common with a foreign victim group in more general terms: racial commonality, religious commonality, economic commonality, and educational commonality. These index numbers are determined by adding together the relevant level-one indexes for a state-victim group dyad, and dividing by 100 (to create a more manageable integer). So, to continue with the Alabama-Bosnia example above, the racial commonality index for Alabama and Bosnia is calculated by adding together the level-one indexes for white, black, Asian, and Hispanic, and dividing by 100. “ $\theta$ ”, which is the commonality between the citizens of a U.S. state and the victim group in a foreign country on the trait for which it is being persecuted, is conflict-specific: for Bosnia,  $\theta$  would represent religious commonality, whereas for an example like Rwanda,  $\theta$  would be racial commonality. This allows us to see how much the citizens of a U.S. state have in common with the *victim group* specifically. The percentage of that victim group found to have that particular persecuted trait is assumed to be 100% (so, for the Bosnia example,  $\theta$  is set at  $[100 \times \% \text{Muslim in Alabama}] / 100$ ).

This process may seem overly circuitous, but it is the most efficient and accurate way to perform a commonality test. By multiplying and adding, commonality becomes expressed in terms of relative magnitude rather than in absolute, final numbers. Remember, this study is concerned with relativity: the question of whether senators from states that have more in common with a foreign victim group are more likely to vote in favor of an intervention in that state. This study is not concerned with how Muslim Alabama is, but rather with how much it has in common with Bosnia on religious grounds compared to Montana.

After compiling and coding the votes of each senator for a given intervention resolution, a regression can be run to test the effects of commonality. As it is a binary outcome that is being studied, a probit regression is appropriate. To express the test symbolically, where “V” is a vote, “i” is a senator, “c” is a conflict, “ $\theta$ ” is the level of commonality on the factor for which a victim group is being persecuted, “s” is the citizens of a U.S. state, and “v” is a victim group,

$$V_{ic} = f(\theta_{sv}; \text{controls})$$

This ultimately lends itself to the regression equation,

$$\hat{Y} = \alpha + \beta_1 \theta_{sv} + \beta_2 X_{\text{control1}} + \beta_3 X_{\text{control2}} \dots + \beta_y X_{\text{controlz}} + e$$

## V. Results Analysis

The statistics bear out the hypothesis that, as the commonality between a victim group and the citizens of a U.S. state increases, that state's senator is more likely to vote in favor of intervention in the relevant ethnic conflict.

Before turning to a regression analysis, a survey of the control variables is in order. These variables were chosen to control for both party politics and other confounding commonalities. Regression one utilizes the variables *commrace* and *commrel*, the commonality between the citizens of a U.S. state and the citizens of a foreign country on racial and religious grounds in their entirety (not just the victim group), in an attempt to control for the effects of commonality with an aggressor group. Intervention can be viewed as a protective measure, and this study is testing sentiments that citizens have with a victim group; therefore, any commonality with the aggressor group must be controlled for, and is in this fashion. Both *commrace* and *commrel* are statistically significant in Model Four, lending some credence to the theory that commonality with a nation as a whole (rather than just with a victim group) has an effect on a senator's vote decision. In this case, religious commonality with a nation as a whole has a strong positive effect, while racial commonality with an entire nation (paradoxically) has a strong negative effect. The latter may be because people may not favor an intervention that would involve some sort of punishment being imposed on their aggressor-racial kin (as it is almost always a minority group that is persecuted in a foreign state, and a majority group that is doing the persecuting). However, as can be seen, the effects of these variables do not appear to have a strong impact on the effects of commonality with a victim group: when dropped out, *commvictim* is still highly significant.

Model Three controls for alternate commonalities. Alternate commonalities for the purposes of this study are defined as other factors that may cause Americans to feel a certain affinity for oppressed groups: namely, economic and educational similarities. As the regression demonstrates, *commecon* and *commeduc* appear to be statistically insignificant. This implies that people with similar educational backgrounds or economic circumstances are not any more likely than others to support an intervention in a foreign ethnic conflict. These effects likewise seem to have an insignificant effect on the statistical significance of *commvictim*, as it still remains significant to a 96 percent confidence level. The lack of significance of educational and economic commonality, coupled with the outcomes for *commrace* and *commrel*, support the theory that the decision to intervene is largely predicated on identity politics.

Finally, Model Two controls for party politics. Though party politics appears significant, when removed these variables have no detrimental effect on the statistical significance of *commvictim*. *Pmaj* is positively significant, implying that when Democrats are the majority party in the Senate they are more likely to intervene. *Poppres* is negative, showing that a senator from an opposition party to the president is less likely to promote the idea of that president intervening in a foreign conflict, possibly in a partisan attempt to constrain that president's war powers, or for other motivations. *Poppmaj* is positive, implying that opposition parties are more likely to vote in favor of intervention; and as the majority party controls what votes come to the floor, this may show that votes only come to the floor

**Table 1: Regression Results**

Ethnic Commonality and Intervention Votes	Model One: No Controls	Model Two: Controlling for Party Politics	Model Three: Controlling for Alternate Commonalities	Model Four: Controlling for Aggressor Commonality
Key Victim Group Commonality	0.000301 (.0000626)***	0.000127 (.0000658)*	0.001828 (.0000771)**	0.0002422 (.0000834)***
Racial Commonality				-0.0095287 (.0032142)***
Religious Commonality				0.0106696 (.0051177)**
Economic Commonality			5.53E-06 (8.20E-06)	-3.79E-06 (8.94E-06)
Educational Commonality			0.0016354 (.0054778)	0.0235849 (.0088685)***
President's Party		0.137674 (.0842379)	0.1466311 (.0876052)*	-0.1247145 (.117346)
Majority Party		0.442346 (.0761362)***	0.5336972 (.0939159)***	0.4254784 (.0943345)***
Opposition party to President?		-1.253479 (.0770499)***	-1.255166 (.0775754)***	-1.267736 (.0789404)***
Opposition party to majority?		0.197442 (.0669663)***	0.197442 (.0666621)***	0.1929372 (.067062)***
Senator's Party		-0.167571 (.0740181)**	-0.181403 (.07529)**	-0.1734508 (.0757584)**

\* Significant at the 10% confidence level; \*\* Significant at the 5% confidence level; \*\*\* Significant at the 1% confidence level. Robust z-statistics in parentheses

that have strong support from both sides of the aisle (a possible selection effect which will be discussed below). And *party* is negative, demonstrating that Republicans are more likely to intervene in a foreign ethnic conflict than Democrats. However, these partisan concerns do not eliminate or replace the effects of *commvictim*, as demonstrated when they are dropped out; this means victim group commonality does still have a strong effect.

As the data demonstrates, the level of commonality between the citizens of a particular U.S. state and the victim group in an ethnic conflict on the factor for which that group is being persecuted has a significant positive effect on the likelihood of a senator voting yes on an intervention resolution. The regression analysis serves as evidence to support the theory put forth by this study—that identity matters when it comes to the decision to intervene in a foreign ethnic conflict. This fact seems to transcend alternate forms of commonality as well as mere partisan concerns. As was stated earlier, this study makes no attempt to say that victim group commonality is the *only* factor that matters, but it is an important one, as the regression demonstrates.

#### *Concerns and Suggestions for Further Research*

This study provides empirical evidence to support the assertion that commonality and affinity among constituents towards an oppressed ethnic group have a bearing on a senator's decision to support or reject an intervention measure for the relevant conflict. However, this study is certainly not without its own shortcomings, which will hopefully be remedied in forthcoming analyses.

There is an undeniable selection effect present in this study. As the data set bears out, only five ethnic conflicts have resulted in votes in the U.S. Congress since 1989, for a total of only twenty resolutions. It may well be that many other resolutions were tabled in committee or prevented from coming to a floor vote simply due to their controversial nature. This selection effect must be controlled for in order for the results of this study to be strengthened. This will certainly be a difficult endeavor, as it is impossible without actually being inside a senator's head to know what his or her reasons were for preventing a resolution from coming to a floor vote. The particular votes studied in this paper may be self-selected into it because the relevant senators felt that a vote on it would not endanger their political careers. It is not that there aren't enough pieces of data (twenty resolutions results in 2,000 votes cast), but rather that the data might not be entirely representative of the full scope of ethnic commonality.

This study also leaves many stones unturned in the realm of other potential confounding variables. Partisan politics as well as alternative commonalities have been controlled for here. However, the unwieldy size of the data set (nearly 60,000 pieces of data) coupled with time constraints limited the number of controls this study could take into account. Future analyses may include controls for factors such as media coverage (the so-called CNN Effect), as the assumption that the general public has an implicit knowledge of the demographic makeup of a given foreign country has limited applicability in a real world scenario.

Another interesting potential study would compare the effects of the commonality index with a victim group to those of the commonality index with an aggressor group. Aggressor groups are controlled for only tangentially here; demographics on specific groups

are hard to come by, as are many statistics from nations in conflict. A study on the effects of commonality with an aggressor group on a senator's vote on an intervention resolution would serve as a valid complement to the findings put forth here.

Finally, it would be interesting to delve further into whether or not the commonality phenomenon is purely American in nature. Data from foreign nations regarding the constituencies of directly elected leaders would shed some light on whether or not this effect is universal or simply peculiar to the American system.

## **VI. Conclusion**

This study has provided empirical support for the increasingly common assertion that identity politics is playing a part in the decisions of U.S. policymakers of whether or not to intervene in a foreign ethnic conflict. It has been demonstrated that the more in common a senator's constituents have with the citizens of a victim group being oppressed in a foreign ethnic conflict with regards to the reason they are being persecuted, the more likely that senator is to support an intervention in that country. The question of what implications does this finding have for the future of American foreign policy, thus remains.

Despite the increasing diversity of the U.S. population, it still does remain a majority white, majority Christian nation, meaning senators will generally still have very little risk involved in ignoring ethnic conflicts and voting against interventions in countries that are not white and Christian. This is particularly relevant as current ethnic conflicts—those in Darfur, Western Sahara, Iraq—are occurring in African or Middle Eastern nations, which are predominantly black and/or Muslim demographically. Victim groups in these countries may continue on with little from the U.S. by way of help, because the politically prudent thing for a senator or president to do would be to stay out of the situation.

However, the findings here do leave open a possibility: by recognizing why more interventions are not taking place, it may be possible to turn the tide and begin lobbying to help those who need assistance the most, regardless of their ethno-religious background. As this study has shown, identity politics is a key to resolving identity-driven crises. But perhaps, in learning to overcome the limitations of commonality and to look beyond mere surface considerations, a deeper motivation can be found: a commonality not with a certain race or a certain religion, but a commonality with mankind as a whole.

This is an overly optimistic assessment, and certainly has little place in a scientific study. So a retreat: this study has demonstrated the power of identity and commonality to shape the world. It is not the only factor, but it is certainly a critical one.

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## THE POWER OF A PEOPLE DIVIDED

KATHERINE HARRISON

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*What do Barack Obama, Hugo Chavez and Adolf Hitler have in common? At one time or another, they've all been labeled "populist." It should therefore come as no surprise that the meaning of the word is contested among academics and impossibly vague in the mainstream media. The factors that give momentum to populist movements are also uncertain. In this paper, I synthesize the views of leading scholars and put forth a definition of populism as a political style characterized by personality-driven, anti-institutional rhetoric. I hypothesize that rising income inequality causes unmet demands for economic and political inclusion to accumulate. As members of the lower and middle classes lose trust in political institutions, individual grievances converge into a general rejection of the status quo and populist rhetoric begins to find resonance. A regression analysis comparing change in the Gini coefficient of income inequality to the degree of populism of elected leaders supports the claim that rising income inequality paves the way for populist leadership, and a case study of Venezuela further illustrates the story these numbers tell.*

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### **I. The Question: Un Pueblo Unido?**

The people united will never be defeated, right? The answer is not as obvious as this ubiquitous protest chant would suggest. In fact, social and economic divisions may actually create the conditions that allow governments of "the people" to gain power (Laclau 2005). "You the people are the giant that awoke," said Hugo Chávez as his presidential campaign was drawing to a close in December 2006, "... Chávez is nothing but an instrument of the people." These remarks suggest a unified movement of the people behind the success of

Chávez's populist presidential campaign, but in reality popular unity is only consolidated at the expense of another entity. It is the division between the people and the other, the desire of the masses to simultaneously dismantle and to become one with the elite, and the timely arrival of a leader who knows how to obtain and harness the popular power that gives rise to a populist government (Laclau 2005).

Latin America has both a strong populist tradition and record-setting levels of economic inequality. Since 1960, Latin American inequality has consistently outstripped that of any other region in the world (Morley 2001). This paper will seek to establish a relationship between populism and inequality, positing that increasing income inequality is a significant factor contributing to the rise of populist leaders. To challenge the view that rising income inequality is the sole source of populism, I will perform the following test, using other variables as well. In my analysis, I will consider income inequality as an indicator for other inequalities, such as social polarization and political exclusion.

I will also offer a definition of populism that synthesizes the current views of several leading theorists. The term "populism" has frequently been used negatively; it is a word that tells us what governments are not, rather than what they are (Laclau 2005). Even in respected publications, the word "populism" is cloaked in ambiguity and is often used for no discernible reason (Weyland 2001). Part of the confusion surrounding the term stems from a radical change in the way Latin American populism manifests today in contrast to the Classical era. Definitions that may have seemed sufficiently comprehensive in 1960 are plagued with counterexamples today (Weyland 2003, Knight 1998). This paper will seek to establish a concise definition well-grounded in traditional literature that also reflects current developments.

## **II. Literature Review: "A Contested Concept"**

The concept of populism is one constantly defined and redefined by academics. To some it is a set of economic policies, to others a political style or strategy, and to yet others, a vague, indeterminate adjective. Some have even suggested that it would be best to retire the term (Knight 1998). Nevertheless, the persistence of populism in the political lexicon suggests that it is not yet dispensable. The Latin American experience, in particular, shows evidence of a recurring phenomenon, for which the only adequate description is populism (Weyland 2003).

From the 1960's to the 1980's, most authors employed a cumulative definition of populism consistent with the Structuralist tendencies of the times (Weyland 2001). In the prevailing theories of dependency and modernization, social and economic forces were seen as direct determinants of political outcomes (Cardoso and Helwege 1992). Subsequently, populism was assigned a multi-dimensional definition encompassing political, economic and social elements. As Kurt Weyland puts it:

Most authors noted a personalistic, plebiscitarian style of political leadership as a defining characteristic of populists...this political attribute was widely seen as part of a package of equally central social and economic characteristics. Accordingly, authors stressed the

heterogeneous social base of populism, defined as an amorphous mass, an urban multiclass movement, or a broad alliance of urban classes. They also emphasized the provision of material incentives—the pursuit of expansionary, developmentalist economic policies and the extension of social benefits—as crucial instruments in maintaining mass support (Weyland 2001).”

Empirical evidence from 1930 to 1960 seemed to support these claims (Weyland 2001). Though quantitative data on populism was—and remains—lacking, governments considered populist in Latin America during this period generally enacted the redistributive, nationalist and often fiscally irresponsible economic policies that we now know as economic populism (Cardoso and Helwege 1992). Economic populism generally consists of attempts by leaders to stimulate demand in order to better the situation of low income groups and reap political gains in the short run (Cardoso and Helwege 1992). The results are at first favorable, bringing immediate gains to constituents, but eventually government deficits and overvalued exchange rates leave the same low-income groups worse off than they began (Cardoso and Helwege 1992).

When the first neopopulist regimes came into power in Latin America in the 1980s, they posed a challenge to these definitions. Neopopulist leaders exhibited the political characteristics of populism—they were personalistic and spouted anti-institutional rhetoric—but unlike previous populists, they were decidedly neoliberal when it came to economic policy (Weyland 2003). These leaders—most notably Carlos Menem and Alberto Fujimori—were a different breed from the classical populists that preceded them. It was difficult to decide whether they could even be labeled populists, but ultimately, academic consensus determined that changing times called for a redefinition of populism (Weyland 2003, Knight 1998). Classical definitions had outlived their usefulness and most scholars began to define political and economic populisms as distinct phenomena. That political populists of the classical era tended to share economic ideals and policies may have been simply incidental or symbolic of different times. There are authors who insist on retaining both political and economic components in their definitions of populism (Knight 1998). Such cumulative definitions have little application in contemporary Latin American politics, where even political populists like Hugo Chávez and Evo Morales—who extol the virtues of redistributive and nationalist economics—rarely enact policies that reflect such beliefs (Roberts 2001, Buxton in Ellner and Hellinger 2003). Furthermore, the assumption that economic conditions or policies are definitional characteristics blinds us to possible relationships between economic and the political factors (Weyland 2001). Socio-economic conditions and the policies aimed towards altering them should be considered in relation to political populism.

“Populism” derives from “populus,” and thus connotes “a movement, regime, leader or style which claims some affinity with the people” (Knight, 1998). Knight goes on to say that this elementary etymological logic, when pursued, leads to a definition of populism as a political style. This paper will propose a political definition similar to Knight’s but more along the lines of the one advanced by Kurt Weyland in his paper, *Populism: Clarifying a Contested Concept*. Weyland summarizes his argument as follows:

“Populism is best defined as a political strategy through which a personalistic leader seeks or exercises government power based on direct, unmediated uninstitutionalized support from large numbers of mostly unorganized followers. This direct, quasi-personal relationship bypasses established intermediary organizations or deinstitutionalizes and subordinates them to the leader’s personal will (Weyland 2001).

This study will also utilize a discursive approach to populism combining the views of Ernesto Laclau, Benjamin Ardití and Kirk Hawkins.

Discourse analysis can potentially alleviate the problem of the lack of quantitative data on populism. A study by Kirk Hawkins prepared for the XXVII International Congress of the Latin American Studies Association in 2007 analyzes the thematic content of some 200 speeches from 40 leaders, both Latin American and otherwise, and assigns scores according to their degree of populism. That these leaders were in power demonstrates that their ideas resonated with some portion of society, though we cannot assume popular support. To do so, it would be useful to supplement Hawkins’ populism scores with data from opinion polls and elections to gain some idea of the degree of popular support for the populist message in various contexts. This study, while not fully comprehensive, represents one of the first and best efforts to measure populism. Hawkins suggests that the importance of a measure of populism is seen in the ways it can be related to other variables, whether political, social, or economic. This study undertakes the work of relating populism to socioeconomic variables, but due to sample-size considerations, I use my own measure of populism.

I have already established that populist discourse contains an appeal to the people but is also important to understand that this “people” is more than a popular mass waiting to be called into action; it is a “sleeping giant” as Chávez himself put it. Ernesto Laclau argues that the populist leader must create this “people” by naming it retroactively. If no “people” exists prior to this act of naming, then populism cannot be defined independently of the rhetoric surrounding it. Under this logic, discourse analysis is necessary to understanding populism.

My definition of populism is as follows:

1. Populist leaders derive their power from the support of the people (Hawkins 2007, Laclau 2005, Ardití 2007). For that reason this study will only look at democratically elected leaders.
2. Populist leadership is personalistic and anti-institutional. Populist leaders tend to bypass or undermine intermediary organizations and inspire affection in their followers (Weyland 2007).
3. A populist leader must radically break from the policies of the administration preceding him/her. As such, many populist leaders were political outsiders before coming into office (Laclau 2005).
4. Populists use a very particular rhetoric. Speeches given by populist leaders:
  - Constantly invoke “the people,” with leaders claiming

- to represent or serve that people (Hawkins 2007, Laclau 2005, Arditì 2007)
- Are antagonistic; populist leaders constantly attempt to create an 'us vs. them' mentality in which the people are united with the leader against some foreign or domestic enemy (Hawkins 2007, Laclau 2005)
  - Use Manichean language, portraying the world in terms of good and evil (Hawkins 2007)
  - Frequently use empty signifiers, words like "freedom," "justice," etc., instead of talking policy to appeal to as broad an audience as possible (Laclau 2005)
5. Populist leaders are not strictly democratic or undemocratic but they rely on democratic vindication to justify their positions of leadership (Arditì 2007).

### **III. The People Divided: A Model of Populist Uprising**

Laclau sees populism as both an ideology and a movement, mutually constructive of each other in the discourse of social life (Laclau 2005). Therefore, part of understanding populism is to understand the way in which it develops. To start with, unsatisfied demands begin to accumulate in a given society. As they accumulate, so does dissatisfaction with government institutions seen as failing to satisfy these demands. Said conditions allow for a rupture in the status quo and the ascension of a leader that calls for either reforms existing institutions or dispenses with them entirely. People find the personalistic political style of a populist leader appealing because it represents an alternative to the institutions that they have learned to mistrust and view as exploitative. Television is a good example of an instrument increasingly used by populist leaders to establish a semi-personal rapport with the people, though it is not a necessary one (Weyland 2001, Arditì 2007). As José María Velasco Ibarra said, "Give me a balcony and I will be President" (Conniff 1982). To consolidate support, the leader must retroactively name "the people" and articulate an antagonism between this people and an "other" (Laclau 2005). The other generally consists of a political, social, or economic elite, such as a privileged class or corrupt state institutions. In Latin American history, the other is also commonly associated with forces of imperialism, such as Braden in Peronist Argentina (McPherson 2006). Thus Hugo Chávez was tapping into a tried-and-true tradition when he called President Bush "el Diablo."

I employ Laclau's theory on the rise of populism but, on one point, I disagree. Laclau assumes that the rupture of the status quo must be violent, while I believe that the transition to populism, though radical, can be relatively peaceful. Although Latin America has seen more than its fair share of violent revolution, today's populist revolutionaries have found subtler means to achieve power. In *Politics on the Edges of Liberalism*, Benjamin Arditì makes the milder claim that populism has its roots in democracy. The two competing poles of populism and elitism constantly influence democracies, argues Arditì. Populism comes to the fore when people feel they are not being represented, or as Laclau posits,

when they feel their demands are not being satisfied. This could also be described as a tug-of-war between representative and participatory forms of democracy. I subscribe to Laclau's theoretical explanation of populism but favor Arditì's vision of populism as a constant force in democracies and not necessarily as a political phenomenon christened by blood.

According to Arditì and in opposition to the views of Laclau, populism can gain power in multiple ways. Where undemocratic regimes hold power, the rise of populist leadership can be fueled by the demand for a more politically inclusive system of government. Much as democracies face obstacles in their inception, the success of movements toward populist government will be contingent on the coercive powers of the non-democratic regime that must be overcome. Whether a populist system or a more representative democratic system comes into being depends on factors like inequality and historical strength or weakness of institutions. Where democracy already exists, it can transition smoothly into populism under the right circumstances, though this transition necessitates a radical break with past policies. This break does not have to be violent, rather, populism always exists on the edges of democracy, occupying a space between the democratic and the undemocratic. When the leader must resort to excessively undemocratic means to retain power, a regime may no longer be classified as populist (Arditì 2007).

Arditì's own definition of populism recalls both Weyland and Laclau as he refers to key themes of the populist discourse as invocation of the people, critique of elites and corruption, the participatory imaginary (i.e. the leader as a representative of the popular will), the role of strong political leaders, and impatience with the formalities of the political process. Arditì's work constitutes an important bridge between the divergent works of scholars like Laclau and Weyland.

#### **IV. Incorporating Economy**

Though my definition of populism is substantially different, the classical definitions of populism I have briefly touched on merit closer examination. Empirical evidence linking populism with certain economic conditions and corresponding policies until the 1980s is not an insignificant coincidence.

I have decided to study the relationship between inequality and populism in part because I suspect a link between the two and because the severity of Latin American inequality is a persistent problem worthy of a better understanding. (Cardoso and Helwege, 1992). I will utilize the Gini coefficient to measure income inequality. Gini coefficients vary between 0 and 1 with "0" representing complete equality and "1" representing complete inequality of consumption or income. This study only addresses inequality of income, and proportionally places the Gini coefficient on a scale of 0 to 100.

One of the obvious advantages of the Gini coefficient is that it is the most commonly used measure of inequality and therefore offers more available data than any other inequality measure (World Bank Group 2008). The Gini coefficient is attractive to researchers because it facilitates comparison, which measurements like the Theil index fail to do. Also unlike the decile dispersion ratio, another measurement of inequality,

it accounts for incomes across the whole of a given society rather than only those of the very rich and the very poor. The extended Gini can also emphasize specific sectors of the distribution if needed. The Gini coefficient has been criticized because it is not additive across groups, that is the total Gini for a country is not equal to the sum of Gini measurements for subgroups (World Bank Group 2008).

I posit that rising economic inequality contributes to the accumulation of unsatisfied demands. When the very poor are exposed to the lifestyles of the very rich, they are likely to perceive that they are lacking something, perhaps unfairly. This contributes to discontentment with the status quo. The greater the income inequality, the greater the level of discontent among lower classes. Populism thus begins to exert a stronger pull on society, and in the absence of sufficient repressive forces, is conditioned to rise (Arditi 2007). I have opted, however, to explore the effects of change in the Gini coefficient as opposed to the Gini by itself. I do not hypothesize that a consistently high Gini coefficient over a long period of time will encourage the rise of populist leadership; on the contrary, classical theory tells us that populism arose in response to rapid urbanization and necessarily followed the development of a sizeable middle class in Latin American countries. Juan Perón of Argentina was the poster child for this theory, drawing upon the support of newly unionized workers and members of the middle class. While this would seem to conflict with my theory, a strange logic emerges when we consider change in the Gini coefficient rather than the raw Gini. Populist leaders might decry the ruling elites and claim to fight for equality, but their message is primarily directed at the middle class, not the very poor (Conniff 1982), and a strong middle class that feels it has something to lose or perceives that it may already be losing something, is an invaluable tool for would-be populist leaders.

## **V. Theory**

Rising inequality as measured by the Gini coefficient creates conditions favorable to populist regimes and allows them to come into power. Inequality feeds perceptions that individuals are not being represented by the institutions and governing figures in place, predisposing individuals to favor political leaders who oppose the status quo and who tend to rely on personal charisma and shun institutions. Populism also derives from antagonisms between “the people” and an “other,” garnering mass support through the inclusion of “the people” at the expense of the “other” (Laclau 2005). Economic inequality allows this sense of antagonism to build, causing the poor and the middle classes to demand inclusion in the privileges enjoyed by the elite by turning against the status quo and favoring populism.

*Testable Hypothesis:* Does increasing income inequality increase the likelihood of populist leaders coming into power in Latin America?

*Null Hypothesis:* Positive change in the Gini coefficient over a 10-year period prior to the election of a leader relates negatively or not at all to whether or not that leader is populist.

*Alternative Hypothesis:* Positive change in the Gini coefficient over a 10-year period prior to the election of a leader is positively related to how populist that leader is.

## VI. Research Design

This will be a panel study, covering democratically elected leaders from 18 Latin American countries from approximately 1960 to the present. The unit of analysis will be the leader/country year. Countries included in the study are: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela. Populism will function as the dependent variable in a series of Ordinary Least Squares (OLS) regressions I intend to run using various configurations of independent variables. Of those independent variables, change in the Gini coefficient, “Gini Trend,” is the variable I am most concerned with relating to populism.

As available data on populism is quite limited, my regression will employ a measurement I have devised, which I call Google Populism. To obtain this score, I entered in turn the name of every democratically elected leader for which sufficient data was available from my 18 countries from 1960 to the present and recorded the number of articles produced by each search. Then, I added the term “populism” to the leader’s name and re-ran the search, again recording the number of articles produced by each search. I divided the second value over the first to obtain scores of populism ranging from 0 to 1, with “1” being most populist and “0,” the least. Once obtained, I created a histogram of these scores and noticed a substantial break in the distribution at 0.36. I used this information to convert the populism scores into binary form; scores of 0.36 or above were assigned a value of “1,” indicating that the leaders to which they corresponded were populist, while leaders who received scores of below 0.36 were assigned a value of “0,” or not populist. Google Populism does not exactly capture the definition of populism, I have labored to put forward so far, in fact it discriminates against no theory of populism except on the basis of how much has been written about it. One advantage of this method is that it captures all views of populism and corrects for the possibility that my interpretation may not be the best one. Another advantage is that it is the only score available which allows me to conduct a study of populism with a sample size over 50.

An important distinction this study makes is that between populism in and out of power. While the messages of those seeking power are interesting, and it is true that populists are not always model Democrats, I am only concerned with leaders who succeed in rising to power and retain it on the basis of popular support. My theory is predicated on a public demand for populism, not just a would-be leader willing to supply it or an overly forceful leader “representing” the people by telling them what they want.

The relationship we will establish is that of Google Populism to change in the Gini coefficient, or “Gini Trend” which constitutes our primary independent variable. Gini coefficient data for this study was acquired from the World Income Inequality Database (WIID2), a database which pools Gini data from multiple survey sources to cover a variety of countries from the 1940s to the present day. Gini data is available for the 18 Latin American countries we will be looking at in this study, though no single survey covers the time series I want to look at. This presents a problem because there can be a great deal of variation between different sources in their calculation of the Gini coefficient, increasingly so the further one goes back in time. For countries such as Ecuador and Nicaragua, there

is no available data before the 1980s, while for most other countries, data is available as far back as the 1950s or 60s, but with huge time-gaps between available scores and with no one source reporting more than a couple of years. I decided, however, to use this data, filling in the gaps through interpolation, or in the case of current cases (2006, 2007, etc.), using the last available data, and using the best and most highly compatible sources available. When possible, in the composition of my data set, I used only national data measuring the disposable income of households, but as data became sparser going back in time, it was necessary to use some data covering only urban centers, for example, or calculating gross income instead of disposable.

The selection of the data that I have just described will be lagged one year from the election of a leader in each country, and to obtain Gini Trend we will subtract from that value the Gini score for that country ten years prior. As with populism, this variable will be simplified according to its distribution. I assigned a value of “0,” representing a decreasing Gini, to all Gini Trend values less than or equal to negative two; a value of “1,” representing a constant Gini, to all values between negative two and two; and a value of “2,” representing an increasing Gini, to all values of two or above. This simplification of change in the Gini coefficient into Gini Trend serves to correct for possible comparability problems between survey sources within WIID2.

Though I will primarily be exploring the effects of income inequality, I will test and control for other variables that might reasonably be expected to influence the level of populism. I focus on economic indicators in relation to populism because it is important to begin exploring the relationship between political populism and economic trends once considered to be definitional characteristics of populism in a much broader sense. Furthermore, many of the economic indicators that will be used are indicative of influential events in Latin America. The debt crisis of the 1980s, for example, created conditions of hyperinflation, which constituted an even bigger crisis for Latin America, and thus the extremely high inflation scores that come out of the 1980s are indicative of a crippling economic crisis (Cardoso & Helwege 1992). In addition, measurements of imports, exports, and trade should also be taken to express the degree to which a given country is interdependent with other countries. A high level of trade might dispose a nation’s government and people to avoid the extremist rhetoric often invoked by populists in order to preserve good relations with trading partners and thus secure the high standards of living trade can bring about. On the other hand, the populace could see trade relations, particularly with more developed countries as exploitative, which may lend potency to political rhetoric that blames the West for low standards of living in the so-called periphery (Valenzuela and Valenzuela 1978). Thus the relationship between trade and populism may discredit one or both of these theories. Another variable to be tested is military expenditures. I decided to use this measurement rather than the number of conflicts a country is involved in because it does not distinguish between civil disputes and external conflict and furthermore, because it gives us an idea of the strength of the military’s presence in a given country. Military groups have been highly influential in Latin American politics from the days of Caudillismo to the regime of Chávez, a former general (Skidmore and Smith, 2004). While we will not be studying leaders who gain power by force, the military often has an important role to play in the political field, which will be explored. Paul Drake (2002) writes, “Although serving

as a bulwark against change, the military also generated populist precursors and leaders.” The results of this study suggest whether the role of the military tends more towards that of bulwark or catalyst. As with the Gini coefficient, all these variables lag by one year.

The models also include two dummy variables. The first identifies oil-producing countries (Argentina, Bolivia, Brazil, Colombia, Ecuador, Mexico, Peru, Venezuela). Note that not all of these countries produce a significant amount of oil and some are not even net exporters. This variable was included because some scholars theorize that oil production fosters clientelistic relations between state and citizens, and the volatile nature of oil rents can generate crises that create demand for populism—this theory is particularly common in literature on Venezuela (Roberts 2001). The second dummy variable indicates whether or not the country in question won independence by fighting a war with the Spanish, as many countries in the region did, or attained independence through special circumstances (as did Brazil, the Dominican Republic, Panama and Uruguay). The idea behind this variable is that countries that fought for independence from oppressive colonial rule might be more disposed to embrace the antagonistic, anti-imperialist rhetoric spouted by populist leaders. Kirk Hawkins (2000) makes a similar argument when he writes about corruption as a source of populism, citing suspicions of government corruption in the present day as rooted in a deeper mistrust of government as an elite institution dating back to the colonial era (De La Torre 2000).

Seven models are used to test these variables in different configurations. In Model One, the Gini Trend is the sole independent variable while in Model Two, the raw Gini coefficient is the sole independent variable. Model Three combines Gini Trend with the raw Gini coefficient while Model Four adds four basic economic indicators to this configuration, inflation, GDP per capita, GDP Growth, and trade. Model Five contains all the variables from Model Four but adds imports, exports, population growth, urban population, and military expenditures. Model Six adds two dummy variables: oil producer status and means through which independence was achieved. Model Seven combines all the variables that tested as significant in the models preceding it.

## VII. Results

As Table 1 illustrates, three of the variables tested displayed a relationship to Google Populism at the 99 percent level of significance. These variables were Gini Trend, the Gini coefficient and status as an oil producing country. The result for Gini Trend supported the theory put forth by this paper, with a regression coefficient of 1.06 at the 99 percent confidence level, using figures from Model Six. Therefore, we can safely reject the null hypothesis. Model Seven produced much the same result while Models Four and Five produced results significant at the 95 percent confidence level. Model Three was only significant with 90 percent confidence, and Model One was insignificant.

The Gini coefficient was inversely related to the level of populism, with a weak regression coefficient of -0.24 (also Model Six), but with more consistent significance than Gini Trend. Even as the sole independent variable with no controls, the Gini coefficient was determined to be significant with 99 percent confidence, though a slightly lower regression coefficient of -0.14. This result agrees with the classical theory that populism can garner

**Table 1: Results - The Determinants of Populism in 18 Latin American Countries (1960-2007) (continued)**

Populism	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
Exports					-0.02 (0.16)	-0.08 (0.16)	
Population Growth					-0.15 (0.34)	-0.49 (0.42)	
Urban Population %					0.02 (0.02)	-0.01 (0.03)	
Military Expenditures					-3.3e-07 (2.0e-07)	-5.49e-07** (2.55e-07)	-4.62e-07** (2.55e-07)
Oil Producer						2.49*** (0.8)	2.06*** (0.51)
Independence War						0.69 (0.8)	
Constant	0.67*	6.54***	7.75***	7.78***	6.64**	9.96***	8.34***
Goodness of Fit	58.59%	63.28%	63.28%	66.14%	70.63%	78.57%	74.02%

\*Denotes p<0.1, \*\*Denotes p<0.05, \*\*\*Denotes p<0.01

Values above represent regression coefficients while values in parentheses represent robust standard errors

**Table 1: Results - The Determinants of Populism in 18 Latin American Countries (1960-2007)**

Populism	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
Gini Trend	0.23 (0.23)		0.69* (0.26)	0.74** (0.29)	0.70** (0.30)	1.06*** (0.36)	0.88*** (0.31)
Gini coefficient		-0.14*** (0.04)	-0.17*** (0.04)	-0.18*** (0.05)	-0.16*** (0.05)	-0.24*** (0.06)	-0.20*** (0.05)
GDP Growth %				-0.01 (0.04)	0.02 (0.04)	0.03 (0.05)	
GDP per capita				2.0e-05 (1.2e-04)	-7.3e-05 (1.83-04)	7.1e-05 (2.0e-04)	
Inflation %				6.0e-04 (4.0e-04)	7.03-04* (4.03-04)	1.3e-03** (5.9e-04)	7.9e-04* (4.1e-04)
Trade				-1.8e-03 (6.9e-03)	0.14 (0.14)	0.12 (0.14)	
Imports					-0.2 (0.14)	-0.13 (0.14)	

\*Denotes p<0.1, \*\*Denotes p<0.05, \*\*\*Denotes p<0.01  
 Values above represent regression coefficients while values in parentheses represent robust standard errors

support from an “urban multiclass movement,” or a “broad alliance of urban classes” (Di Tella, Germani 1974 in Coniff 1982). Indeed many classical theorists cited the importance of middle class support in determining the success of populist leaders (Ellner in Conniff 1982). My results build upon these classical theories by showing that populism is most likely to emerge in Latin America when a strong middle class exists but is threatened by rising inequality.

The result for oil producing countries was also surprising, particularly in its strength—the regression coefficient with populism was 2.48 in Model Six and 2.06 in Model Seven and in both models were significant with 99 percent confidence. While the results were unexpected, I do not think they challenge my theory. I suspect that inclusion of countries outside of Latin America may diminish the relationship given that, outside of Venezuela and perhaps Mexico, Latin America is a very minor player in the oil industry and most of the nations of OPEC are generally not democratic enough to be considered populist. Furthermore, the countries coded as oil producers in this study varied a great deal in the amount of oil they produced but shared other traits. All the countries liberated by Simón Bolívar and constituting “la Gran Colombia,” for example, belonged to this oil producing group. A final point to consider is that status as an oil producer may only be important in its influence on inequality given the often unequal distribution of oil rents and the disproportionate impact on the poor and middle class when oil prices change. Whether or not oil production’s significance relates to its effect on driving up inequality, this result substantiates a configuration of variables highly conducive to populism.

Two other variables tested as significant: military expenditures and inflation as a percent of GDP. Military expenditures were significant in Models Six and Seven with 90 percent confidence, but were not at all significant in Model Five. The regression coefficient, though very low, was a negative value, indicative of an inverse relationship with populism. This seemed counterintuitive as populist leaders are generally recognized for their antagonistic and often militant rhetoric. However, the existence of actual conflict is not necessary to populism, only bellicose rhetoric. Furthermore, this statistic tells us nothing about change in military expenditures once a populist leader has entered office. These results tend to support the idea that where military expenditures are low, the barrier to keep populist outsiders out of positions of power is even lower.

Finally, inflation tested as significant with 95 percent confidence in Models Five and Seven. Its significance in Model Six was only 90 percent. The positive regression coefficient suggests a weak (with a coefficient of 0.001) positive relationship with populism. However, the significance was quite shaky, and inflation also did not appear to be significant in any of the regressions ran in my preliminary research. Still, this result suggests that inflation—taken both as an indicator of economic crisis and on its own merit—may contribute to the rise of populist leaders.

## **VIII. The Case of Venezuela**

The story of Hugo Chávez’s rise to power in Venezuela effectively illustrates the theories we have been discussing in abstract form up to this point, though in the cautionary words of New York University Professor Patricio Navia, we should keep in mind that “Hugo

Chávez is not populism and populism is not Hugo Chávez.” Accordingly, this case study is not offered as a prototype for all populist experiences, but rather, as a single example intended to flesh out the theory we have here discussed.

Venezuela was not without a populist history prior to the arrival of Chávez on the political scene, but for almost 30 years before he came to power, the country was held to be a model for democratic consolidation and economic success in a region where such democracies were rare (McCoy 1995). The political field was dominated by two parties, Acción Democrática (AD) and Comité de Organización Política Electoral Independiente (COPEI), both of which had entered into a pact with each other to bar any other party from gaining power. This was known as the Punto Fijo regime and was essentially a one-party system, or a “partyarchy,” although on paper two big parties existed in addition to a scattering of minor parties that never garnered much support (Coppedge in McCoy 1995). Punto Fijo maintained power through consensus-building, mediating agreements and compromises among the elites, and dispensing patronage to their lower-class followers through organizations such as labor unions, peasant leagues and neighborhood groups (Canache 2007). “For several decades,” writes Damarys Canache (2007), “the two-dominant party system based on the cooperation among the party leaders to share and monopolize power assured that wealth distribution, mostly derived from the oil rent, reached both relevant elites and the general public.”

By the late 1980s, that was to change. A deep fall in oil prices in 1982 spurred the government of Luis Herrera Campíns to institute a massive devaluation of Venezuelan currency. The devaluation marked the beginning of a period of economic crisis in Venezuela, which included increasing unemployment and inflation, continued devaluation, and the exacerbation of social inequality and poverty levels (Canache 2007). Such recurring economic crises accompanied by political crises contributed to the gradual polarization of the political arena along an elite-mass cleavage for the first time in a generation (Roberts 2001). The Punto Fijo was losing its viability as a political system. Canache (2007) writes,

“The operation of the vast networks of Clientelism and patronage that AD and COPEI developed were tied to the state’s rents...the viability of the Punto Fijo democracy altogether, was highly vulnerable to the political economy of oil. The traditional parties grew impotent to contain class conflict and in particular to satisfy the demands of the lower classes that had suffered the most during the times of economic crisis (Canache 2007, Buxton 2001).”

Electorate abstention began to rise, and those that did vote favored radical parties because traditional parties were increasingly viewed as corrupt and unable to contain class conflict or meet the demands of the poor—demands that were still mounting as the poor had suffered the effects of the economic crisis disproportionately (Canache 2007). Traditional channels for social conflict had ceased to function and before long, violence erupted in the streets.

The impotence of Punto Fijo was perhaps best illustrated by the “Caracazo” of 1989—a series of protests brutally repressed by the military that took place in the streets

of Caracas over the course of five days. The riots broke out after President Carlos Andrés Pérez imposed an economic austerity “shock program” and by the time they drew to a close, 300 people were dead, according to official estimates, and over a thousand, according to unofficial estimates (Roberts 2001, Canache 2007). The next five years would bring a series of coup attempts, the impeachment of President Pérez on charges of corruption, and an electoral defeat for AD and COPEI, making it abundantly clear that Venezuela’s party system was in decline (Roberts 2001).

Chávez’s presidential campaign drew support from his pledge to elect a constituent assembly that would redesign Venezuela’s political system and from his status as an outsider to the political parties. This appealed greatly to anti-status quo popular sentiments, as did Chávez’s manner of relating to the people directly. He bypassed traditional parties and drew upon his personal charisma to cultivate a direct relationship with the people (Roberts 2001, Hawkins 2003). Chávez’s discourse resonates with the way I have defined populist discourse; it was antagonistic and Manichean, constantly invoking the people and promising them empowerment at the expense of the allegedly corrupt elites that had held power in Venezuela. Chávez tested as strongly populist, according to the measure we have used here, and in the Hawkins study, he earned an almost perfect populism score of 1.9 out of 2. Venezuelans repeatedly voted for Chávez’s fiery brand of populism since December 1998.

How does the case of Venezuela illustrate the results I determined earlier? First of all, the existence of economic crisis and increasing income inequality preceded the rise of a populist leader. The Gini coefficient increased from 40 to 42 from 1978 to 1988, and then leapt to 47.2 in 1998. Kenneth Roberts (2001) bluntly states, “Two decades of chronic economic decline, increasing inequalities, and social disarticulation created a context that ultimately facilitated the repoliticization of social inequality in Venezuelan democracy,” and brought Chávez into power. Furthermore, this case shows us how rising income inequality can be concomitant with and perhaps indicative of trends in other forms of inequality. The economic crisis also revealed political inequality when its disproportionate effect on the poor could not be remedied through existing institutions. Poor Venezuelans who had been happy to share in the vast bounty of oil rents in the past found that in less prosperous times, they had no channel through which to voice their demands to the state (Canache 2007).

Consistent with another relationship we observed earlier, although income inequality was rapidly increasing during Chávez’s rise to power, it remained moderate-to low relative to the average for Latin America. Venezuela’s Gini coefficient was 47.2 one year prior to his election and the average for Latin America approximately 53. Chávez’s electoral victory was in fact made possible by the support of a strong middle class, which is consistent with the negative relationship we found earlier between the Gini coefficient of inequality and level of populism. According to one survey, 70 percent of the poor and 84 percent of the wealthy believed that political parties created more problems than solutions (Zapata in Roberts 2001). This agreement suggests that cross-class alliances may have also been a factor. In terms of actual votes, however, the poor turned out in the greatest numbers for Chávez (Roberts 2001).

Finally, it is apparent that Venezuela’s status as an oil-producing country contributed to the success of populism. Lupi and Vivas (2005) note that, “The oil economy

has nurtured a culture in which most Venezuelans believe that the country is immensely rich but dominated by a corrupt elite that has plundered its wealth.” This view is certainly consistent with anti-status quo preferences, and we can observe all too easily from the Venezuelan example how a downturn in the oil market can lead to wide-ranging economic crises that includes increasing inequality and subsequently, to conditions favorable to the development of populism.

## IX. Limitations

One severe limitation to the statistical component of this study was imposed by the measures of populism I was obliged to use. The Google score of populism was far more crude an indicator than I would have preferred. Perusing some of the search results containing both the term “populism” and the name of a leader, I discovered cases where leaders were distinctly used as foils against populist leaders—Álvaro Uribe of Colombia was one such example. While the method I used has also been used by prominent political scientists, such as Bruce Bueno de Mesquita, I think the effectiveness of future research could be greatly enhanced by the use of software to scan text for the type of contradictions I found. The Hawkins score of populism represents an appealing alternative measurement—it certainly corresponds to a more exact definition of populism, and initially it was my hope to use it in this study. Ultimately I decided not to use this measure because of a lack of observations, but hopefully, as scholarly works converge to a greater degree around one definition of populism, the concept will find intelligent numerical expression across a greater number of cases.

Another limitation of this study was the lack of or poor quality of data for some of the older cases. The unreliability of the Gini coefficient has already been discussed, but there were many variables that could not even be examined before 1980 or 1990. Poverty, corruption, media access, and the informal economy (and changes in all four) are among the variables I wish I could have included in a long-term analysis. The availability of time-series opinion poll data would have also made a substantial difference in the way I would have conducted the study—ideally, canonical correlation analysis would have been applied to a large panel of data, but without data for more than one variable representing populism this was impossible.

The results of this study showed that populist leaders are most likely to gain power when income inequality is relatively low, but increasing—in other words, when a middle class exists but feels threatened. The universality of the relationship between the Gini coefficient and level of populism is uncertain, though, given that income inequality is so much higher in this region than in the rest of the world (Morley 2007). Intuitively, one might expect that the record-setting inequality of Latin America, coupled with the strength and endurance of its populist tradition relative to other regions, would contribute to a positive relationship between the two from a global perspective. A study expanded to include regions outside of Latin America could easily produce different results, which would serve not to challenge the relevance of my findings with regard to the study of Latin America, but instead, to advance our knowledge about the roots of populism even further.

## X. Conclusion

The results of this study support my hypothesis that increasing income inequality is significantly related to the rise of populism in Latin America. The null hypothesis was rejected with 99 percent confidence, and all the other variables that tested as significant were consistent with my theory. The relationship between the Gini coefficient and populism built upon this theory shows us that the relationship I hypothesized was most likely to function in the presence of a relatively strong middle class. These results represent an important foray into the quantitative analysis of populism, laying a groundwork from which it is possible to establish connections between populism and the innumerable social, economic, and political factors that converge to shape the world we live in. They also show the need for further efforts like that of Kirk Hawkins to measure populism.

To fully understand the consequences of populism, we must examine the ways in which its character changes once a leader is in power. How do populist regimes influence the socioeconomic environment that enables them to rise in the first place? Though some studies of classical economic populists have outlined their frequent macroeconomic failures, this hardly serves to fulfill the need to relate political populism to resultant socioeconomic phenomena (Cardoso and Helwege 1992). Nor is there sufficient research regarding the way populist regimes tend to settle and consolidate into democracies or autocracies or else fall apart entirely as time passes. Such research is necessary not only because it will better our understanding of the political economy of Latin America, but because it can also empower leaders and policymakers to help guide the fragile democracies of the region to firmer ground.

Finally, these results underscore the need to address inequality. Without sufficient mediation, the astronomical levels of income inequality that exist in Latin America today will steadily increase. Clearly the consequences of high or rising inequality are deep, far-reaching, and possibly deleterious to democracy. Efficiency and growth are important economic goals for developing countries such as those of Latin America, but they should not be advanced at the expense of equity (Ffrench-Davis and Machinea 2007). I will make no value judgment about populism here, but as Benjamin Ardití (2007) tells us in *Politics on the Edge of Liberalism*, populism is not democracy, but rather, it exists on the periphery of democracy. While it can transition smoothly into democracy, it can also serve as a gateway into authoritarian rule—and it often does. This is something to bear in mind as we weigh the costs and benefits of growth against equity in our effort to determine whether liberal democracy is too great a sacrifice to make for a marginal increase in productive efficiency.

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# THE U.S. USE OF FORCE IN AFGHANISTAN: A STUDY OF ITS LEGALITY

ALEXANDER ARNOLD

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*This paper aims to determine the legality of United States-led armed action in Afghanistan in response to the 9/11 attacks. It recounts the facts of both the 9/11 attacks and the U.S. and international community's response to these attacks. It then applies the selected legal principles and norms as they exist in the UN Charter and Customary Law to that factual matrix. The paper discusses the legality of the use of force against al-Qaeda as well as the legality of the use of force against the Taliban. To accomplish these goals, the paper strives to thoroughly present the relevant legal principles and norms—including, but not limited to, the prohibition on the use of force, the exceptions to this prohibition, the customary laws which govern the use of force, and the laws of state responsibility—and to demonstrate how they affect and are exacerbated by the case at hand.*

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## **I. Facts of the Case**

On September 11, 2001, two planes flew into the World Trade Center towers in New York. Another plane collided with the Pentagon in Arlington, Virginia, while a fourth crashed into a farm field near Shanksville, Pennsylvania. Within a few hours, authorities had discovered that all of the planes had been hijacked by 19 members of the international terrorist organization al-Qaeda. These attacks destroyed the World Trade towers, severely damaged the Pentagon, and resulted in the death of nearly 3,000 American citizens.<sup>1</sup> Among those killed in New York were 343 members of the New York City Fire Department (including its chief), 37 members of the Port Authority Police Department, 23 members of the New York City Police Department, and 2,152 civilians.<sup>2</sup>

The UN Security Council issued Resolution 1368 on September 12, condemning

the terrorist attacks and recognizing the inherent right of individual and collective self-defense.<sup>3</sup> United States intelligence sources soon claimed to have conclusive evidence that the attacks had indeed been perpetrated by the international terrorist organization al-Qaeda.<sup>4</sup> Although the attacks had ceased only hours after they had started, the U.S. claimed that al-Qaeda posed an “ongoing threat to the United States,” a threat that was “made possible by the decision of the Taliban regime to allow the parts of Afghanistan that it controls to be used by [al-Qaeda] as its base of operation.”<sup>5</sup> While shying away from the direct claim that the Taliban planned the attacks, the Security Council did condemn the Taliban “for allowing Afghanistan to be used as a base for the export of terrorism by the al-Qaeda network...and for providing safe haven to Osama bin Laden, al-Qaeda and others associated with them.”<sup>6</sup>

President Bush was quick to issue an ultimatum to the Taliban: “The Taliban must act, and act immediately...they will hand over the terrorists, or they will share in their fate.”<sup>7</sup> He further stated that it was the policy of the United States to make “no distinction between the terrorists who committed these acts and those who harbor them.” These words found support in U.S. domestic law on September 14, 2001 when both houses of Congress supported a joint resolution that authorized the President “to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.”<sup>8</sup>

In the month following the attacks, the Taliban failed to hand over Osama bin Laden and his al-Qaeda associates. On October 7, 2001, the United States invoked its right to self-defense and initiated Operation Enduring Freedom in order “to prevent and deter further attacks on the United States.”<sup>9</sup> The same day, UN Ambassador John Negroponte informed the UN Security Council of the U.S. self-defense operation in the form of a letter. In the letter, Negroponte wrote that the United States and its allies had “initiated actions in the exercise of its inherent right of individual and collective self-defense following the armed attacks that were carried out against the United States on 11 September 2001.”<sup>10</sup> The letter claimed that this action was to be taken against “al-Qaeda training camps and military installations of the Taliban regime in Afghanistan.” The international community offered strong support for U.S. action.

While the Security Council did not directly authorize the use of force, it expressed its support for “international efforts to root out terrorism”<sup>11</sup> and reaffirmed the inherent right of self-defense as recognized by the Charter of the United Nations.<sup>12</sup> The North Atlantic Treaty Organization (NATO) stated through its Secretary General Lord Robertson that it had “determined that the attack against the U.S. on September 11 was directed from abroad and shall therefore be regarded as an action covered Article 5 of the Washington Treaty.”<sup>13</sup> Article 5 of the Washington Treaty states that an armed attack against one member of NATO will be considered an attack against all NATO members. The Organization of American States similarly invoked the collective self-defense provisions of the Rio Treaty,<sup>14</sup> stating that the “terrorist attacks against the United States are attacks against all American states.”<sup>15</sup> Individual states also showed an outpouring of support for

the U.S. India, China, and Russia agreed to share intelligence with the United States, and Japan and South Korea offered logistical support. Afghanistan's regional neighbors and traditional allies broke diplomatic relations with the Taliban, while Pakistan agreed to cooperate fully with U.S. operations. Australia, citing Article IV of the ANZUS Treaty, offered military support, as did Canada, the Czech Republic, Germany, Italy, Japan, the Netherlands, New Zealand, Turkey, and the United Kingdom.<sup>16</sup>

On October 7, the U.S. and its allies began air raids against key al-Qaeda targets that laid the groundwork for a full-scale ground troop invasion aimed at toppling the Taliban regime and eliminating al-Qaeda's sanctuary in Afghanistan.<sup>17</sup> Victory against the Taliban was swift. By November 13, the Taliban was forced out of Kabul, and by the middle of December all major Afghan cities had fallen to U.S.-led coalition forces. On December 22, Hamid Karzai became the chairman of Afghanistan's new interim administration, signaling the formal end of Taliban rule. Having lost the protection of the Taliban, al-Qaeda was severely crippled; its camps were destroyed, many of its leaders—including bin Laden's deputy Ayman al-Zawahiri—were killed, and bin Laden was forced into hiding.

Due to the incredible outpouring of international support for the U.S. military operations, it is tempting to claim that the United States' use of force against al-Qaeda and the Taliban was facially legal. Such a claim would be mistaken, for the legality of U.S. action is not determined solely by its acceptance by the international community, but also by the international laws regarding the use of force, as will be discussed in the following section.

## II. The International Laws Governing the Use of Force

Chapter 1, Article 1 of the United Nations Charter states that the purpose of the United Nations is:

“To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.”<sup>18</sup>

In this vein, the United Nations Charter requires that “all Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered,”<sup>19</sup> and institutes what is now known as the “prohibition on the use of force.” This prohibition is embodied in Article 2(4) of the UN Charter, which requires all member states to “refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.”<sup>20</sup> This prohibition on the use of force is not only binding due to its enumeration in Charter law, but also because it has become a preemptory norm of international law that no treaty can

void and from which no state can deviate.<sup>21</sup> Articles 2(3) and 2(4) should be interpreted together in light of their purpose “to save succeeding generations from the scourge of war”<sup>22</sup> and to make peace and tranquility the norm.<sup>23</sup>

Congruent with its mission to maintain “international peace and security,” the Charter authorizes the Security Council “to decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures.”<sup>24</sup> These measures include complete or partial interruption of economic relations, the severance of diplomatic relations, and suspension of rail, sea, air, postal, telegraphic, radio, and other means of communication.<sup>25</sup> These peaceful measures are to be the primary tool in sustaining peace.

Yet the authors of the United Nations Charter understood that these peaceful measures would at times be insufficient to maintain international peace and security, and that, in limited circumstances, it would be necessary to violate the use of force provision. Thus, they created two legal exceptions to Article 2(4), which are contained in Article 42 and Article 51 of the Charter. Article 42 allows for multilateral force to be used in situations when peaceful measures have proven inadequate to the task of maintaining international peace and security. Though Article 43 provides the option of having a standing UN security force to carry out military action in situations described in Article 42, the Security Council has usually opted to “contract out” its security missions to “coalitions of the willing” comprised of individual member states.<sup>26</sup>

The only instance in which member states can use force in absence of an Article 42 authorization by the Security Council is described in the “self-defense exception” of Article 51. The text of Article 51 is notably ambiguous. While requiring that self-defense be exercised only “if an armed attack occurs against a member of the United Nations,” Article 51 fails to define what constitutes an “armed attack.” The definition of an armed attack in international law, while initially limited to traditional cross-border attacks by regular forces, has evolved to include “the sending by a State of armed bands to the territory of another State, if such an operation, because of its scale and effects, would have been classified as an armed attack rather than as a mere frontier incident had it been carried out by regular armed forces,” as was the case in the landmark *Nicaragua v. United States* opinion of the International Court of Justice.<sup>27</sup> In the *Nicaragua* decision, the ICJ relied on the 1970 Definition of Aggression, which stated that aggression included “the sending on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to an actual armed attack conducted by regular forces, or its substantial involvement therein.”<sup>28</sup> Given its codification in the Definition of Aggression and the *Nicaragua* decision, the expanded version of the definition of an armed attack may now be taken to reflect customary international law.<sup>29</sup>

The Charter also fails to specify what constitutes a proper use of self-defense. For such a definition international law has deferred to the customary law formed in the wake of the famous *Caroline* incident of 1837.<sup>30</sup> In this incident, the British believed that the ship *Caroline* was being used by rebels based in the United States to launch attacks against British forces stationed in Canada. After attempting negotiations with U.S. officials to put an end to the attacks, the British launched a raid in which they

took over, set afire, and directed the *Caroline* over Niagara Falls.<sup>31</sup> In a series of letters between British and U.S. officials, the British claimed that its forces had been acting in self-defense. In response, U.S. Secretary of State Daniel Webster acknowledged that the United Kingdom was not obligated to wait until a threatened attack had been carried out in order to take action in self-defense, with the caveat that the “necessity of that self-defense is instant, overwhelming, and leaving no choice of means and no moment for deliberation.” Since these words were uttered, states have begun to believe that they are legally binding, and they are now accepted as customary law.

Such acceptance means that a state can act in self-defense not only to repel an armed attack it has already suffered, but also to repel an “imminent” armed attack. Stated negatively, the *Caroline* incident is traditionally interpreted as requiring that self-defensive action be necessary to repel an ongoing or “imminent” armed attack. If force were used by a state once an armed attack has ceased and there is no danger of further attack, it would not meet the requirement of necessity and would thus be considered an illegal reprisal. The *Declaration on Friendly Relations* acknowledges this fact, noting that “States have a duty to refrain from acts of reprisal involving the use of force.”<sup>32</sup> In the years since the *Caroline* incident, states too have come to believe themselves to be bound by the “necessity requirement.”

Apart from requiring that the use of defensive force be necessary, customary law as defined by the *Caroline* incident also requires self-defense to be proportionate. This has been interpreted to mean that any action taken in self-defense that uses more force than necessary to drive back an armed attack or to prevent an imminent armed attack is deemed disproportionate.<sup>33 34</sup>

States have consistently felt that their self-defense actions are legally limited by necessity and proportion, and thus these requirements are now a part of customary law. Their place in customary law was further solidified when the International Court of Justice confirmed that self-defense must be both necessary and proportional in its *Nicaragua v. United States* decision and in its advisory opinion in *Legality of the Threat or Use of Nuclear Weapons*.<sup>35</sup>

### III. The Significance of Post-9/11 Security Council Resolutions

The Security Council did not explicitly authorize the United States, its allies, or regional organizations to use force under Article 42 in any of its resolutions following 9/11. However, the Security Council reaffirmed the “the inherent right of individual or collective self-defense in accordance with the Charter of the United Nations” in Resolution 1368 and Resolution 1373.<sup>36</sup> These resolutions neither specify against whom a legal self-defense action could be taken nor designate the appropriate scale for such an action. They do not state whether the U.S. suffered an attack of a scale sufficient to trigger the right of self-defense. These omissions are significant, but not essential, as it is not the UN’s place to limit or designate the terms of a state’s self-defense action, for the right of self-defense is an inherent right—an “original right of states that has neither been granted nor limited by the UN.”<sup>37</sup> It is a right that is recognized, not created, by the UN Charter. Therefore, to discern the legality of U.S. self-defense actions, one must look beyond the Security Council’s recognition of the inherent right of self-defense.

#### **IV: Can a non-state actor carry out an “armed attack” within the definition of Article 51?**

Article 51 contends that states have a right to self-defense if they have been the victims of an armed attack. The principle underlying customary law enunciated in the *Nicaragua* decision is that if a non-state actor’s use of force is of the scale of an “armed attack” as referred to in Article 51, the mere fact that it emanated from a non-state actor should not infringe upon the victim state’s right to self-defense. Yet the actual text of the *Nicaragua* decision states that a non-state actor’s use of force can be considered an armed attack if two conditions are met: (1) if the attack is of the scale and effect of one carried out by a State, and (2) if such forces are sent by a State.<sup>38</sup>

Despite the actual text of the decision, the customary law gleaned from *Nicaragua* does not require that non-state armed attackers be sent by a state in order for their use of force to be considered an armed attack.<sup>39</sup> Customary law most likely omits such a requirement because the mere fact that an armed attack is carried out by a private actor independent of a state does not make it any less of a threat to the victim state. If international law were to hold that states do not have the right to defend themselves against non-state uses of force not “sent” by a state, this would amount to granting non-state attackers independent of state-control legal protection from defensive force. Such a protection would render the victim state’s right to self-defense useless in response to such attackers, and would run contrary to the very purpose of Article 51, which is to recognize the inherent right of self-defense. Therefore the customary law formed from the *Nicaragua* decision recognizes a state’s inherent right to self-defense against any armed attack, regardless of the attacker’s legal or political status. Such a right therefore omits the portion of the ICJ opinion which limits the victim state’s right of self-defense to non-state armed attackers “sent by another state.” It is thus clear that the U.S. would have a right to self-defense against al-Qaeda regardless of their connection to any other state if the attacks of 9/11 are of the “scale and effect” of an armed attack carried out by a state.<sup>40</sup>

According to both NATO and the OAS, the attacks of 9/11 were indeed of the scale and effect of an armed attack carried out by a state, and thus are sufficient to warrant the U.S.’s right to self-defense.<sup>41</sup> The idea that the attacks of 9/11 fit the definition of an armed attack has not been the subject of any significant debate among states, nor has U.S. action been substantially criticized on the grounds that the attacks of 9/11 were not of the scale of an armed attack. What is not as clear on first analysis is whether the United State’s use of force against al-Qaeda met the requirement of necessity. Because the attacks ceased the morning of September 11th, the U.S. use of force against al-Qaeda could only be legitimized if the force was necessary to repel an imminent armed attack.

Al-Qaeda did pose an imminent threat. In the years before 9/11, al-Qaeda had attacked the U.S. on numerous occasions. In 1992, al-Qaeda helped orchestrate three separate bombings intended to kill U.S. soldiers in Yemen. In 1993, al-Qaeda took responsibility for attacks on American troops in Somalia.<sup>42</sup> In 1998, al-Qaeda successfully attacked the U.S. embassies in Nairobi and Dar es Salaam.<sup>43</sup> Two years later the terrorist group attacked the USS *Cole* while it was at harbor in Aden, Yemen.<sup>44</sup> Given the long history of al-Qaeda’s attacks on the U.S. and the attacks of 9/11, the possibility existed

of another attack in the near future. This possibility was fortified by Osama bin Laden's repeated statements of commitment to carrying out future, even larger, attacks against the U.S.:

"It is far better for anyone to kill a single American soldier than to squander his efforts on other activities."<sup>45</sup>

"We with God's help call on every Muslim who believes in God and wishes to be rewarded to comply with God's order to kill Americans and plunder their money whenever and wherever they find it. We also call on Muslims...to launch the raid on Satan's U.S. troops and the devil's supporters allying with them, and to displace those who are behind them."<sup>46</sup>

(The battle) will "inevitably move...to American soil."<sup>47</sup>

The combination of al-Qaeda's clear intention to carry out further armed attacks, combined with its historically demonstrated ability to do so, made it logical for the United States to believe that if it did not take action against al-Qaeda, it would soon suffer another attack. Two additional factors validate al-Qaeda's classification as an "imminent" threat. The first is the gravity of the threat that it poses. The potential harm that could be wreaked by modern weaponry such as biological, chemical, or even nuclear weapons—weaponry that al-Qaeda has openly expressed a wish to obtain<sup>48</sup>—is of such a scale that cases like the *Caroline* incident are "in a different league from the threats posed by cross-border raids conducted by men armed only with rifles."<sup>49</sup> The threat of an attack with weapons of mass destruction can be considered imminent in circumstances where an attack by conventional means would not be. Another consideration that makes threats from WMDs more imminent pertains to timing and scale. Once a state or non-state actor has access to WMDs it is nearly impossible to determine exactly when they might launch an attack. Attacks by conventional forces require longer amounts of time to perpetrate and can usually be monitored by the potential victim.

Yet even if al-Qaeda had no ability to gain access to WMDs, it is reasonable to believe that an attack such as the bombings of the U.S. embassies in East Africa, the flying of the planes into the World Trade Center and the Pentagon, or another unconventional armed attack could be launched at any moment. As the events of 9/11 demonstrated, once such an attack is launched, there is almost nothing the U.S. can do to defend itself. Therefore, the United States' self-defense action against al-Qaeda appears to meet the requirement of necessity.

The U.S. self-defense response was also proportionate to its purpose of stopping the threat posed by al-Qaeda: the United States' use of force against al-Qaeda was aimed at detaining the persons allegedly responsible for the attacks and destroying al-Qaeda's infrastructure and training bases so that they could not be used to plan and carry out further armed attacks. The U.S. use of force against al-Qaeda can thus be considered legal, as it was a necessary and proportionate response to what could be classified as an imminent armed attack.

## **V. Did the U.S. have a legitimate claim to the use of force in self-defense against the Taliban?**

When it started its military use of force on October 7, the U.S. did so not only against al-Qaeda but also against the Taliban, claiming that eliminating this group was necessary for self-defense. Yet it was al-Qaeda, not the Taliban, who attacked the U.S. on 9/11. In order for the U.S. to exercise self-defense against the Taliban, international law would have to hold that the Taliban was responsible for the attacks of 9/11. The mechanism commonly used to come to such a conclusion is found in the “Laws of State Responsibility.” These laws are not particular to any specific international obligation but instead dictate when an internationally wrongful act is attributable to a state.<sup>50</sup> In other words, they are considered ‘secondary rules’ because they “determine when the acts of non-state actors will be attributed to a state for the purpose of invoking international obligations (primary norms) governing the conduct of that state.”<sup>51</sup> In the section that follows I will determine if the Taliban can be considered legally responsible for the attacks of September 11.

## **VI. The Laws of State Responsibility**

When trying to distinguish whether a state is responsible for an action, we must first determine whether a person has acted as an agent of a particular state. The process of attributing an individual act to a state becomes more complex when the individual is not officially connected with the state. In order to judge whether an action of a private actor is attributable to a state, the laws of state responsibility lay out a categorization of levels of possible connections between private action and a supporter state, and then designate at what point in this spectrum the acts of non-state actors can be attributed to a state. Once this “threshold of responsibility” is crossed, the act of the non-state actor will be considered an act of the state with all the ensuing legal consequences.<sup>52</sup> The international legal system has struggled for years to pinpoint such a “threshold,” which, when crossed makes a private action that of a state; as the ILC’s first special rapporteur on state responsibility F.V. García Amador of Cuba noted in 1956, “It would be difficult to find a topic beset with greater confusion and uncertainty [than that of the laws of state responsibility].”<sup>53</sup>

In its decision in the case of *Nicaragua vs. the United States*, the International Court of Justice made one of the most important contributions to the definition of a “threshold of responsibility” at which a private use of force could be attributed to a supporter state. In the case, Nicaragua argued that the U.S. was responsible for the violations of humanitarian law that the Contras, a paramilitary group that the U.S. supported, committed in Nicaraguan territory.<sup>54</sup> In order for the Contras actions to be attributable to the U.S., the Court found that it must prove “that that state had effective control of the military or paramilitary operations in the course of which the alleged violations were committed.” This threshold has come to be known as the “effective control” criteria, interpreted as such: a government has “effective control” over a non-state actor’s attack if the state has participated in the planning, direction, support, and execution of the particular operation. If a government has “effective control,” the private actor then

becomes a de facto state agent and their actions become attributable to their supporter state with the ensuing legal consequences.<sup>55</sup>

In light of the precedent set by the *Nicaragua* decision, for a non-state use of force to trigger the victim state's right to self-defense—not only against the non-state actor but also against its state sponsor—three things must be true: (1) “such an operation, because of its scale and effects would have been classified as an armed attack rather than as a mere frontier incident had it been carried out by regular armed forces,”<sup>56</sup> (2) said host state's involvement with the non-state actor's attack was one of “effective control by the state,” and (3) the self-defensive force was necessary and proportionate. These principles of international law validate the conclusion that the status of a perpetrator of an international armed attack—either “state” or “private”—should not determine whether a victim state can exercise its right to self-defense.

The rules that the ICJ defined in *Nicaragua* have not remained static in the years since its decision. The decision in the case of *Prosecutor vs. Dusko Tadic* refined them.<sup>57</sup> In this decision the ICJ—citing statements by the Iran-United States Claims Tribunal, the U.S.-Mexican Claims Commission and the European Court of Human Rights—ruled that for a state to have responsibility for a private use of force, the state would not need to have “effective control,” but “overall control” over the act in question. The *Tadic* decision lowers the state responsibility threshold developed in *Nicaragua*,<sup>58</sup> holding that if a state finances and equips a non-state actor and takes part in the “planning and supervision of the non-state actors military operations,” then these operations are attributable to the supporting state—even if the aiding state did not have effective command and control.

The sort of development of international legal principles evidenced by the evolution from the *Nicaragua* to the *Tadic* criteria is something that the framers of the UN Charter knew would be necessary to keep international law relevant. For this reason, one of the primary goals of the General Assembly is “promoting international co-operation in the political field and encouraging the progressive development of international law and its codification.”<sup>59</sup> Pursuant to this guiding aim, on January 28, 2002 the General Assembly took note of the International Law Commission's articles on the “Responsibility of States for Internationally Wrongful Acts” in Resolution 56/83. These articles represent years of work that began in 1949, when “defining the rules of state responsibility” was listed amongst the 14 areas selected for the ILC's attention.<sup>60</sup> Due to their acknowledgment by the General Assembly and their citation by the International Court of Justice, they are now arguably a part of customary law.<sup>61</sup>

In the articles on “Responsibility of States for Internationally Wrongful Acts,” the ILC directly confronted the issue of attributing actions to state by authoring a set of “secondary rules.” These articles are applicable to circumstances involving all types of international obligations, including the obligation to refrain from the use of force.

ILC Draft Article 4 reaffirms that states are responsible for actions carried out by their official organs, while Articles 5 and 7 hold that even if not carried out by a state entity, a state is responsible for an action when the actor is “empowered by the law of that state to exercise elements of governmental authority,”<sup>62</sup> even if it exceeds its authority in doing so.<sup>63</sup> Article 8 dictates the point at which terrorist action is attributable to a state.<sup>64</sup> It states that “the conduct of a person or group of persons shall be considered an act of a

state under international law if the person or group of persons is acting on the instructions of, or under the direction or control of, that state in carrying out the conduct.” Therefore, a state is responsible for an agent’s conduct if it has directed and controlled it.

First, it must be proven that the Taliban had sufficient legal status to be considered the state of Afghanistan so that the laws of state responsibility were applicable to it. An application of Draft Article 10 to the Taliban demonstrates that the Taliban at the time of the attack did have sufficient legal standing to have their actions considered those of the state of Afghanistan.

## **VII. The Taliban as the De Facto Government of Afghanistan**

Paragraph two of Draft Article 10 states that “the conduct of a movement, insurrectional or other, which succeeds in establishing a new state in part of the territory of a pre-existing state or in a territory under its administration shall be considered an act of the new State under international law.” After it took control of the capital of Kabul in 1996, the Taliban controlled 90 percent of Afghan territory in which it set up both an education and court system.<sup>65</sup> With control of a fixed territory and the administration of basic services within this territory, the Taliban exhibited the most basic features of statehood.<sup>66</sup> It is important to note that the Taliban lacked another crucial criteria of full statehood—recognition by the International Community (the United States, France, Britain, China, Russia, as well as the majority of UN members did not consider the Taliban the state of Afghanistan).<sup>67</sup> Despite this lack of formal acknowledgment, the Security Council confirmed indirectly on many occasions the fact that the Taliban had state-like control over part of Afghan territory. It did so through resolutions that condemned the Taliban for allowing part of Afghanistan to be used by terrorists and insisted that the Taliban take effective measures to eradicate terrorism from their territory.<sup>68</sup> A precondition of the International Community’s condemnation is acknowledgment that the Taliban had effective control over a substantial piece of Afghan territory as well as sufficient legal status to be responsible for territory, even if this status did not amount to recognition as the formal State of Afghanistan. In light of the effective control the Taliban held over a large part of Afghan territory and the confirmation of this fact by the International Community, the Taliban at the time of September 11 had succeeded in “establishing a new State in part of the territory of a pre-existing State” and that therefore their acts are to be considered “an act of the new State under international law,” as described in the Draft Articles on State Responsibility. Consequently, the Taliban was the de facto government of Afghanistan.<sup>69</sup>

Apart from being recognized as a result of the Security Council’s demands upon them, the Taliban’s status as de facto government of Afghanistan has been recognized by numerous legal scholars. In their article *The Status of the Taliban*, Rudiger Wolfrum and Christine Philipp categorized the Taliban as the “non-recognized de facto regime of Afghanistan” due to the effective manner in which they controlled the vast majority of the territory of Afghanistan.<sup>70</sup> Christopher Greenwood confirms that “there is no doubt that the Taliban regime was the de facto government in Afghanistan at the relevant time.”<sup>71</sup> While of political importance, the lack of international recognition of the Taliban makes

no substantial difference in the legal determination of whether or not the Taliban's actions can be considered to be those of the state of Afghanistan.<sup>72</sup>

As the de facto government of Afghanistan, the Taliban had the legal capacity to assert basic rights and incur basic obligations.<sup>73</sup> That de facto governments have basic responsibilities was recognized as early as the 1899 and 1907 Hague Regulations Respecting the Laws and Customs of War on Land. These regulations stated:

“The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore and ensure, as far as possible, public order and [civil life], while respecting, unless absolutely prevented, the laws in force in the country.”

Though de facto governments do not have the same legal capacity to “incur obligations or authorize acts in the name of the state to the extent of de jure governments,” they do enjoy some “limited version of that capacity in their role as de facto governments.”<sup>74</sup> In the post-charter world, the most basic international duty of a state is to refrain from the use of force. Given that a de facto government can incur duties, as put forth by both the Hague Regulations and the Security Council's demands on the Taliban, the Taliban as the de facto of Afghanistan had the duty to refrain from the use of force.

The duty not to use force not only includes an obligation not to carry out an attack itself, but also to refrain from supporting private, non-state groups that carry out such attacks. Numerous sources have established this obligation. As early as 1964, the General Assembly in Resolution 2131 demanded “no State shall...tolerate subversive, terrorist, or armed activities.” Four years later, the 1970 *Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States* declared that all states have “the duty to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another state or acquiescing in organized activities within its territory directed towards the commission of such acts, when the acts referred to in the present paragraph involve a threat or use of force.”<sup>75</sup> This call was echoed verbatim in Security Resolution 748, which was issued in response to Libya's refusal to punish terrorists within its territory who had hijacked and crashed a Union des Transports Aériens flight in 1989.<sup>76</sup>

The Taliban violated the obligation of states and de facto governments to refrain from supporting terrorism for several years before the attacks of September 11th. Resolution 1267, issued by the Security Council in 1999, condemned the Taliban for “the continuing use of territory, especially areas controlled by the Taliban, for the sheltering and training of terrorists and planning of terrorist acts,” and deplored “the fact that the Taliban continues to provide safe haven to Usama bin Laden and to allow him and others associated with him to operate a network of terrorist training camps from Taliban-controlled territory.” It also insisted that the Taliban “cease the provision of sanctuary and training for international terrorists and their organizations, take appropriate effective measures to ensure that the territory under its control is not used for terrorist installations and camps, or for the preparation or organization of terrorist acts against other States.” Similar condemnations and demands were reissued in Resolutions 1333, 1373 and 1378. The Security Council,

noting that the U.S. had indicted Osama bin Laden and his al-Qaeda associates for the 1998 bombings of the U.S. embassies in Nairobi and Dar es Salaam as well as for planning to kill American nationals outside of the U.S., also demanded that the Taliban surrender bin Laden and his associates for trial.

It is therefore evident that the international community was aware that the Taliban had been supporting al-Qaeda—in breach of its international obligations—for several years, and that this was not something discovered solely in the aftermath of 9/11. As evident in their numerous resolutions, the Security Council was fully cognizant of the Taliban-al-Qaeda connection—and the threat to international peace and security—it posed long before the attacks. However, it is essential to note that before 9/11, the level of support that the Taliban offered to al-Qaeda was never deemed by the Security Council sufficient enough to justify the use of force against the Taliban. They instead implemented peaceful countermeasures proportional to the goal of bringing Taliban behavior in line with its obligations and Security Council demands, pursuant to the Security Council's right described in Article 41 of the UN Charter. These countermeasures most notably included the freezing of Taliban funds,<sup>77</sup> the denial of permission for any aircraft to takeoff or land in Afghani territory,<sup>78</sup> and the prevention of arms sales to the Taliban.<sup>79</sup> Nonetheless, the Taliban maintained its open relationship with al-Qaeda in defiance of these peaceful measures. An in-depth examination of this relationship is necessary before deciding whether the Taliban can be considered responsible for al-Qaeda's attacks in the wake of 9/11.

### **XIII. Analyzing the Relationship Between Al-Qaeda and the Taliban**

The Taliban and al-Qaeda first emerged as significant forces during the war against the Soviet occupation of Afghanistan. Between 1979-1989, both the Taliban and al-Qaeda were part of the *mujahideen* (“holy warriors”), a force comprised of disparate religious warriors who were dedicated to the expulsion of the Soviets from Afghanistan.<sup>80</sup> After the Soviets left Afghanistan in 1989, a civil war began over the fate of the Muslim country. During this conflict, groups of “religious students” known as the Taliban began to organize regionally in opposition to what it viewed as non-Muslim powers at work within the territory of Afghanistan.<sup>81</sup> The Taliban realized its full political power in 1994 when they took over Kandahar. From this newly-conquered base, the Taliban continued their fight against rival *mujahideen* until they captured Kabul in 1996.<sup>82</sup> This marked the start of the exhibition of de facto government by the Taliban, as discussed in the previous section.

While the Taliban was still in the preliminary stages of its formation, Osama bin Laden, a wealthy young Saudi and *mujahideen* warrior, founded the al-Qaeda organization in 1988 with the goal of establishing a pan-Islamic Caliphate throughout the world. He aimed to overthrow “unbelieving” Muslim rulers and expel non-Muslim forces from the Middle East, most importantly the U.S. forces present in Saudi Arabia. In the three years after its founding, al-Qaeda remained in the civil war-racked territory of Afghanistan. During this period, al-Qaeda set up the infrastructure that would drive its future growth. It developed a defined hierarchy headed by the Advisory Council (*Shura*), which consisted of bin Laden and his closest allies. Guided by the Advisory Council, al-Qaeda set up an operating

structure that included financial, military, propoganda, and political committees.

In 1991, bin Laden moved the growing al-Qaeda organization to Sudan. While there, bin Laden began to build what he saw as an “international jihad confederation.”<sup>83</sup> This global network was comprised of Islamic extremist groups from Saudi Arabia, Egypt, Jordan, Lebanon, Iraq, Oman, Algeria, Libya, Tunisia, Morocco, Somalia, and Eritrea, and had strong connections with other jihadi groups in Chad, Mali, Niger, Nigeria, Burma, Thailand, Malaysia, Bosnia and Indonesia.<sup>84</sup> Al-Qaeda began opening recruiting centers around the globe, the most notable for the purposes of this paper being the Farouq mosque in Brooklyn NY.<sup>85</sup> Bin Laden’s global jihad was fueled by a network of financial support known as the “Golden Chain,” through which financiers—the majority from Saudi Arabia and the Persian Gulf—donated funds to bin Laden’s cause.<sup>86</sup> With these funds, bin Laden and his ideological sympathizers worked effectively across state borders to exploit black markets around the world and buy arms, including an attempt to procure weapons-grade uranium.<sup>87</sup> During its time in Sudan, al-Qaeda allegedly aided in the downing of two U.S. helicopters in 1993, and also took responsibility for the bombing of the World Trade Center in 1993.<sup>88</sup>

Bin Laden and his al-Qaeda organization left Sudan in 1998 and relocated once again to Afghanistan, which had recently come under the control of the Taliban. It was only then that al-Qaeda began to show its true potential to carry out large-scale attacks. The first of these was the attack on the U.S. embassies of Nairobi and Dar es Salaam in 1998. These attacks were followed in 2000 by the bombing of the destroyer USS *Cole* in Yemen. Planning these attacks in Afghanistan proved significantly easier than it would have been in Sudan due to the al-Qaeda alliance with the Taliban, which by that point could be considered the de facto government of Afghanistan. The Taliban essentially allowed bin Laden a sanctuary in the eastern part of Afghanistan in which his organization could evolve free from hindrance. With the freedom afforded by its alliance with Taliban, al-Qaeda fortified its organization, in large part through the training of new recruits. U.S. intelligence estimated that 10,000-20,000 fighters received instruction in bin Laden-supported camps in Afghanistan from 1996 through 9/11.<sup>89</sup> Despite the many Security Council resolutions, the Taliban did nothing to hinder al-Qaeda’s activities within its territory.

While it is clear that al-Qaeda benefited immensely from its relationship with the Taliban, al-Qaeda’s organizational structure—its hierarchy, financial network, and training centers—functioned independently from that of the Taliban.<sup>90</sup> Though its training bases and majority of its leadership were located in Afghanistan, its recruiting offices, fundraising networks, and close allies were located in Egypt, Algeria, Yemen, Indonesia, the United States, and other nations throughout the world. Al-Qaeda’s presence was never confined to Taliban territory, nor was it controlled by the Taliban. On the contrary, Osama bin Laden has maintained autonomous control of al-Qaeda since its founding and, along with his associates, has directed of all its major operations, both in Afghanistan and around the globe.<sup>91</sup> In sum, the relationship that was shared by the Taliban and al-Qaeda is best described as mutually beneficial rather than mutual or unidirectional dependency. The Taliban afforded al-Qaeda what essentially amounted to free rein to use Afghani territory as it pleased. In return, al-Qaeda used its military expertise and financing streams to help the Taliban maintain control of Afghanistan.<sup>92</sup>

While enjoying this shelter, al-Qaeda independently planned and directed the attacks of 9/11. The planning of the attacks began in 1996 when al-Qaeda member Khalid Sheikh Muhammed proposed the operation, which bin Laden approved sometime in late 1998 or early 1999.<sup>93</sup> From that point forward, bin Laden, Sheikh Mohammed, and another al-Qaeda member named Muhammed Atta began to lay the groundwork for the 9/11 attacks. They acquired the approximately \$500,000 needed to finance the attacks through the previously-established “Golden Chain” of private donors and corrupt charities.<sup>94</sup> Once financing was secured, they then started assembling the hijacking team that would eventually carry out the attacks. This team consisted of four al-Qaeda members—Atta along with Marwan al-Shehhi, Hani Hanjor and Ziad Jarrah.<sup>95</sup> On September 11, these four pilots—with help from fifteen other al-Qaeda members—hijacked four planes and flew them into the World Trade Center, the Pentagon and a Pennsylvania field, bringing an end to two years of intense planning.<sup>96</sup>

## **IX. The Verdict**

Considering the relationship between the Taliban and al-Qaeda, was the Taliban responsible for the attacks of 9/11? If we apply the Nicaragua test of “effective control,” the answer is no. Given that al-Qaeda planned, funded and carried out the attacks of 9/11 independently of the Taliban, it cannot be said that the Taliban had effective control over the attacks. Thus, under the *Nicaragua* criteria the Taliban cannot be found to be responsible for 9/11. Even though the “effective control” principle of *Nicaragua* sets a higher threshold for the attribution of non-state action to a state than does the *Tadic* decision or the ILC Draft articles, the Taliban cannot be found to have been responsible for the 9/11 attacks under the *Tadic* decision’s “overall control” test or the ILC Draft articles’ criteria of “direction or control,” for they did not “direct” nor “control” the attacks. The Taliban fails to reach the threshold of responsibility set up by the *Nicaragua* decision, the *Tadic* decision, and the Draft Articles because all three criteria insist that for an action to be attributable to a state, the action must be a result of that state’s agency. While the Taliban did nothing to hinder the operations of al-Qaeda within its territory, it did not have control over the terrorist organization, nor were the attacks a product of its agency.

Despite the lack of “agency” as required by *Nicaragua*, *Tadic*, and the Draft articles, the United States still held the Taliban responsible for the 9/11 attacks because it harbored al-Qaeda within its territory. As demonstrated by the support it received from NATO, the OAS as well as a large number of individual states including Britain, Russia, Japan, Korea, Italy and Canada,<sup>97</sup> most of the International Community agreed with the U.S. and also held the Taliban responsible for the attacks.<sup>98</sup> In the face of such incredible international support, it would be hard to deem the U.S. use of force against the Taliban illegal, despite the fact that under the laws of state responsibility as they existed at the time of the attack, the Taliban could not be held responsible for 9/11. Through its support of the U.S. use of force against the Taliban, the international community demonstrated that it did not use the “agency” criteria of *Nicaragua*, *Tadic*, and the Draft articles to determine the legality of the U.S. use of force, but instead held that “it was the act of ‘allowing’ al-Qaeda to operate in its territory that rendered the Taliban directly accountable.”<sup>99</sup>

Some have gone so far as to argue that this constitutes sufficient state practice to mark the emergence of a new, generally-applicable customary law of state responsibility in which the mere act of harboring a terrorist organization can make a state liable for any attack the organization might perpetrate. Such a law would consequently hold that the harboring state could be the legitimate target of self-defensive retaliation should a harbored group perpetrate an armed attack.<sup>100</sup>

To prove that such a customary law has emerged, one would have to show that states find their actions bound by this law.<sup>101</sup> Insufficient precedence exists to prove this thesis. However, the international response to 9/11 unquestionably proves that the laws of state responsibility contained in *Nicaragua*, *Tadic*, and the Draft Articles were not applicable in determining the legality of U.S. self-defense action against the Taliban. Therefore, it cannot be known at this time whether U.S. action was legalized by a new customary law, or simply by a decision of the international community to temporarily disregard the still-viable laws of state responsibility contained in *Nicaragua*, *Tadic*, and the Draft Articles given the circumstances surrounding 9/11. It is the opinion of this article that if a new customary law on the use of force were to emerge from 9/11, to be consistent with the purpose of the UN Charter it must legalize the use of self-defense force against perpetrator-harboring nations in the following circumstances:

- I. A state has willingly allowed terrorists to use its territory
- II. All peaceful means to try to put an end to such support have been exhausted
- III. Such support has resulted in an international terrorist attack of the scale and effect of an armed attack carried out by regular forces and/or has resulted in the creation of an imminent terrorist armed attack
- IV. The self-defensive force of the victim state is necessary and proportionate to the ends of repelling the ongoing terrorist armed attack and/or eliminating an imminent threat posed by terrorists.<sup>102</sup>

### End Notes

1. <http://www.commondreams.org/headlines04/0616-01.htm> info retrieved 25, June 2007
2. <http://www.globalsecurity.org/security/profiles/9-11.htm> info retrieved 25, June 2007
3. Security Council Resolution 1368, 12 September 2001
4. <http://www.globalsecurity.org/security/profiles/9-11.htm> info retrieved 3, July, 2007
5. *Letter dated 7 October 2001 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council. S/2001/946 The U.S. Ambassador at the time was John Negroponte.*
6. Security Council Resolution 1378, 14 November 2001. at paragraph 1 The UN Security “Unequivocally condemns in the strongest terms the horrifying terrorist

- attacks which took place on 11 September 2001 in New York, Washington, D.C. and Pennsylvania and regards such acts, like any act of international terrorism, as a threat to international peace and security.”
7. Hamilton, Lee and the National Commission on Terrorist Attacks Upon the United States. *9/11 Commission Report*. PPC Publishing, Washington D.C. 2004
  8. [http://www.house.gov/ryan/press\\_releases/2001pressreleases/useofforce91401.html](http://www.house.gov/ryan/press_releases/2001pressreleases/useofforce91401.html) info retrieved August 2, 2007
  9. See footnote 5
  10. Article 51 states, “Measures taken by Members in the exercise of the right of self-defense shall be immediately reported to the Security Council.” The Charter can be found at <http://www.un.org/aboutun/charter/>
  11. Security Council Resolution 1378 13 November, 2001
  12. Security Council Resolutions 1368 12 September, 2001 and 1373 13 November, 2001
  13. <http://www.state.gov/s/ct/rls/other/5197.htm>
  14. “The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense self-defense recognized by Article 51 of the Charter of the United Nations Inter-American Treaty of Reciprocal Assistance, Sept. 2, 1947, art. 3.1.
  15. OEA/Ser.F/II.24, RC.24/RES.1/01 21 September, 2001
  16. Sean D. Murphy, “Terrorism and the Concept of Armed Attack in Article 51 of the UN Charter.” *Harvard International Law Journal* 248, 2002.
  17. See footnote 6 for full citation. *9/11 Commission Report*, 354. (From this point on the report will be cited as such).
  18. Chapter 1 Article 1 of the Charter of the United Nations
  19. Article 2(3) of the Charter of the United Nations
  20. Article 2(4) of the Charter of the United Nations
  21. *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States)*, 1986 I.C.J. 14, at para. 190.
  22. Prologue of the Charter of the United Nations
  23. Matthew Scott King. “The Legality of the United States War on Terror: Is Article 51 A Legitimate Vehicle for the War in Afghanistan or Just a Blanket to Cover-Up International War Crimes?” *ILSA Journal of International and Comparative Law*, Spring 2003 pg. 39
  24. Article 41 of the Charter of the United Nations.
  25. See footnote 23
  26. This was the case in both the Korean War of 1951 and the Gulf War of 1993. In both situations, the UN Security Council interpreted Article 42 to allow them to authorize the United States to lead coalitions to maintain international peace and security.
  27. *Nicaragua*
  28. Article 3, paragraph (g), of the *Definition of Aggression*, annexed to General Assembly Resolution 3314 14 December, 1974

29. According to the International Committee for the Red Cross “Customary law, unlike treaty law, is not written. To prove that a certain rule is customary one has to show that it is reflected in state practice and that there exists a conviction in the international community that such practice is required as a matter of law. In this context, ‘practice’ relates to official state practice and therefore includes formal statements by states. A contrary practice by some states is possible because if this contrary practice is condemned by other states or denied by the government itself the original rule is actually confirmed.” <http://www.icrc.org/eng/customary-law>
30. According to Cassese, Customary law “is made up of two elements: general practice, or *usus* or *diuturnitas*, and the conviction that such practice reflects, or amounts to, law (*opinio juris*) or is required by social, economic, or political exigencies (*opinio necessitatis*)”, Antonio Cassese, *International law* (Oxford, 2001), 119. Cassese goes on to say that, ‘in the case of custom, States, when participating in the norm-setting process, do not act for the primary purpose of laying down international rules. Their primary concern is to safeguard some economic, social, or political interests. The gradual birth of a new international rule is the side effect of States’ conduct in international relations.
31. Michael M. Schmitt, “Counter Terrorism and the Use of Force in International Law.” *The Marshall Center Papers* No. 5 2002 at pg. 36
32. *Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations Security Council Resolution 2625* 24 October, 1970
33. King, 43
34. Schmitt, 20 “The proportionality principle simply requires that the response in self-defense be no more than necessary to defeat the armed attack and remove the threat of reasonably foreseeable future attacks.”
35. ICJ Advisory Opinion: “Legality of the Threat or Use of Nuclear Weapons.” I.C.J. Reports 1996, at para. 41
36. Text from prologue of Security Council Resolution 1373 28 September, 2001
37. Schmalenbach, 5
38. See footnote 39
39. This is evidenced in the lack of Security Council condemnation of Turkey and Iran’s incursions into northern Iraq which were aimed at eliminating the threat posed by Kurdish irregulars who operate independent of the State of Iraq. O’Connell, 13.
40. The relationship which al-Qaeda had with the state of Afghanistan will be discussed in a later section. The point of this section is that the legality of taking action against al-Qaeda is not contingent on their connection to a State. As we will see, their connection to the Taliban will be essential in our discussion of whether or not the U.S. use of force against the Taliban was legal.
41. See pg. 2 of this article for a more thorough examination of NATO and OAS’s classification of 9/11 as an “armed attack”.
42. <http://www.globalsecurity.org/military/world/para/al-qaida.htm>
43. [http://www.globalsecurity.org/security/profiles/truck\\_bombing\\_at\\_us\\_embassy\\_nairobi.htm](http://www.globalsecurity.org/security/profiles/truck_bombing_at_us_embassy_nairobi.htm)

44. [http://usinfo.state.gov/is/international\\_security/terrorism/uss\\_cole.html](http://usinfo.state.gov/is/international_security/terrorism/uss_cole.html)
45. 9/11 Commission Report, 64
46. See footnote 49
47. See footnote 49. Original phrase “If the present injustice continues...it will inevitably move to American soil,” was edited in light of the fact that bin Laden believes that injustice will not end until a global Caliphate is established.
48. If located, given the resources available to al-Qaeda through its “Golden Chain” which will be discussed in the section of this paper “The Relationship Between al-Qaeda and the Taliban,” it was reasonable to believe that al-Qaeda could purchase WMDs.
49. Christopher Greenwood. International Law and the Pre-Emptive Use of Force: Afghanistan, al-Qaeda, and Iraq. *San Diego International Law Journal*, 2003 at pg. 55
50. The International Law Commission’s Draft Articles on the Responsibility of States for Internationally Wrongful Acts as adopted in the United Nations General Assembly Resolution 56/83 28 January, 2002.
51. Jonathan Somer. Acts of Non-State Armed Groups and the Law Governing Armed Conflict. *The American Society of International Law’s Insight* August 24, 2006 Volume 10, Issue 21
52. Somer, 1
53. F. V. García Amador, First Report on International Responsibility 1956 2 *Yearbook of the International Law Commission* 173 at 175, para. 6, UN Doc.A/CN.4/SER.A/1956/Add.1.
54. Schmitt, 25
55. [http://www.juridica.ec/international\\_en.php?document=en/international/2006/1/113260.ART.8.pub.php](http://www.juridica.ec/international_en.php?document=en/international/2006/1/113260.ART.8.pub.php) Info retrieved on 19 September 2007
56. *Nicaragua*
57. ICJ Judgement in the Case of Prosecutor vs. Dusko Tadic. ICTY Appeals Chamber, 38 Int’l Legal Materials 1518 15 July 1999
58. Rochus J.P. Pronk & Brian D. Tittmore. *ICTY Issues Final Judgment Against Dusan Tadic in First International War Crimes Trial Since World War II*. <http://www.wcl.american.edu/hrbrief/v4i3/icty43.htm>
59. Article 13 paragraph 1 (a) of the Charter of the United Nations.
60. Information found at [http://en.wikipedia.org/wiki/State\\_responsibility](http://en.wikipedia.org/wiki/State_responsibility) on 8/16/07
61. The ICJ cited an earlier draft text of the Articles in Gabčíkovo-Nagyamaros Project (Hungary/Slovakia), ICJ Reports 1997, at 7.
62. Draft Article 5
63. Article 7 reads “The conduct of an organ of a State or of a person or entity empowered to exercise elements of the governmental authority shall be considered an act of the State under international law if the organ, person or entity acts in that capacity, even if it exceeds its authority or contravenes instructions.”
64. Gaja, Giorgio. “The Attack on the World Trade Center: Legal Responses: In What Sense was There an “Armed Attack?” *European Journal of International Law* 2992
65. Laura Hayes and Borgna Brunner. *Who Are the Taliban? Their history and their resurgence*. <http://www.infoplease.com/spot/taliban.html>. Visited 10, July, 2007.

66. These criteria are discussed in Robert H., and Carl G. Rosberg. "Why Africa's Weak States Persist: The Empirical and The Juridical in Statehood." *World Politics*, Vol. 35, No. 1 October 1982, pg. 35
67. The notable exceptions were Saudi Arabia, the United Arab Emirates and Pakistan, who did have formal political relationships with the Taliban.
68. Among these Security Resolutions are 1267 and 1373.
69. When a government has "effective control" over a pre-existing state's territory but does not have formal recognition (de jure), they are considered the de facto government of the preexisting state's territory. Roth, 153.
70. [http://www.mpil.de/shared/data/pdf/pdfmpunybw/wolfrum\\_philipp\\_6.pdf](http://www.mpil.de/shared/data/pdf/pdfmpunybw/wolfrum_philipp_6.pdf)
71. Greenwood, 60
72. Greenwood, 60
73. Roth, 153
74. See footnote 73
75. Dietrich Rauschnig, Katja Wiesbrock & Martin Lailach. *Key Resolutions of the United Nations General Assembly*. 1997
76. [www.parliament.gov.mt/information/Papers/0469.pdf](http://www.parliament.gov.mt/information/Papers/0469.pdf) . Info retrieved on 13 August 2007
77. Resolution 1267 of the United Nations Security Council at para 4(a)
78. Resolution 1267 of the United Nations Security Council at para 4(b)
79. Resolution 1333 of the United Nations Security Council at para 5 (a)(b)
80. See footnote 66
81. The Taliban believed the government of Burhanuddin Rabbani to be an apostate regime. *A Modern History of Afghanistan*. <http://www.un.org/News/dh?latest?afghan?un-afghan-history.shtml#postsept>
82. See note 42
83. 9/11 Commission Report, 75
84. 9/11 Commission Report, 75
85. 9/11 Commission Report, 231
86. 9/11 Commission Report, 72
87. 9/11 Commission Report, 77
88. Bill Moyers. *Brief History of al-Qaeda*. [www.pbs.org/moyers/journal/07272007/alqaeda.html](http://www.pbs.org/moyers/journal/07272007/alqaeda.html) info retrieved 23 May, 2007
89. Text taken from *9/11 Commission Report*, 67
90. Organizationally, they shared only a few superficial connections, for example, the Taliban allowed al-Qaeda to use official Afghan Ministry of Defense license plates. *9/11 Commission Report*, 83.
91. For a full list of al-Qaeda controlled operations see: <http://www.globalsecurity.org/military/world/para/al-qaida.htm>
92. Schmitt, 47
93. <http://www.globalsecurity.org/security/profiles/9-11.htm>
94. <http://www.cnn.com/2004/ALLPOLITICS/08/22/911.commission/index.html>
95. See footnote 70
96. A full list of the al-Qaeda members and affiliates who were involved in the planning

and carrying out of the attack follows: Osama bin Laden (Organizer), Khalid Shaikh Mohammed (Operational Commander), Mohamed Atta, Marwan al-Shehhi, Ziad Jarrah, Nawaf al-Hazmi, Khalid al-Mihdhar, Hani Hanjour, Abdul Aziz al Omari, Satam al Suqami, Wail al-Shehri, Waleed al-Shehri, Fayeze Bannihammad, Mohand al-Shehri, Ahmed al-Ghamdi, Hamza al-Ghamdi, Majed Moqed, Salem al-Hazmi, Saeed al-Ghamdi, Ahmed al-Nami, Ahmed al-Haznawi, Ramzi Binalshibh (Facilitator), Ali Abdulaziz Ali (Financier), Mustafa Ahmed al-Hawsawi (Financier), Mohammed Atef (Organizer), Tawfiq bin Attash (Facilitator), Abu Hafz al-Urduni (Facilitator). Info retrieved at <http://www.globalsecurity.org/security/profiles/9-11.htm> on June 2, 2007

97. For more evidence of international support, see Section 1 of this article.
98. Tal Becker. *Terrorism and the State: Rethinking the Rules of State Responsibility*. Oxford: Hart Publishing, 2006. pg. 208 as cited by Tzvika Nissel in the *Journal of International Criminal Justice* 2007, pg. 246
99. See note 55.
100. Robert. P. Barnidge Jr., "State's Due Diligence Obligations with Regard to International Non-State terrorist Organizations: The Heavy Burden States Must Bear Irish Studies" in *International Affairs* 16 120 2005. In the article Barnidge argues that after 9/11 a state can be the subject of self-defense action if it has failed to comply with what he calls its "Due Diligence Obligation" not to allow terrorists to use its territory.
101. Remember that customary law is in part formed by "pervasive State practice over time, when the product of a sense of legal obligation." For citation, see footnote 21.
102. In his article "Recourse to Force: State Action Against Threats and Armed Attacks," legal scholar Thomas Frank deems states in cases like these to be "quasi jurors." To these "quasi-jurors," "a state taking countermeasures in self-defense must demonstrate that it has identified correctly the place from which it was attacked, that the authorities in that place deliberately, knowingly or recklessly permitted the attack to occur, and that the victim's response is proportionate, carefully calibrated to minimize casualties among the innocent, and concomitant with regard for the independence and territorial integrity of the state against which action is taken." *Legal Studies*: Volume 23 Issue 3, Pages 536 - 552
103. For full citations, see footnotes throughout the paper.

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# DEMOCRACY AND THE DURATION OF PEACE AFTER CIVIL WAR

MICHAEL LEIGH

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*Developing countries with very small populations are left out of most studies of internal conflict because of the lack of available data for these states. This study uses regression analysis on a sample of 56 small developing states around the world to determine whether they have a lower risk of internal conflict than large states, and attempts to find the conditions and factors that may serve as predictors of conflict within these states. The results indicate that small developing states are less prone to conflict than large states. However, factors that have been causally linked to conflict in large states, namely low economic growth, and high dependence on primary commodity exports, do not necessarily explain conflict in small states; high degrees of ethnic fractionalization seems to serve moderately well as a predictor of conflict in small developing states.*

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## **I. Introduction**

As long as there has been history, there has been war, in all its permutations. Despite the hope that violence should not be used as a means to mediate conflicts, wars are often unavoidable, leaving in their wake the loss of lives and resources as well as long-term psychological effects. Once war breaks out, it is the duty of not only the warring factions, but also the entire world, to find a way to stop the violence as soon as possible and subsequently implement a specific plan to induce long-term stability within the war-torn society.

The end of World War II marked a new beginning for world politics. With the formation of the United Nations (UN), the idea of self-determination started to grow throughout the globe. Consequently, many countries in Africa and Asia gained independence from their colonial powers and earned the right to self-govern themselves. However, once left alone to set up their own governments, these countries often became

entangled in intrastate conflicts, where various factions struggle to gain more power. These domestic conflicts have often blossomed into deadly civil wars; to this day, some of these regions continue to experience tension and ongoing violence. In general, the aftermath of civil wars tends to be less stable and more prone to resumed violence than other types of wars. Many studies have examined why civil wars are more difficult to resolve, but these studies have not been effective in terms of determining a way to measurably decrease the number of civil wars or prevent continuous fighting after the initial cease-fire agreement.

Past research regarding civil wars have greatly emphasized the need for third-party interventions, such as various types of peacekeeping missions and action by the UN, to reestablish stability and maintain peace after the war. However, few studies have explored what types of political institutions would be most effective in terms of prolonging the duration of peace after civil wars. Although third-party interventions can be effective in the immediate aftermath of the war—mediating the ongoing violence, setting up refugee camps, and leading negotiations to find a way to create a stable society—in the long term, implementing the right regime type to rebuild and govern the broken society is vital.

This study will first examine why it is harder to maintain peace in post-civil war societies compared to other types of conflicts. This discussion is crucial since it will provide a framework for determining which type of regime best suits post-civil war societies. Thereafter, this study will subsequently test two hypotheses, one of which is conditional.

*Hypothesis I:* Implementing democracy as the new political institution after civil war unconditionally increases the duration of peace.

*Null Hypothesis I:* Implementing democracy as the new political institution after civil war does not have a significant effect on the duration of peace.

*Hypothesis II: (Conditional hypothesis):* The effect of the negotiated settlement on the risk of a failed peace depends on democracy.

*Null Hypothesis II (Conditional hypothesis):* The effect of the negotiated settlement on the risk of a failed peace does not depend on democracy.

## **II. Literature Review**

What factors enhance the resilience of peace? Simply looking at the level of democracy or the effect of the third-party intervention does not sufficiently take into consideration how important such factors are in terms of prolonging peace. Additional confounding factors also need to be considered, especially whether the war ends with the complete military dominance of one side over the other or with some type of negotiated settlement involving a third-party intervention and peacekeeping missions.

In wars between different nations once the conflict is over troops can simply return to their own territories. However, at the end of a civil war, the opposing sides have to find a way to co-exist peacefully in the same land. As a result, resumed fighting after the initial cease-fire and the subsequent failure of peace tend to occur more often after civil war. The most popular hypothesis regarding this phenomenon is Wagner's hypothesis, which states that "Negotiated settlements of civil wars are more likely to break down than

settlements based on military victories” (Licklider 1995). Past research suggests civil wars ending with the complete victory of one side over the other decrease the chance of resumed fighting. Negotiated settlements are more prone to resume fighting after the initial cease-fire agreement due to the ‘commitment problem.’

According to previous studies, the most significant factor in successfully solving the commitment problem seems to lie within the third-party interventions, especially the presence of peacekeeping troops. Walter (1999) says, “Third parties can verify compliance with the terms of demobilization and warn of a surprise attack...and they can become involved if one or both sides resumes the war.” The commitment problem is difficult to solve solely between the warring sides because of the incentives to cheat. However, with the third party’s monitoring of the warring sides, the intervention could eventually ensure that the payoffs from cheating do not exceed the payoffs from complying with the negotiated settlement. “The success of civil war settlements therefore hinges not only on the ability of combatants to reach mutually agreeable political deals, but also on the willingness of outsiders to verify or enforce the process of demobilization” (Walter 1999).

Research disagrees on the ethnic divisions within a state and their effect on the durability of peace. Licklider (1995) and Doyle and Sambanis (2000) found identity wars to be more likely to resume than others, but Hartzell, Hoddie, and Rothchild (2001) and Dubey (2002) found no such significant difference. Scholars have argued that the higher the war’s death toll climbs, the more incentive the warring sides have to cooperate, making peace easier to maintain (Hensel 1994, Werner 1999, Fortna 2004). However, empirical studies have found civil wars with higher death tolls are more likely to experience resumed violence than less deadly wars (Doyle and Sambanis 2000, Dubey 2002). Conversely, the “war weariness hypothesis” (Levy and Morgan 1986) suggests that longer wars, which would probably experience higher death tolls, should experience longer spells of peace (Fortna 2004).

The duration of peace is found to be shorter in civil wars that involve more than two factions (Doyle and Sambanis 2000). Walter (2004) argues that economic development affects the chance of resumed violence, especially when the country’s economy is heavily dependent on “lootable” goods such as diamonds and oil (Collier and Hoeffler 2000, Doyle and Sambanis 2000, Dubey 2002). The level of prior democracy also has an effect on the stability of peace and therefore should not be neglected (Hartzell et al. 2001).

In sum, past research has suggested that, in order to test the effect of the implementation of democracy on the duration of peace accurately, it is crucial to take into account several factors: the military outcome of the war, whether a negotiated settlement occurred, the presence of third-party peacekeeping interventions, whether the war was based on ethnic conflict, the cost and duration of the war, the number of factions involved, levels of economic development, the country’s dependency on “lootable” resources, and the country’s past democracy level (Fortna 2004).

### **III. Discussion**

In a study conducted to explain the stability of negotiated settlements, Hartzell (1999) argues that reaching a settlement that emphasizes the use of coercive force, the distribution of political power, and a structured distributive policy minimizes warring sides’ vulnerabilities against each other and enhances the stability once order has been restored.

However, he states that “institutions play a critical role in settlements negotiated to end civil wars” since institutions “proscribe some behaviors and require others,” thereby “facilitating social interaction by reducing uncertainty regarding the regulation of human behavior” (Hartzell 1999). As much as reaching a settlement that addresses these security concerns are important, all countries embattled in civil wars are confronted with a bigger question: which political institution would address these questions comprehensively and still provide long-term stability to the post-war society?

Based on these security concerns, democracy could be the regime best suited to address them. Some may argue that democracy may disadvantage minorities whose interests differ from those of the majority group. However, history has shown a full democracy is been the most effective system at prolonging peace. Most importantly, in democracy, power and wealth are rarely held by one single dominant power. According to Bueno de Mesquita et. al. (1999), liberal democracies rarely, if ever, fight wars with another democracy, strengthening the chances of lasting peace.

Based on the historic success of democratic governments, the implementation of an electoral system should be of foremost concern for ensuring equal rights and opportunities for many of the people in the state, because it would subsequently enhance the equal distribution of the political power. However, according to Walter (1999), in post-civil war societies, strictly relying on free and fair elections as a means of democratizing a nation could be costly. Warring sides that have recently agreed to a ceasefire will fear that the victor of the election will try to set up an authoritarian regime and threaten the security of the losing side, resulting in incentives to resume fighting. Although an electoral system could be effective once the society achieves stability, the implementation of an electoral system as a new form of democratic political regime immediately after the war might be problematic. Thus, testing the hypotheses stated earlier will be an important step toward determining more about the role of democracy in sustaining peace.

#### **IV. Data**

Most of the previous research already mentioned used a different data set from what I plan to use. Although, while some of the criteria were the same, their data set’s definition of “*civil war*” had noticeable differences. They defined “*civil war*” using a data set established by Small and Singer (1982) in the Correlates of War Project, which encompassed conflicts that took place from 1945 to 1997. The stability of each society was measured five years after settlement occurred under the condition that no fighting had resumed. Cases where settlement occurred after 1992, were excluded as they could not satisfy the five-year post-civil war requirement for measuring stability. However, it is important to note that this data set does possess some limits and most of the researchers have often neglected important confounding factors when conducting their studies.

Past civil war data sets and research clearly omitted several important factors that could have had a significant impact on the results. Fortna (2004) points out that many of the data sets used in studies regarding UN interventions and the duration of peace after civil wars have not been randomized and, most importantly, not censored. Therefore, it can be concluded that many of the previous findings were not accurately tested. Fortna’s

(2004) data set provided intriguing information that distinguished it from previous civil war data sets. The data set is based on Doyle and Sambanis' (2000) data set, which covers civil wars initiating after 1944 and ending before 1997. They define "civil war" as an armed conflict that causes more than 1,000 battle deaths; represents a challenge to sovereignty of an internationally recognized state and occurs within the recognized boundary of that state; involves the state as one of the principal combatants; and involves a situation in which the rebels were able to mount an organized military opposition to the state and inflict significant casualties on the state. Their definition is more stringent and robust than previous definitions of civil war. Furthermore, Doyle and Sambanis (2000) attempted to "code significant peacebuilding attempts, even if those attempts did not ultimately succeed in ending the war" (Fortna 2004). In addition, Fortna (2004) added observations for cease-fires missed in Doyle and Sambanis' (2000) data set.

Using Fortna's (2004) data set based on Doyle and Sambanis' (2000) work, the present research incorporated two different democracy levels. Polity2 score (henceforth referred to as Polity score) from the Polity4 project is the 20-point scale that measures the democracy level of each nation's political institution. The scale ranges from -10 to +10, where -10 represents an extremely autocratic regime, such as North Korea, and +10 a democratic institution, such as the United States. Since one of the confounding factors—the prior democracy level—Fortna (2004) coded in her data set was based on the Polity score, present research uses the Polity score as the main basis of measuring democracy. However, in order to assess the accuracy of the role of democracy, another measure of democracy, the Democracy and Dictatorship data set, (henceforth referred to as D&D) was used. This data set was initially coded so that "0" represented the presence of any level of democracy and "1" represented any autocracy.

In the current study, the dependent variable—the duration of the peace from the initial ceasefire date—is the same as Fortna's (2004), which she defined as "the time between the termination of fighting and the start of another war, if any, between the same parties." She coded the peace as not failing "if there is another war in the same country between substantially different actors" (Fortna 2004), which is applicable in the present study as well. The primary difference between Fortna's (2004) work and this study is that she evaluated the sustainability of peace after civil wars considering the effect peacekeeping missions have on prolonging peace after civil wars, while this research evaluates the effects of direct and indirect effects of democracy on the same element.

This study controls for several variables. A dummy variable, called *neg*, was created to distinguish cases according to whether they ended in a victory, truce, or treaty, coding truces or treaties as "1" and victories as "0." A second dummy variable, *wartype*, distinguishes ethnic, religious, and identity conflicts from ideological, revolutionary, or other wars. The cost of war is measured using the natural log of the total death toll (*logdead*); the duration of the war is measured in months (*wardur*). The dummy variable *faction* tells whether the war involved more than two factions. The level of development of the country is coded with a proxy based on per capita electricity consumption (*develop*), while "lootable" goods dependency is measured using primary commodity exports as a percent of GDP (*exp*). Prior democracy level of a country is measured using the average Polity score over the five years prior to the outbreak of the war (*gurrlog5*). The size of the

government army (*garm*) is also recorded (Fortna 2004). Since the cases collected by Doyle and Sambanis (2000) are composed of cases from various sources according to their definition of civil war, no additional cases were added; only those cases initially collected by the researchers will be tested.

Democracy level measurements show that while at the end of civil war most countries had some type of autocratic government, over time, the incidence of democratic government increased.

## VI. Testing Hypothesis I

*Hypothesis I:* Implementing democracy as the new political institution due to the consequences of the negotiated settlement after civil war decreases the risk of resumed fighting.

Previous empirical research on the subject contains conflicting conclusions. Past research uses the ordinary least squares (OLS) regression to examine the confounding factors' influences on the dependent variable. However, following Fortna (2004), the present study employs duration analysis, specifically a Cox proportional hazards model. The model gives the estimation of the "effects of independent variables on the risk, or the hazard of peace failing in a particular time period, given that peace has lasted up to that time period" (Fortna 2004). This model can thus identify whether the risk of resumed fighting increases or decreases when certain factors are presented, such as democracy.

The probability of the failure of peace is called the hazard given that it has not failed up to that point. The hazard rate for failure at time  $t$  is defined as:

$$H(t) = \frac{\text{probability of failing between times } t \text{ and } t + \Delta t}{(\Delta t) (\text{probability of failing after time } t)}$$

Using all the confounding variables needed to test the hypothesis, the hazard is modeled as:

$$H(t) = H_0(t) \times \exp(\beta_1 + \beta_2 \text{negotiated} + \beta_3 \text{wartype} + \beta_4 \text{deathcount} + \beta_5 \text{warduration} + \beta_6 \text{developmentlevel} + \beta_7 \text{GDP} + \beta_8 \text{priordemocracy} + \beta_9 \text{governmentarmysize} + \beta_{10} \text{democracy})$$

$H_0(t)$  is the baseline hazard at time  $t$ , representing the hazard for a variable or an event—in this case, the failure of peace—with the value of zero for all the independent variables. Dividing both sides of the above equation by  $H_0(t)$  and converting to logarithmic form gives:

$$\ln(H(t)/H_0(t)) = \beta_1 + \beta_2 \text{negotiated} + \beta_3 \text{wartype} + \beta_4 \text{deathcount} + \beta_5 \text{warduration} + \beta_6 \text{developmentlevel} + \beta_7 \text{GDP} + \beta_8 \text{priordemocracy} + \beta_9 \text{governmentarmysize} + \beta_{10} \text{democracy}$$

$\ln(H(t)/H_0(t))$  is called the hazard ratio. The coefficients are estimated by Cox regression, and can be interpreted in a similar manner to that of multiple logistic regressions (Hamilton 2006). Hazard ratios are interpreted relative to one. A hazard ratio greater than one indicates that the particular variable increases the risk of resumed violence and shortens the duration of peace. Hazard ratios less than one indicate variables that decrease the hazard of the failure of peace. For example, a confounding factor with a hazard ratio of three would mean a threefold risk of resumed violence with failed peace, whereas a ratio of 0.5 would indicate a 50 percent decrease of the risk of resumed violence (Fortna 2004). Bueno de Mesquita and Siverson (1995) explain this interpretation of the hazard rate statistic:

“The hazard’s deviation from 1.00 is interpreted as the percentage increase or decrease in the likelihood of political survival resulting from the marginal impact of the independent variable, so that the relative effects of the variables can be discerned by the magnitude of the hazards” (851).

## **Vib. Results**

After running the Cox regression to test Hypothesis I, the results are inconclusive regarding confidence whether democracy has a direct effect on the duration of peace. In Tables 1 and 2, using the antilog of the hazard ratios, the more familiar coefficients are reported. Table 1’s data is the result from using the Polity score and Table 2’s data is the result when the D&D data set was used.

The results in Table 1 fall in line with the previous findings regarding negotiated settlements being more prone to resumed violence. The initial regression produced a hazard ratio of the war that ended with either a truce or treaty was 11.39. In other words, when a civil war ends with a negotiated settlement, more than an eleven-fold chance exists that additional fighting will break out after the initial cease-fire date. The t-statistics and its corresponding p-value of the coefficient are significant enough to confidently conclude this result is reliable. In terms of the role of democracy in decreasing the chance of resumed violence, however, the results are not so clear. Including all confounding factors, the hazard ratio for the democracy variable was 1.01, but the coefficient’s p-value was insignificant at a value greater than 0.10. It is not possible to conclude that democracy has any effect on the durability of peace, *ceteris paribus*.

Additional variables were also found to be insignificant in their effects on prolonging the duration of peace. However, such variables as the natural log of the total death toll, the duration of war, electricity consumption, and the size of the government army might have had a significant effect on the duration of peace.

After the initial run of the model, one confounding factor at a time was eliminated in the order of variables with the highest p-value. It was hoped that eliminating the most insignificant independent variables one at a time would identify whether any potential changes in other variables’ effectiveness on the durability of peace. After removing all variables with statistical insignificance, that is, p-values greater than 0.10, the resulting hazard ratio of the democracy variable was 0.99.

**Table 1: Results of regression using the Polity data set**

Variable	Confounding Factor's Hazard Ratio on Breaking the Initial Cease Fire Agreement Converted to Coefficients									
War ended in a negotiation or a victory?	2.433*** (3.03)	2.403*** (3.13)	1.829** (2.36)	1.802** (2.46)	1.617*** (2.65)	1.579*** (2.62)	1.459** (2.56)	1.628*** (2.83)	1.696*** (2.96)	1.752*** (3.490)
War ends in treaty	-0.486 (-0.84)	-0.463 (-0.87)	-0.248 (-0.47)	-0.249 (-0.47)						
Was it an identity-based war?	0.499 (1.23)	0.5 (-1.23)	0.544 (1.47)	0.557 (1.5)	0.58 (1.55)	0.592 (1.58)	0.518 (1.35)	0.366 (1.01)		
Natural Log of DEAD	0.224** (2.26)	0.221*** (2.39)	0.203** (2.26)	0.189** (2.22)	0.176** (2.2)	0.163** (2.18)	0.185*** (2.6)	0.160** (2.3)	0.154** (2.3)	0.155** (2.3)
Duration of the War	-0.005* (-1.7)	-0.005* (-1.7)	-0.001 (-0.35)							
More than 2 factions	-0.326 (-0.8)	-0.317 (-0.82)	-0.235 (-0.64)	-0.213 (-0.58)	-0.178 (-0.49)					
Electricity consumption	-0.001* (-1.92)	-0.001** (-2.07)	0 (-0.68)	0 (-0.76)	0 (-0.76)	0 (-0.87)	2.929			
Primary commodity exports % GDP, with imputation	2.549 (1.1)	2.545 (1.1)	2.875 (1.32)	2.983 (1.36)	2.855 (1.33)	2.731 (1.27)	2.929 (1.35)			

\* Significant at the 10% confidence level; \*\* Significant at the 5% confidence level; \*\*\* Significant at the 1% confidence level. Robust z-statistics in parentheses

**Table 1: Results of regression using the Polity data set (continued)**

Variable	Confounding Factor's Hazard Ratio on Breaking the Initial Cease Fire Agreement Converted to Coefficients										
5-year polity average before the war	-0.015 (-0.42)	-0.014 (-0.42)									
Size of the government army	-0.001* (-1.84)	-0.001* (-1.78)	-0.001* (-1.77)	-0.001* (-1.75)	-0.001* (-1.73)	-0.001* (-1.62)	-0.001* (-1.65)	-0.001* (-1.74)	-0.001* (-1.68)	-0.001* (-1.67)	-0.001* (-1.67)
Peacekeeping dummy	-0.048 (-0.1)										
Revised polity score at the start of observation	0.014 (0.33)	0.014 (0.33)	0.013 (0.34)	0.011 (0.3)	0.011 (0.3)	0.011 (0.28)	0.005 (0.12)	0	-0.008 (-0.2)		
Polity*negotiation interacted	-0.071 (-1.22)	-0.071 (-1.25)	-0.067 (-1.29)	-0.069 (-1.32)	-0.07 (-1.33)	-0.067 (-1.27)	-0.066 (-1.28)	-0.073 (-1.42)	-0.073 (-1.38)	-0.080** (-2.2)	
Observations	340	340	347	347	347	347	347	347	347	347	347

\* Significant at the 10% confidence level; \*\* Significant at the 5% confidence level; \*\*\* Significant at the 1% confidence level. Robust z-statistics in parentheses

**Table 2: Results of regression using the Democracy and Dictatorship data set**

Variable	Confounding Factor's Hazard Ratio on Breaking the Initial Cease Fire Agreement Converted to Coefficients									
Negotiated or Victory	2.076*** (3.05)	1.567** (2.32)	1.535** (2.41)	1.447** (2.43)	1.111** (2.28)	1.004** (2.07)	0.840* (1.93)	0.903** (2.03)	0.944** (2.14)	1.026** (2.47)
War ends in treaty	-0.725 (-1.2)	-0.512 (-0.86)	-0.503 (-0.86)	-0.435 (-0.75)						
Was it an identity-based war?	0.356 (0.92)	0.414 (1.15)	0.424 (1.18)	0.437 (1.21)	0.465 (1.28)	0.443 (1.22)	0.374 (1.01)			
Natural Log of DEAD	0.212*** (1.96)	0.222*** (2.18)	0.216*** (2.17)	0.197*** (2.13)	0.173** (2.08)	0.170** (2.09)	0.202*** (2.81)	0.191*** (2.73)	0.174** (2.5)	0.172** (2.48)
Duration of the War	-0.004 (-1.39)	-0.001 (-0.21)								
More than 2 factions	-0.222 (-0.54)	-0.226 (-0.59)	-0.217 (-0.56)							
Electricity consumption	-0.001 (-1.61)	0 (-0.56)	0 (-0.59)	0 (-0.72)	0 (-0.72)	0 (-0.81)				
Primary commodity exports % GDP, with imputation	2.661 (1.11)	3.165 (1.41)	3.212 (1.42)	3.004 (1.35)	2.847 (1.31)	2.947 (1.35)	3.082 (1.38)	2.277 (1.07)		

\* Significant at the 10% confidence level; \*\* Significant at the 5% confidence level; \*\*\* Significant at the 1% confidence level; Robust z-statistics in parentheses

**Table 2: Results of regression using the Democracy and Dictatorship data set (continued)**

Variable	Confounding Factor's Hazard Ratio on Breaking the Initial Cease Fire Agreement Converted to Coefficients										
5-year polity average before the war	-0.004 (-0.13)										
Size of the government army	-0.001* (-1.93)	-0.001* (-1.84)	-0.001* (-1.82)	-0.001* (-1.72)	-0.001* (-1.7)	-0.001* (-1.65)	-0.001* (-1.7)	-0.001* (-1.66)	-0.001* (-1.77)	-0.001* (-1.73)	-0.001* (-1.78)
peacekeeping dummy	-0.371 (-0.83)	-0.41 (-0.97)	-0.382 (-0.89)	-0.34 (-0.85)	-0.252 (-0.64)						
D&D's democracy level at the start of the observation	-0.453 (-0.51)	-0.1 (-0.13)	-0.091 (-0.12)	-0.086 (-0.11)	-0.086 (-0.11)	-0.066 (-0.09)	-0.184 (-0.24)	-0.299 (-0.4)	-0.422 (-0.59)		
D&D and negotiation variable interacted	-0.327 (-0.3)	-0.509 (-0.55)	-0.538 (-0.58)	-0.496 (-0.53)	-0.56 (-0.62)	-0.537 (-0.59)	-0.417 (-0.48)	-0.391 (-0.45)	-0.363 (-0.42)	-0.786* (-1.78)	
Observations	345	353	353	353	353	353	353	353	353	353	353

\* Significant at the 10% confidence level; \*\* Significant at the 5% confidence level; \*\*\* Significant at the 1% confidence level; Robust z-statistics in parentheses

However, the p-value remained too large to confidently conclude democracy does indeed have a direct influence on the duration of peace. Even if the p-value was below 0.10, the resulting hazard ratio would not have included those important factors that had been left out. Thus, the impact of these variables cannot be discounted in examining real-life situations, and based on  $\ln(H(t)/H_0(t))$ , the null hypothesis that democracy does not have a direct effect on the durability of peace cannot be rejected.

One caveat that should be noted from this result is that the hazard ratios for war that ended with a negotiated settlement all remained greater than one, and the p-value along with the t-statistics support the conclusion that this evidence is statistically significant. Whether the confounding factors were included or not, it can still be confidently concluded that the negotiated settlements are more vulnerable and influenced by the Polity score. The evidence, although weak, suggests it enhances the chances of prolonging peace but is not strong enough to determine the validity of it.

Using the Polity score did not result in statistically significant results. However, one cannot conclude that the direct effect of democracy on durability of peace is ambiguous solely based on the Polity score. Using another measurement of democracy, the D&D data, in an attempt to determine whether this measurement would result in a different outcome. The steps taken to examine the role of democracy were the same as the steps used for the Polity score data set. The results, however, were not significantly different from the previous results based on Polity. After running the Cox proportional hazards model with all the confounding variables, the hazard ratio for the negotiated settlement was 7.9, and the p-value of 0.002 is indicative that it is highly improbable we obtained this ratio by chance. Thus, it can be concluded that the probability of another war taking place when the civil war ends with a negotiated settlement is almost eight times more than when the war ends in a victory for one side. Just like the results from the Polity data set, the hazard ratios for the negotiated settlements were always above one, even when other confounding factors were eliminated. The p-values were all less than 0.10, which was enough to support the assertion that these hazard ratios were reliable. Even when using an alternative measurement of democracy, fighting ended with negotiated settlements was more prone to resume. Thus, it seems that results from the data set used in this study are in line with previous findings.

Unlike the clear-cut results regarding negotiated settlements being more prone to resumed violence, democracy's direct influence on the duration of peace remains ambiguous based on this measurement of democracy. From the initial run, the hazard ratios for the democracy variable yielded a hazard ratio of less than one. However, the variable's p-value was an insignificant 0.60. After the first regression was run, the prior democracy level variable was dropped. Since this variable was based on the Polity score and not the D&D data, the assumption was that having this variable would not result in an accurate measure of the role of democracy. As assumed, at the initial run, the five-year Polity average prior to the war had the highest p-value and was least significant out of all the variables used in the regression. However, even when this variable was dropped, the significance of the democracy variable remained low and ambiguous. Using the same steps as in the regression for the Polity data set, independent variables were dropped one at a time in the order of descending significance, except for the total death count

and the size of the government army since these variables maintained their significance throughout the test. Like the Polity data set, the democracy variable yielded a hazard ratio of 0.65 but was found to be insignificant.

After running the Cox hazards model with two different measurements of democracy, the fact that post-war negotiated settlements are easy to break down and more prone to resumed violence was successfully reaffirmed. However, it was not possible to conclude whether implementing democracy as a consequence of a negotiated settlement directly enhances the chance of prolonging the settlement or increases the duration of peace. The figures from the regression runs were never significant enough to provide confident evidence. When results were significant, numerous other important confounding factors were disregarded. Therefore, strong enough evidence could not be identified in this test to conclude whether democracy has a direct effect on the durability of peace based on these coefficients.

## **VII. Testing Hypothesis II**

Hypothesis II stated that the effect of the negotiated settlement on the risk of peace failing depends on democracy. This hypothesis is conditional since it assumes that a relationship between two variables depends on the value of one or more other variables. This study seeks to determine whether the negotiated settlement's influence on the duration of peace depends on the level of democracy. When testing a conditional hypothesis, an interaction term should always be included (Brambor et al. 2006). Thus, a constitutive term was created, which simply refers to the elements that constitute the interaction term. In order to check the robustness of the conditional hypothesis, two interactive terms were created using two different measurements of democracy: the dummy negotiation variable interacted with the Polity score and that same negotiation variable interacted with the D&D data set. By utilizing these interacted variables, the indirect influence of the implementation of democracy on the duration of the negotiated settlements can be evaluated.

The coefficients of the interacted variables presented in Tables 1 and 2 were obtained by applying the same technique used to test the first hypothesis. By eliminating one confounding factor at a time, hazard ratios of 0.92 and 0.45 were obtained. Although many of the other important variables were left out, both hazard ratios were supported with p-values being 0.03 and 0.07 percent, respectively. Simply looking at this statistical result, one might easily conclude democracy does influence the negotiated settlement's effect on the durability of peace. However, as this is a conditional hypothesis, a more in-depth examination is required.

### **VIIb. Results**

The coefficients of the variables were added according to the equation. Unlike during the test of Hypothesis I, no confounding factors were omitted during this run. These new sets of coefficients were converted into the hazard ratios to compare their influence on the probability of failure. The goal was to determine if the hazard ratios

**Table 3: Hazard Ratios**

Polity2 Score	Coefficient	Std. Error	Hazard Ratio	P>  z
0	2.433233	0.804299	11.39566	0.002
5	2.07918	0.670114	7.99790794	0.002
10	1.725127	0.647159	5.61323387	0.008
15	1.371074	0.745778	3.93957953	0.066
20	1.017021	0.927987	2.76494571	0.273

D&D	Coefficient	Std. Error	Hazard Ratio	P>  z
0	2.076448	0.681347	7.976086	0.002
1	1.749282	1.075618	5.75047235	0.104

increase or decrease when democracy is present after a negotiated settlement has been made.

Table 3 reports the results from adding the coefficients of the two variables and the converted hazard ratios along with the p-value to mark their confidence in the result. The Polity score was the first democracy measurement used for this calculation. Looking at the results, it is clear that the hazard ratios decrease as the Polity score increases. The hazard ratio, which was initially over 11 when no democracy was present at all, drops down to 2.7 when a full democratic regime is in place. This indeed is a significant reduction of the risk of resumed violence. It should also be noted that, according to the Polity score, at full democracy, no significant difference exists between the risk of war in negotiated settlements and wars that end in a victory. The z-score rises drastically at a full democracy, due to the huge drop in the coefficient. With such a huge standard error, we cannot take the Wagner hypothesis for granted. This stands in stark contrast to authoritarian regimes, where the difference in the hazard rates of war is large and statistically significant. When the Polity score surpasses 15, the hazard ratio drops significantly as well; the p-value supports the assertion that this figure provides confidence. Still, countries with Polity scores of 15 include the Congo, Zimbabwe, and Romania. Despite the fact that their scores are approaching 20—a full level of democracy—such countries clearly do not share a similar level of democracy with countries with a score of 20, such as the United States. Although some may argue that the results from the Polity score lack confidence since some of the levels of democracy assigned to certain countries are not completely accurate, the results are statistically significant and supported.

Results using the D&D data also yielded results in which the hazard ratio decreased when democracy was present. Although the p-value was slightly over 0.10 the study still considered the results significant. The multiplicative variables did modify the negotiated settlement's effect on the hazard ratio.

## VIII. Conclusion

This study tested whether democracy unconditionally leads to a more stable post-civil war period. The results do not indicate this to be the case. Thus, at this point, the null Hypothesis I cannot be rejected. However, it was confirmed that wars that ended with negotiated settlements are more likely to break down than wars that ended with one of the warring side's victory.

Unlike Hypothesis I, Hypothesis II was statistically significant. We can conclude that democracy does indeed influence the effect of negotiated settlement on the durability of peace. Based on the Polity score, unlike the past finding and the confirmation from Hypothesis I, there was no significant statistical evidence that the war that ends with a negotiated settlement is more prone to resumed violence than a war that ends with a victory. Thus, a second glance might be needed to assess the accuracy of the Wagner hypothesis.

Competing themes remain regarding the role of democracy on the duration of peace. Different forms of democracy along with many other factors impact the durability of peace in different ways. In addition, there were conflicting results about the negotiated settlements' effect on the durability of peace in this study. Hopefully, the findings in this study will encourage other researchers to take a second glance at the past finding that the cease-fire agreement resulting from a negotiated settlement is more vulnerable to resumed violence compared to wars that end in victory.

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# TOWARDS A MORE COMPREHENSIVE DDR

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*Disarmament, demobilization, and reintegration (DDR) programs have become essential tools for UN post-conflict measures. However, the United Nations and other practitioners have lacked a sufficient critical framework for evaluation of DDR programs. The large body of research on DDR generally agrees that there is room for improvement of current DDR practices. This paper attempts to synthesize the wide range of criticisms of DDR into a cogent theoretical structure that can be used to assess the effectiveness of this important new tool. By analyzing the cases of Sierra Leone and Liberia, this paper seeks to draw larger conclusions regarding strengthening and improving DDR methods.*

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## **I. Introduction**

Disarmament, demobilization, and reintegration (DDR) programs have become a standard tool of United Nations (UN) peacekeeping missions. These programs attempt to create a secure environment for rebuilding and development and are extremely important as a country moves forward after devastating civil conflict. This paper will analyze DDR programs from a critical perspective and suggest policies that will improve its implementation and impact. The first sections will introduce the importance of DDR and its challenges. The paper will then examine the broad criticisms of UN DDR programs and establish a framework to examine two case studies, Sierra Leone and Liberia. It will also address how the UN's new Integrated Disarmament, Demobilization, and Reintegration Standards (IDDRS) might answer problems and criticisms posed. Finally, building on the case studies, policy suggestions will be made.

## **II. Importance of DDR and the UN's Role**

The importance of DDR cannot be understated. With the goal of “contributing to security and stability in post-conflict environments so that recovery and development can begin,” DDR helps insure that a vulnerable and dangerous segment of the post-conflict study countries become productive members of a new society (OG IDDRS 2006). It is critical that the needs of this constituency be addressed as they are the actors most likely to return a country to conflict should their grievances are not mitigated (Spear 2006). Their disarmament and demobilization can help create a security situation conducive to peace as weapons become less available and parties are reassured that the peace process is moving forward (Knight and Ozerdemn 2004). More importantly, their successful reintegration into society will help to prevent the possibility of future conflict in the long term. Indeed, it is often feelings of economic marginalization or lack of viable livelihood prospects that drive combatants to the battlefield in the first place. It has been suggested that after DDR, young, well-trained ex-combatants, as a young and hopefully well-trained and rehabilitated population, can serve as a catalyst for post-conflict economies (Spear 2006).

The UN has a special role to play in this process as it serves as a broker between previously warring parties. This third party is critical as it assures all sides that they will not be disadvantaged or massacred by giving up their arms (Weinstein and Humphreys 2005). Additionally, the UN brings with it a legitimacy that is unmatched, which in addition to worldwide attention, also gives confidence to other actors who can provide sorely needed humanitarian and development aid.

## **III. Challenges of DDR**

The challenges faced by DDR programs are numerous and complicated. By definition, these programs operate in countries barely emerging from conflict. These situations are characterized by a fragile peace, where criminal violence and low-level warfare take place at levels comparable to the pre-peace agreement environment. (Muggah 2006). In many cases, conflict reemerges after the DDR process is already underway.

In addition, another significant challenge facing DDR programs is the sheer number of actors involved in the process. There are the former belligerent parties, which usually include government forces and various armed rebel groups, and sometimes include foreign fighters or armies. To inspire confidence in the program, each group must not only be treated equitably, but must also be publicly assured of this equality. Additional national parties can include transitional governments and civil society. There are also usually a host of international bodies involved. These parties include—but are not limited to—a UN member state or regional military presence, various UN agencies, regional organizations, international financial institutions (IFIs), NGOs, and foreign government agencies. Each group offers a different approach to DDR and must be consulted at every stage of the process.

From a reintegration standpoint, the typical DDR-meriting circumstances are

not conducive to development projects and job creation. Post-conflict states have been ravaged by years of war, where the normal economic order can be nearly or completely destroyed, with only the informal sector left intact (Spear 2006). Moreover, destructive conflict has generally worsened the systematic problems that already existed in these countries antebellum. These issues can include economic and political mismanagement, corruption, unemployment, poverty, and a lack of physical and institutional infrastructure (Jennings 2007). These challenges are daunting and must be considered when evaluating the following criticisms, evaluations, and proposals. Nonetheless, despite their enormity, these challenges should not be used to excuse or discourage resolution of correctable missteps.

#### **IV. Critiques and Critical Framework**

While many academics have addressed the issues pertaining to the difficulty inherent in DDR programs, this paper will focus on five common criticisms of UNDDR. From these critiques we will generate five general criteria that will also be used as a basis of evaluation for the two case studies, Sierra Leone and Liberia.

The first of these commonly held criticisms deals with the cooperation, coordination, and integration of the various service agents involved in the DDR process. As previously discussed, there are a large number of actors involved, each possessing different and frequently competing goals and visions. Muggah (2006) describes “turf battles” between UN agencies, an issue that has contributed to the poor implementation of DDR programs. Knight and Özerdem (2004) illustrate this point by describing the chaotic scene in the Democratic Republic of the Congo in 2001, in which four UN agencies, the Congolese government, and MONUC were conducting parts of the DDR program independently of each other. Muggah further contends that this lack of coordination has caused countries and institutions that fund DDR programs to withhold support, exacerbating another commonly held critique of DDR, that the process lacks proper funding (Muggah 2006). The case studies will examine the extent to which the UN agencies, national actors, and other bilateral, multilateral, and international organizations were able to coordinate activities and also the extent to which this cooperation—or lack thereof—contributed to or harmed the success of the mission.

One of the most devastating problems highlighted by the academic reviews of DDR practices is the poor management of public expectations, often characterized by a lack of general awareness of the program. Academics reference several cases in Sierra Leone and Liberia, where ex-combatants’ beliefs regarding DDR did not correspond to program reality, resulting in a lack in confidence in the process and provoking further violence. Additionally, the cases that will be examined provide ample evidence that ineffective public perception management can result in an overtaxing of UNDDR resources, compounding the initial popular lack of confidence. The analysis of Sierra Leone and Liberia will take into account the degree to which the UNDDR public information campaigns were successful in communicating the expectations and limitations of the process and the degree to which they were able to educate and sensitize the civilian population.

Additionally, UNDDR programs rarely have a consistent means of measuring

program goals and outcomes, a complex problem that further hinders program success. Muggah (2006) argues that in order for us to unlock the potential of DDR, we must have standardized means of measuring its success and limitations. The establishment of these metrics is critical, as success is “variously defined because the objectives (and motives) of various actors are widely divergent and even contradictory during the post-conflict period,” and current DDR programs lack even “minimum standards” (Muggah 2006). Muggah (2006) also contends that the connection between DDR and actual weapons reduction remains undefined and confused, epitomized by the fact that UN has measured DDR success in the past by the number of weapons collected rather than the degree of security established (Muggah 2005). This critique in particular demonstrates a very significant problem currently faced by DDR practitioners, as the goal of these programs is not to simply collect a large number of weapons, but rather to ensure establishment of a secure environment that can facilitate rebuilding and development. Weinstein and Humphreys (2005) further this critique in their study of the determinants of DDR in Sierra Leone, coming to the conclusion that there has been no comprehensive attempt to assess the factors of successful DDR. In fact, they suggest that there is no established correlation between DDR and the success of reintegration, at least among ex-combatants in Sierra Leone (Weinstein and Humphreys 2005). The criteria for these case studies will be whether the UN established clear, defined success metrics for the DDR program, and whether the programs were evaluated through a rigorous process that considered more than just the number of weapons collected.

Probably the most broadly-based criticism—and therefore the one with the widest range in academic opinion—is the claim that there needs to be greater diversity in DDR strategy. While this might at first seem to contradict the push towards standardization of evaluation criteria, the criticism in fact addresses a different stage of the DDR process. There exists little disagreement with respect to the most basic goals of DDR, best defined as the establishment of a secure post-conflict situation in which development and healing can occur, a goal that can and should be measured through previously-discussed standard metrics. On the other hand, the diversity argument directly addresses the process of DDR, rather than the evaluation of its results. Muggah (2005) presents the most interesting claim for a shift in thinking, suggesting that we need to completely reform our understanding of the term “post-conflict.” He argues that the “post-conflict” label is misleading, as this period can produce just as much violence and death as the civil conflict itself, often characterized by unchanged levels of disease and hunger and violent crime perpetrated by enemy combatants. (Muggah 2005).

Spear (2006) argues for further diversification in methods in evaluating ex-combatants. Whereas DDR target groups are traditionally divided by gender, age and ability, Spear (2006) argues that the hierarchy of combatants (individual soldiers, commanders, and top leaders) should be addressed as separate groups, as both their incentives to disarm and demobilize and post-conflict needs are distinct (Spear 2006). Finally, most academics have called for a more “comprehensive approach” with respect to DDR methods, with Knight and Ozerdem (2004) suggesting a better understanding of all of the links between the social, economic, and political factors of disarmament. While difficult to assess, the case study analysis will attempt to determine the degree to which

each program adjusted to changing situations on the ground and created innovative responses or instead stuck to the established plan—to the detriment of results.

The final and most compelling criticism—and the one that will serve as the core of the policy proposals below—is that UNDDR programs have demonstrated a lack of attention to and effort towards achieving reintegration, the ultimate goal of DDR. Spear (2006) labels reintegration the “poor relation” of DDR, despite being its most essential component. In referring to a “disarmament bias,” Muggah (2005) attacks the current reality in which donor countries and agencies systematically overfund and emphasize disarmament efforts—despite the lack of evidence that it actually contributes to long-term peace,—often at the expense of reintegration efforts. Spear (2006) also refers to the underfunding of reintegration and notes that while most integration programs currently end within two years, an appropriate process might take up to 10 years. Many critics also highlight reintegration’s need to focus on the concerns and grievances of ex-combatants in order to prevent their return to the gun as a means of livelihood, either as an organized armed group or bandit (Knight and Ozerdem 2004, Spear 2006). Sierra Leone and Liberia’s cases will be evaluated on their success or failure at reintegration program implementation.

## **V. Integrated Disarmament, Demobilization, and Reintegration Standards (IDDRS)**

In 2006, the UN created the IDDRS, IDDRS Operational Guide, and the UNDDR online Resource Centre to serve as a guide for UN policy in all future UNDDR missions. Former Secretary General Kofi Annan described these resources and policies as “drawn upon the accumulated experiences, lessoned learnt and best practices of the UN system” (OG IDDRS 2006). The creation of the IDDRS directly addresses many of the previously-mentioned criticisms. For example, the chapter titled “The UN Approach to DDR” states:

“In the past, DDR programmes were often carried out in a disjointed, unintegrated way due to poor coordination, planning and support, and sometimes competition between and among peacekeeping operations, agencies funds and programmes...The UN should no longer develop, initiate, support or carry out disjointed or inappropriate DDR programmes (OG IDDRS 2006).”

Throughout the case studies we will discuss whether the IDDRS appropriately addresses these issues under the critical framework outlined in the previous section.

## **VI. The Case of Sierra Leone**

In order to effectively evaluate DDR successes and failures, we must understand the historical, economic, and contemporary context of Sierra Leone’s program. With special regard to reintegration, it is important to note that the conflict in Sierra Leone

was fought in a country that had enormous natural wealth that had been mismanaged by cruel and short-sighted despots after independence from Great Britain, resulting in a sharp decline in economic prosperity over three decades of corruption. A second important contextual note, particularly for disarmament and demobilization, is that rebel forces in Sierra Leone were sponsored by Charles Taylor, the dictator of neighboring Liberia. Many view his antagonistic actions as retaliation against the government of Sierra Leone (GoSL), which had supported Economic Community of West African States (ECOWAG) intervention in Liberia's own civil conflict. Civil war in Sierra Leone ended after 11 years of conflict in 2002, with the formal declaration of the end of hostilities. The war had been fought between an army-less government that resorted to using foreign mercenaries and armed rebel groups (the RUF and others), driven and funded by a revenge-seeking Taylor. ECOMOG, an ill-equipped and often strategically divided regional force, attempted armed mediation of the conflict (Adebajo, Sierra Leone). The war resulted in the deaths of tens of thousands of Sierra Leoneans and the displacement of hundreds of thousands more (Weinstein and Humphreys (2005).

It is important to recognize that the first of three phases of DDR began in 1998, four years before the official end of hostilities and one year before the signing of the Lomé Peace Agreement. The program initially had an ambitious mandate, with including plans for ECOMOS and UNDP to team up to disarm and demobilize an estimated 75,000 combatants. However, these plans were soon halted as the security situation in Sierra Leone worsened, culminating in a rebel attack on Freetown in January 1999. At this point, the program had managed to disarm and demobilize less than 5,000 soldiers. Unfortunately, the second phase of the process, which began in October 1999, after the signing of the Lomé Peace Agreement, did not fare much better. Despite a Security Council mandate and a UN peacekeeping force to replace the ECOMOG mission, violence once again interrupted the process when hostilities resumed in May 2000. This phase was slightly more successful, however, and saw the disarming of nearly 20,000 soldiers (Country Programme: Sierra Leone 2007).

It was not until May 2001, that the third and final phase of DDR was able to begin. Following a period of heavy British military involvement, the major warring factions had realized that absolute victory was essentially impossible, and an intense desire for peace had developed among the Sierra Leonean people. This climate encouraged the efficacy of the final peace agreement, and therefore enabled the success of the DDR mission. This phase saw the disarmament and demobilization of over 47,000 soldiers, including 4,200 children, and the collection of over 30,000 weapons (Country Programme: Sierra Leone 2007).

We will first evaluate Sierra Leonean DDR on its ability to coordinate activities amongst actors responsible for administering program. During the second phase of disarmament, the GoSL, ECOMOG, UNAMSIL, UNICEF, WFP, and other agencies and donors redesigned the DDR program and created the Joint Operation Plan (JOP), a unique organizational framework that encouraged efficient cooperation. With the exception of the 2001 "hiccup," during which the process was paused, the JOP seemed to work very well, administering the third phase with efficiency and clarity of mission. The successful cooperation between agencies was typified in food aid

administration efforts. Under another joint operation plan, OCHA, FAO, UNICEF, WHO, UNOPS, and WFP provided food to 45,000 combatants and their dependents. UNICEF and WFP also partnered with NGOs like Oxfam, Save the Children, and the International Rescue Committee to administer programs for children affected by the conflict (Country Programme: Sierra Leone 2007). Additionally, the final disarmament phase was administered by both government and rebel factions; one example being the alternation of meetings places between locations held by the RUF and those controlled by the government. UNICEF reports that this proved extremely beneficial “in building the confidence and understanding of both sides” (Brooks 2005). It seems that on the whole, the coordination practices of UNDDR in Sierra Leone were both effective and innovative, validating the principles of the IDDRS Guidelines on Integrated DDR Planning (OG IDDRS 2006).

We will next examine the degree to which program governors maintained a successful public awareness campaign that capably managed popular expectations of the DDR process. In this respect, the Sierra Leonean program was less successful. UNICEF reports that combatants had unrealistic expectations of DDR during the second phase and “wanted reward for defending the country or for ceasing their attack on it,” further deteriorating an already unstable environment (Brooks 2005). During demobilization many combatants, including children, believed that they would receive immediate benefits forms such as cash payments, training, schooling, or repatriation (Brooks 2005). The IDDRS belatedly attempted to address this issue directly by creating specific plans for implementing public awareness campaigns targeting specific audiences (OG IDDRS 2006). This example illustrates the extent to which misinformation can contribute negatively to a destabilized security environment and even play a part in the resumption of conflict, underscoring the importance of expectation management in IDDRS.

The third criterion is the degree to which substantial efforts were made to define and measure goals before and after the program, and whether these goals were realistic. The results here are mixed. The UNDDR Resource Center focuses on raw numbers for most of their reporting. It tells us the number of combatants disarmed and demobilized (72,490) and the number of weapons collected, but does not attempt to quantify the level of lasting security and development, the ultimate goal of any DDR program. There is no report on the crime rate of Sierra Leone after DDR nor on the number of small arms still available in the country. Additionally, a close examination of the data reveals the possibility of error in either the UN’s initial combatant estimation methodology or the ultimate screening process used to define “target beneficiary,” as the UN grossly underestimated the number of program registrants. In the most extreme case, the number of combatants registered for DDR represented 249 percent of the initial estimate (Country Programme: Sierra Leone 2007). However, the more complex screening process used by UNICEF achieved some success in accurately measuring registration (Brooks 2005). The IDDRS do address the issues of goal setting, particularly for the definition of beneficiaries in its guidelines. They also provide for an in-depth, “results-based” reevaluation process for programs. However, this does not seem to have been applied the case of Sierra Leone, leaving the UN open to allegations that there is no connection between DDR participation and successful reintegration (Weinstein and

Humphreys 2005).

The fourth criterion, the use of flexible and diverse models, is one where UNDDR in Sierra Leone excelled, particularly in the area of the reintegration of child soldiers. During the DDR process, children were housed in interim care centers and given treatments specific to their sex and age. In addition, UNICEF used a variety of methods to care for children who could not be returned to their families. These included newly-introduced youth homes in addition to traditional foster homes that adhered to West African communal child care principles (Brooks 2005). The children were also included in the decision-making and planning processes. As stated above, the designing process was innovative in that it included all previously-warring factions, including the alternation of meeting sites. This fulfilled the “flexibility” requirement of the IDDRS (OG IDDRS 2006).

With regard to the fifth and final established criterion, the degree of support for reintegration, the Sierra Leone DDR process again produced mixed results. The arguably most successful project was UNICEF’s work with children affected by conflict. The organization implemented creative projects like the Community Education Investment Program, which gave money to elementary schools that accepted both civilian and ex-combat children (Country Programme: Sierra Leone 2007). This program not only aided the reintegration of ex-child soldiers into their communities, but will also prove to be an investment in the future of many Sierra Leonean children. Unfortunately, the results for adults were not as significant. Muggah (2006) argues that DDR did not aid in reducing the “stigmatization” of ex-combatants. Gbla (2006) reminds us that tens of thousands of ex-combatants did not receive reintegration training until three or four years after they were demobilized. Additionally, several sources point out the fact that training produced little prospects for employment and that most ex-combatants remained unemployed after completing DDR (Gbla 2006, Country Programme: Sierra Leone 2007). UNICEF admits that training programs were too short and lacked market orientation (Brooks 2005). Despite all of UNDDR’s successes in Sierra Leone, the poor implementation and results of reintegration create the possibility that all the gains made in the last six years could be lost. Widespread poverty and lack of other economic prospects—the driving forces that led many ex-combatants to war in the first place—remain largely unchanged.

Still, the case of Sierra Leone is widely considered to be the greatest DDR success story and is in fact seen as a model for other post-conflict countries in Africa (DDR/Stability 2005). Perhaps the most important lesson we can learn from the case of Sierra Leone (outside of the criteria we have already established) is that DDR cannot take root in an environment that is not yet truly secure. Returns to hostilities prevented the completion of the first two phases of DDR, significantly slowing and damaging reintegration efforts. Nonetheless, we learn that a well-organized and flexible DDR program can still prove relatively successful, even in the face of two violent interruptions and insufficient public awareness and program evaluation management. However, we must be cautious in unequivocally labeling the case a success, as the most significant portion of the program, reintegration, did not produce sustainable employment for ex-combatants. The Conference report on DDR summarizes the accomplishments and challenges of Sierra Leone’s DDR Program very accurately. “The DDR programme

significantly contributed to bringing sustained peace to Sierra Leone. However, it did not address all the root causes of the war, which are part of a wider political, social, economic and juridical recovery effort” (DDR/Stability 2005).

## VII. The Case of Liberia

The case of Liberia presents an interesting comparison with that of Sierra Leone, as they share similar causes and nearly the same actors. Understanding the historical context of the Liberian conflict is instrumental to grasping the challenges faced by the DDR and reconstruction process. Over 100 years of rule and oppression by the Americo-Liberian minority group ended with bloody coups in both 1980 and 1989, culminating in the ascension of another Americo-Liberian ruler, Charles Taylor. However, this was only the start of the conflict; 14 years of protracted civil war ensued, resulting in the involvement of ECOMOG, the oft-divided military arm of ECOWAS. This war saw the signing of more than 12 unsuccessful peace agreements until the Comprehensive Peace Agreement (CPA) was signed by both government and rebel forces in August 2003 (LURD and MODEL). DDR processes began in December of that year following Security Council Resolution S/RES/1509 (Country Programme: Liberia 2007).

As in the case of Sierra Leone, the UNDDR Resource Centre divided the Liberian DDR program into three phases. Phase One lasted less than a month, as the number of combatants who showed up for disarmament overwhelmed the facilities and resources of the Joint Implementation Unit (JIU). However, Phases Two and Three, implemented concurrently from April 2004 through September 2004 and July 2004 through October 2004, proved much more successful. While Phase Two focused on major urban centers, Phase Three took place in more rural, remote locations of the country. DDR officials disarmed over 100,000 “ex-combatants” and collected roughly 23,000 weapons (Country Programme: Liberia 2007).

The coordination and cooperation of major actors, our first criterion, was handled by two main groups. The National Commission on Disarmament, Demobilization, Rehabilitation and Reintegration (NCDDRR) consisted of the National Transitional Government of Liberia (NTGL), previous government forces, rebel forces, ECOWAS, UN, AU, and the International Contact Group on Liberia (ICGL). The second group, which formed the Joint Implementation Unit (JIU) with the task of physical implementation of the program in mind, consisted of the NCDDRR, UNMIL, and UNDP. This “alphabet soup” of actors speaks to the difficulty of coordinating the Liberian DDR program.

Despite the large number of actors included in the process, the JIU was given the largest role in planning and implementation (Country Programme: Liberia 2007, Paes 2005). As discussed above, the JIU and the DDR effort in general was vastly overwhelmed by project beneficiaries during the first phase of the initiative. Paes (2005) claims that this crisis was “compounded” by the organizational problems of the implementing body (Jennings 2007). He also criticizes the manner in which funding decisions were coordinated by UNMIL and UNDP, stating that too many key functions were outsourced to third parties without sufficient oversight (Paes 2005, Jennings 2007). This led USAID and other bilateral agencies to take up projects of their own, according to Jennings (2007). However,

these projects are referred to as partnerships by the UNDDR Resource Center (Country Programme: Liberia 2007). In any case, the coordination problems in Liberia most likely contributed to the rioting and general public anger of late 2003, demonstrating that a lack of cohesive planning and coordination can be a severe detriment to any DDR program (Paes 2005, Country Programme: Liberia 2007). While many rightly claim that the program was plagued by a lack of resources, such funding problems affect nearly all DDR programs and cannot exonerate the lack of proper cooperation and planning. The official UN IDDRS stance unfortunately insists that all required resources should be in place before program implementation, an idealistic approach that ignores that the prerequisites are unlikely to ever be fulfilled.

With regard to the management of public expectations through an awareness program, the JIU does not receive much higher marks. At the beginning of the program, many combatants refused to live in the cantonment camps because they were not properly educated about the benefits of the program and believed the facilities were inadequate (Spear 2006). In addition, there were widespread rumors that ex-combatants in Sierra Leone were getting better packages than those offered to Liberians (Jennings 2007). Jennings' (2007) qualitative analysis discovered several key differences between ex-combatant perceptions and program reality. It seems that many ex-soldiers felt that promises made to them were unfulfilled, particularly in the reintegration portion of DDR. Many combatants assumed or in fact were actually told that the training they received would lead to jobs, something that never materialized for the vast majority of program beneficiaries. Furthermore, one in every three participants reported they believed that the general community refused to accept ex-combatants, while one in five believed that the community feared them (Pugel 2006). These examples demonstrate that more work needs to be done in educating both the combatants and civilians. Program administrators need to more effectively communicate to combatants the exact expectations and limitations of DDR, especially that while DDR job training does in fact increase participant ability to find work, simply participating in the program does not guarantee job placement. In addition, DDR officials must develop and implement programs aimed at the delicate task of sensitizing civilian populations to the needs of ex-combatants, perhaps providing aid and incentives to encourage reintegration into society.

The Liberian program also lacked in clear measurement and definition of goals, both before and during project implementation. Paes (2005) contends that the original NCDDRR estimate of 38,000 had little basis in reality or fact, resulting in gross underestimation of program beneficiaries. The program ended up disarming over 100,000 ex-combatants (Country Programme: Liberia 2007). Paes (2005) further criticized the program for relaxing its own definitions of the "combatant," with particularly egregious failures in evaluation requirements pertaining to women and children. This allegedly led to widespread "cheating," where former commanders gathered groups of civilians in order to collect and divide DD benefits (Paes 2005). As much as 60 percent of those given benefits might have been "cheaters" (Paes 2005). Although determining a benchmark for evaluating weapon collection success often proves hard to accomplish, as it is difficult to accurately estimate the amount of arms that exist in a country, it is somewhat disheartening that the ratio of guns to people disarmed/demobilized is only one to four (Spear 2006). In an

even more troubling development, a DDR program leader praised the inflated number of combatants as a success while skirting over the arms issue, demonstrating a lack of willingness to address and correct a major problem that plagued the program (Jennings 2007). While it must be considered that the JIU redesigned the program and relaxed admissions criteria when the true severity and scope of the crisis became apparent after Phase One, alternatives such as an intensified public awareness campaign might have been more appropriate than hastily expanding the program. The lack of clear admission criteria and measurements ended up costing the program dearly in resources and further damaged its credibility. This tacit allowance of cheating will further weaken future attempts by the IDDRS to clearly define program admission standards.

While little information is available concerning the diversity of the approaches used in the Liberia case, the existing data is positive. As discussed above, a large number of actors were included in the program, though the degree to which they were active in the planning and implementation phases seems questionable. Moreover, as in the Sierra Leone case, program administrators paid special attention to the needs of the women and children, although there are several loosely-supported claims that the disabled were unable to access critical resources (Paes 2005, Jennings 2007). Nonetheless, the widespread benefits offered to women and children further demonstrates the problems of “cheating” and poor admission criteria, as women and children were often let into the program without showing any connection to the fighting forces, additionally demonstrating a lack of flexibility in addressing the problem of an unexpectedly high number of registrants.

The general shortcomings of the reintegration process in Liberia, our fifth and final criterion, can be neatly summarized by the fact that the last phase of the program was not announced until January 2008, nearly four years after the program began (VP Launches 2008). These failures can be directly attributed to the vastly underestimated and inflated number of program participants. The first two phases of the process drained program resources, while mismanagement and poor oversight of local partners led to further losses (Spear 2006). These facts contributed to two significant problems suffered in Liberia. Firstly, the number of reintegration slots was not increased in conjunction with the number of those being registered for DD, causing long waits for those who wanted to receive training (Paes 2005). By November 2004, only 11,000 people had completed the reintegration program, stranding over 80,000 registrants, some of whom participated in riots in Monrovia in the same month (Paes 2005). As of the beginning of 2008, 9,000 combatants were only then entering the last phase of the program (VP Launches 2008). Perhaps even worse, many of these combatants, faced with few life prospects, were recruited to fight in conflicts in Cote D’Ivoire and Guinea (Paes 2005).

Even those who did complete the program realized few tangible results. The lucky minority that found employment received a mere eight percent income increase (Pugel 2006). Most ex-combatants complained that there were no jobs to be found (Jennings 2007). It was also determined that the training process was too short and did not provide the skills needed to compete in an extremely limited labor market (Country Programme: Liberia 2007). It is very distressing to realize that once again reintegration efforts, the most important goal of DDR, were widely unsuccessful. Unfortunately, it seems the underfunded, stretched, and ineffective reintegration program only compounded Liberia’s preexisting and

serious unemployment (85 percent), infrastructure, and governance issues. While the IDDRS address the problem of job training and the need to tailor programs to local market needs, little is said about ensuring the importance of reintegration. We will discuss the need to re-evaluate reintegration procedures in depth below.

### **VIII. Proposals**

While many aspects of the DDR program need to be reconsidered, these proposals will focus on the need to completely reform the way we think about reintegration. While it is indeed true that disarmament and demobilization are important in re-establishing the security situation of a post-conflict nation, we need to re-evaluate the long-term viability of current methods of sustaining this piece. Spear (2006) contends that weapons collection, while necessary, can only serve as a symbolic act, as the weapons trade is too fluid to be effectively quelled by the collection of a few thousand weapons. The fact that many quasi-professional soldiers need their firearms to earn a living further complicates weapon collection efforts (Weinstein and Humphreys 2005). One solution to this problem is to properly communicate potential alternatives to violence to ex-combatants (Weinstein and Humphreys 2005, Spear 2006). For this reason, Spear (2006) suggests that it is imperative that the reintegration process begin before disarmament and demobilization. While many will argue that this is impossible, as the security situation will most likely be too dangerous to allow development to occur, little evidence supports that disarmament significantly reduces a number of arms in a country. On the contrary, anecdotal evidence describing riots in Monrovia and the recruitment of former combatants into other conflicts demonstrates the potential implications of reintegration job placement failure. If long-lasting peace and security is truly the ultimate goal, economic reintegration must be the utmost priority, and cannot wait for the establishment of vague notions of security.

Moreover, the emphasis of reintegration should be shifted from focus-based programs to those based on education. Current IDDR standards regarding job creation are unfocused and inadequate, and program designs heavily emphasize vocational training, an approach that conflicts with actual labor market demands. Lessons drawn from the cases examined in this paper suggest a shift to an education-based approach that also addressed relevant market needs would lead to greater re-employment rates.

As with Sierra Leone and Liberia, most post-conflict states are poor countries that have been further impoverished by conflict. Widespread unemployment and lack of opportunity are long-standing, systematic challenges that must be addressed before permanent job creation can occur. We must focus on initiatives that can produce long-term economic development. One option is the funding of large-scale infrastructure programs as opposed to small-scale enterprises. While such projects cannot be sustained in the long-term, they are capable of jump-starting other parts of the economy and can encourage the development of skills that can be used in future employment.

Additionally, ex-combatants have complained of feeling isolated and a lack of acceptance in the community. Moreover, many civilians are understandably resentful of the benefits offered to former perpetrators of violence. Reintegration of ex-combatants thus must begin early as possible, and these soldiers should be trained alongside civilians, not

separated from them. This is the principle that has driven some of the successful UNICEF programs discussed above. Additionally, ex-combatants should work alongside civilians in the large-scale projects proposed above and in any other job they might find; incorporation into the labor force alongside civilians will help not only in the re-integration process but also in demobilization by helping to further break down the chains of command established in the armed services. This will also allow the pooling of resources from the UNDDR program, enabling more efficient allocation of aid capital. This merger, like any other, will create synergies and minimize waste, while also providing for a single coherent development policy for the country. Unfortunately, the IDDRS chapter on “Participants, Beneficiaries, Partners” list civilians as passive “beneficiaries” rather than active players in the process. If reintegration is truly to take place, civilians must take a more active role and be involved in reintegration with the ex-combatants from the very beginning.

Instituting any or all of these changes will require a huge shift in resources away from the traditional priorities of disarmament and demobilization and a shift in the security philosophy that accompanies it. However, if the UN, donor countries, and other actors truly desire to affect long-lasting security on post-civil conflict zones, a shift in thinking and sufficient funding for these projects is required.

## IX. Conclusion

In conclusion, UNDDR is an essential tool in the building of lasting peace and security in civil war-ravaged nations. However, an analysis of the cases of Sierra Leone and Liberia demonstrates that more work needs to be done in order to establish DDR as a long-term viable solution. The IDDR standards are an important step in the right direction, as they begin to address several important organizational and structural challenges. However, a change in mentality and an increased focus on re-integration are necessary in order to produce real and sustainable progress. While doing so will entail a significant reworking of plans and the creation of new IDDR standards, not to mention renewed and increased financial support on the behalf of the IMF and donor nations, an investment in the world’s most vulnerable peoples will yield significant returns that justify the effort.

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# COMBATING GLOBAL CLIMATE CHANGE AND ENABLING RURAL TRANSFORMATION

ASHWINI SRINIVASAMOHAN

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*Biodiesel production from the crop *Jatropha curcas* has the potential to transform the rural sector by improving farm incomes while also mitigating global warming through its low pollutant emissions. The paper analyzes the impact of biodiesel production from the crop *Jatropha* on global warming and the rural transformation of developing nations. The paper is based on an extensive literature review and primary research gathered during an internship at Reliance Life Sciences in Mumbai, India. A brief overview of the biofuels, including ethical issues and global demand is presented. Technological and economic initiatives, the key components to reducing the cost of the biodiesel, are examined. The paper concludes by discussing the impact of *Jatropha curcas* production on rural transformation. Finally, current global initiatives with *Jatropha* taken by governments and companies are discussed.*

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## **I. Background**

Global oil consumption has reached astounding heights, jumping from supplying four percent of the world's energy at the beginning of the 20th century to 40 percent in recent years ("The Future of Oil" 2004). It is expected to further increase to 60 percent by the year 2020. Transportation has played a crucial role in the increase of dependence on oil and currently demands 96 percent of the oil being supplied worldwide ("The Future of Oil" 2004). The rate of petrol and diesel consumption between 2003 and 2006 increased significantly, especially in China, which is reflective of the growing dependence on oil due mainly to economic growth and urbanization.

The increasing economic prosperity of nations allows for greater use of

and interest in oil-demanding products. For instance, the increase in GDP rates in the United States and China has been paralleled by increased energy demand. Additionally, in China's case, the demand for oil in the industrial sector increased as the number of exports rose (Pirog 2005).

The influx of people into cities is one driver of economic growth. The demand for technology, transportation, and industrial processes naturally increases with urbanization, which in turn increases energy consumption, especially oil. Chinese cities are growing rapidly, with at least 120 cities already home to more than one million people (Fritz 2004). Rural residents are moving to cities in search of job opportunities, improved access to services, education, and a better standard of living. However, urban migration can also lead to poor living conditions in the city, which are exacerbated by the pressure exerted on food and fuel resources by a rapidly growing population. Developing alternative energy sources will need to keep all of these interests in balance.

Given increases in oil consumption and projections for further increases in the future, there has been a surge of interest in locating more economical and sustainable forms of energy, especially as the price oil skyrocketed to over \$140 in 2008 (Energy Prices" 2008).

In addition to the soaring prices of crude oil, the global climate change crisis has encouraged nations to take steps that reduce dependence on oil. Increased temperatures, erratic weather patterns, and depleting land ice shed light on the gravity of the effects of global warming, the phenomenon created by the enhanced greenhouse effect. The rapid increase in anthropogenic activities, especially the combustion of fossil fuels like coal and oil, has resulted in the release of ever-larger quantities of greenhouse gases, like carbon dioxide and water vapor, which further amplify the greenhouse effect.

The emissions from fossil fuels, including particulate matter, nitrous oxides, carbon monoxide and carbon dioxide, are also sources of concern. While there are a myriad of alternative clean energy sources, including wind turbine, solar energy, hydroelectric, and wave energy, the focus of this paper will be on biofuels.

## **II. Biofuels**

Biofuels provide alternative sources of energy for both gasoline and diesel with bioethanol and biodiesel, respectively. Biofuels are being explored due to their potential for fewer emissions, reduced dependence on oil, and ability to provide a new source of income for farmers.

Ethanol, or ethyl alcohol, is derived through the process of fermentation of biomass. Ethanol can be derived from either starchy or cellulosic feedstock: starchy crops include food staples such as corn, wheat, and potato, while cellulosic feedstock is inedible, including wood and crop residue or waste (Badger). Ethanol, when blended with regular gasoline up to 10 percent, can be used in cars without any modifications to the engine. Ethanol is generally more efficient than gas: its octane number is 120, while gasoline's generally falls in the range between 87 and 98. A higher octane number signifies greater fuel efficiency that produces better automobile performance (Gonsalves 2006).

The amount of greenhouse gas savings from corn ethanol has been shown to

be minimal, largely due to the massive deforestation necessary for corn cultivation, with an average greenhouse gas savings estimated to be around 15 percent. However, cellulose ethanol could elicit 80-90 percent reductions ("Corn Prices" 2007). In regards to pollution, neither biodiesel nor bioethanol contain any sulphur, preempting the formation of sulphur oxides and subsequent acid rain (Gonsalves 2006).

Biodiesel is a monoalkyl ester of long chain fatty acids produced through transesterification, the process of combining a triglyceride with alcohol. There are many sources of biodiesel, including soybean, sunflower, palm oil, rapeseed, and *Jatropha* (Pinot 2005). Biodiesel that is blended with mineral diesel to achieve between five percent and 20 percent concentration (B5, B20) can be used without any modifications to the vehicle (Krysack 2006). Pure biodiesel (B100) can also be used, but an additive is necessary in cold weather. Biodiesel can be stored in the same manner as diesel, and additives can extend the shelf life of biodiesel to longer than six months.

The pollutants emitted by vehicle exhaust are significantly lower in biodiesel than regular diesel, containing less carbon monoxide and particulates (Gonsalves 2006). A study by the U.S. Environmental Protection Agency demonstrated that B20 biodiesel produced a decrease of hydrocarbons by 30 percent, carbon monoxide by 20 percent and particulate matter by 15 percent ("Environmental benefits" 2008). Furthermore, the U.S. Department of Energy reported that biodiesel production and use, in contrast to petroleum diesel, has 78.5 percent fewer carbon dioxide emissions" ("Environmental Benefits" 2008).

Nitrous oxide is the only gas byproduct that has the potential to be emitted on a larger scale than regular diesel during production, but this problem can be mitigated with the use of catalytic converters (Sarangana 2008). Additionally, the process of hydrodesulphurisation, which is employed to remove sulphur during the production of diesel, reduces the lubricity of the diesel. An additive is then used to compensate for the loss in lubricity. However, these measures are unnecessary during biodiesel production due to its natural lubricity and absence of sulphur (Gonsalves 2006).

In summary, biodiesel is mainly sought after because it has fewer emissions of harmful pollutants, can act as a lubricating agent in automobile engines, is biodegradable, enables use of wasteland, and can be easily stored.

Globally, biofuel demand will increase by 20 percent per year until 2020 ("World Biofuels 2007). In 2007, only 20 oil-producing nations were supplying the entire global biodiesel feedstock demand. By 2012, over 100 nations will be producing biofuel, supplying to more than 200 nations (Thurmond 2006). Projections for 2017 reveal that in market size, biofuels at \$81.1 billion will rank second only to wind power, emphasizing the huge potential in the industry.

Internationally speaking, standards set with the goal of increasing biofuel use have resulted in increased demand for the raw materials needed for production. The EU's 2003 energy guidelines call for two percent of all transportation fuels to be biofuels by 2005 and 5.75 percent by 2010 (Müller 2007). The 2007 U.S. Energy Bill mandates 36 billion gallons of renewable fuels to be used by 2022, including 15 billion gallons of corn-based ethanol (Romm 2007). In addition, the United States aims for a 20 percent decrease in gasoline consumption by 2017 (Müller 2007). By 2013, Brazil aims to produce 660 million gallons of biodiesel. China has set targets to produce four million tons of biofuels

by 2012 and 12 million tons by 2020. India is working towards 20 percent biodiesel usage by 2012 (Thurmond 2006).

Europe accounts for 90 percent of all biodiesel produced and consumed, making it the largest market in the world (LaFond 2006). The United States is the largest producer of ethanol, closely followed by Brazil. Currently, bioethanol is blended into 46 percent of all gasoline sold. The United States aids the growth of its biofuels industry with tax credits, including the 14 cent/liter credit for ethanol blending effective until 2010 and the 12 cents/liter credit for biodiesel in effect through 2008 (Martinet 2008). The United States also provides substantial subsidies, including \$7.6 billion for 4.9 billion gallons of ethanol in 2006 (Carlson 2007).

While the concept of alternative energy is gaining traction, a major challenge facing many nations is the underlying ethical issue: the diversion of food for fuel. In 2007, with the price of corn soaring due to the huge demand for grain-based ethanol, Mexico faced a food crisis when the price of their staple food, the corn-based tortilla, increased by 25 percent ("Corn Prices" 2007). Furthermore, land traditionally used for the growth of food was being replaced by growing demand for fuel, like the growth of soybean in Brazil for U.S. exports. Initially, the EU had mandated that 10 percent of the transport fuels to be biofuels by 2020. However, a UN report in July 2008 revealing that 75 percent of the rise in food prices in 2007 was attributed to biofuels production prompted the EU to change the requirement to 10 percent of transport fuels being from renewable sources of energy, not just biofuels (Phillips 2008). It has been estimated that in 2012, world ethanol production will surpass 20 billion gallons ("Market and Research Analyst" 2008). Bioethanol from potential food sources is being criticized as unethical and not effective enough in lowering emissions to garner continued support. And while research is being conducted to derive ethanol from cellulosic substances, technologies have yet to become financially viable (Müller 2007). However, as with ethanol, extraction from edible sources like palm and soybean will still require the diversion of land from growing for food to growing for fuel.

The United States' investment of 14 percent of the corn to ethanol production represented only 3.5 percent of the gasoline supplies in 2006 ("Ethanol Expansion"). In the future, it is projected that corn-based ethanol will have only a small impact in the motor gasoline market, with 7.5 percent market share in 2017, while representing 30 percent of all corn usage ("Ethanol Expansion"). Regardless, due to the increase in demand for corn and soybean for ethanol production, farming income is higher and is projected to continue to rise in the United States ("Ethanol Expansion"). Overall, ethanol production has helped the financial status of the rural sector. Therefore, the current problem lies in how to continue the stimulation of the agricultural sector that biofuel development yields while avoiding the adverse effect of high food prices and minimal greenhouse gas savings.

Biodiesel from inedible sources is an important alternative to investigate. *Jatropha curcas* has recently received increased international attention; especially after land availability was revealed as a potential problem for the growth of rapeseed, the biodiesel crop of interest for the European Union. Countries like India and China have a high demand for diesel. For India, diesel consumption is projected to be 66.91 million tons in 2011-2012, for which, applying 20 percent blending, biodiesel demand would be 13.38 million tons and require about 14 million hectares of land (Gonsalves 2006). If the same ratio is used, China's

diesel demand in 2011-2012 would be around 100 million tons, biodiesel, 20 million tons, acreage, 21 million hectares. *Jatropha curcas* is a promising option, engaging farmers in the process while providing biodiesel, a clean alternative to mineral diesel.

### III. *Jatropha curcas*

*Jatropha* is an inedible crop found primarily in India, China, Mali, and the Philippines that grows profusely in semi-arid land as a weed (Eijik and Romjin). Because the smell and taste repels animals, *Jatropha* has been known to be used by farmers as a protective fence around fields (Venturini and Rademakers). Although its hardiness enables it to grow without much labor and care, when being grown for the purpose of biodiesel production, having separate *Jatropha* plantations will optimize seed yields (Eijik and Romjin).

While there are several methods of biodiesel production from *Jatropha*, there are three basic stages: cultivation, production, and application (Eijik and Romjin). During the first phase, the *Jatropha* plants are typically grown in a nursery. Although irrigation is not necessary, it improves seed yield. To produce the biodiesel, the oil must first be extracted from the seed with a crusher and expeller unit. The oil is then transported to a biodiesel plant to undergo the process of transesterification. Finally, the biodiesel is blended with regular diesel to be used in vehicles.

The transesterification process yields the byproducts glycerol and the *Jatropha* seed cake, both of which hold potential for profits. Glycerol, which precipitates after the separation from the biodiesel, can be sold to refineries. Also, the de-oiled seed cake, rich in nitrogen, can be sold as manure or used by the farmers, or converted into cellulosic ethanol ("Strategic Analysis" 2007). Furthermore, the byproduct biogas can be extracted from the seedcake to power cooking stoves. For the past 30 years, biogas plants in India have been being set up to provide biogas to rural households, and now amount to around 3.9 million plants (Subramnaian 2007). The extraction of biogas is thus another market opportunity for companies investing in *Jatropha* cultivation.

The cost per barrel of *Jatropha* is comparatively less than other sources of biofuels. However, because the plants only yield seeds on average about three years after being planted, initial investment can be high, presenting a barrier to entering the market. Furthermore, in order for the biodiesel to be viable, the costs of production should be less than those of regular diesel, creating cost-competitiveness. The two aspects where cost savings must be realized are the cost of seeds and the oil-feedstock related costs. Currently, there is a large variance in the estimated costs of technology, which are based on which technique is used for the various parts of the production process.

### IV. Rural Transformation with *Jatropha*

Worldwide rural sector development lags behind. A World Bank report notes that 75 percent of impoverished people in developing nations reside in rural areas (Tuck 2007). Although nearly 70 percent of the Indian population and 63 percent of the African population reside in the rural parts of the country, agriculture accounts for only 17 percent and two percent, respectively, of their GDPs ("Urban/rural divisions"

2003). The cultivation of *Jatropha* would enable the rural sector to effectively contribute to national economic development.

In China, the rural sector makes up 56.1 percent of the population (“China’s population”). Biofuels are thus being investigated specifically to address the concern of rural poverty and sustainable energy requirements (“China Fuel Ethanol” 2007). While most ethanol producing plants are currently in the northeast of region China, the country is looking to increase production in other areas by encouraging sweet sorghum growth in the northwest for ethanol and sugarcane and cassava and *Jatropha* in the south (Raju 2006). The growth in employment opportunities that *Jatropha* cultivation would create within the rural sector would provide an incentive for people to relocate to the countryside, alleviating urban poverty (“Urban/rural divisions” 2003). This could significantly alter the trajectory of African countries, where the amount of people living in rural areas is projected to decrease from 61 percent to 47.1 percent by 2030 (“Urban growth” 2005). Conversely, the number of urban dwellers in Africa is expected to increase by 51 percent by 2030, adding to the already 100 million people living in slums (Venturini and Rademakers). By transforming the rural sector, urban migration and subsequent poor living standards could decrease.

Companies will benefit from biodiesel production from *Jatropha* because of the increasing global demand for biodiesel. Due to *Jatropha*’s phytoprotective action, it is able to protect nearby crops from disease and pests, and as a result, companies have already begun to intercrop *Jatropha* with a variety of fruits and vegetables as well as medicinal plants. In addition, by promising one hundred percent buyback of *Jatropha* and any other crops the farmers grow, companies are enabling farmers to earn additional income while also being able to sell intercropped vegetables and fruits (Modi).

Intercropping allows production of both fuel, from *Jatropha*, and food, from the numerous fruits and vegetables growing alongside the *Jatropha*, without any negative impacts on the soil.

Only 44 percent of the entire rural population in India has electricity and even those households with electricity use kerosene as the primary source of lighting (Subramanian 2007). Around 86 percent of the rural population relies on conventional fuel sources like firewood and wood chips for cooking, which causes indoor air pollution and health issues (Venturini and Rademakers). Use of naturally low-emission *Jatropha* oil instead would result in less pollution (Eijick and Romjin). Other renewable energy sources, such as solar and wind, have been proposed for rural development but would require high initial investment. By utilizing materials found in the natural environment, *Jatropha* allows for a low initial investment in the rural areas of developing nations. Furthermore, *Jatropha* oil can serve a variety of purposes, including heating, cooking, and electricity (Eijick and Romjin). In 2005, a power plant in Chhattisgarh, India demonstrated that *Jatropha* oil can effectively produce electricity and has been powering poor villagers at a competitive price (Mohd 2008). While this is a small-scale example, continued investment in *Jatropha* cultivation and research could yield further development.

As the financial stability of farmers gradually increases with prosperity of *Jatropha* plantations, they can be encouraged to improve their energy security by investing in *Jatropha* oil or other renewable energy products. Companies have already found the

biodiesel field to be both a promising source of profit as well as an opportunity to improve the economic well-being of the rural poor in developing nations.

The chance for rural transformation therein lies in providing the financial opportunities to grow and the energy alternatives to sustain.

## V. Global Initiatives for Economic Viability of *Jatropha*

According to a biodiesel cost analysis by China Organic Biomass Recycling Amalgamated (COBRA), in order to be profitable for biodiesel, the government needs to take an active role through subsidies and regulatory efforts, the price of feedstock must be reduced, there must be a constant supply of the feedstock, and the transportation costs must be reduced (Kao 2007). While procurement price control from the government would aid in this regard, private sector initiatives can also make a large impact through technological advancements and investments in research and development. Global efforts being taken to reduce the cost of *Jatropha* mainly focus on improving technology, aiming to enable mass production of optimum variety of *Jatropha*.

The Indian government's Planning Commission has devised the two-phase "National Mission on Biodiesel." The first phase calls for *Jatropha* to be planted in 400,000 hectares of government wastelands, while the second part outlines plans to plant the crop in 11.2 million hectares of government and private lands in order to reach the set target of 13.4 million tons per year by 2012 ("Strategic Analysis" 2007).

The Philippine government, with aid from the private sector, set aside P\$12 billion (approximately USD \$270 million) for *Jatropha* plantation on 230,000 hectares of land, which they expect to yield about 3,000 liters of biodiesel per hectare and to employ 230,000 people for farming" ("Philippines" 2007).

Tanzanian districts are working with Sun Biofuels Tanzania Limited to cultivate *Jatropha* on 18,000 hectares of land to produce biodiesel ("Tanzania" 2006).

The Chinese government has instituted an immense *Jatropha* program, focusing on the planting of 13 million hectares (Thurmond 2006). Also, the State Forestry Administration and PetroChina are working together to build four *Jatropha* plantations with the ability to produce 10,000-30,000 tons of biodiesel (Liu 2008).

Some of the major private companies investing in *Jatropha* are Britain's D1 Oils, British Petroleum, and India's largest company, Reliance Industries Ltd.

D1 Oils' Plant Science Program aims to increase oil yield through various plant-specific methods, including the use of tissue culture, mutagenesis, and molecular breeding technologies to breed high-quality *Jatropha curcas* ("Plant Science Programme").

In 2006, BP agreed to invest \$9.4 million in India's the Energy and Resources Institute for a 10-year project investigating biodiesel production from *Jatropha*. TERI's efforts are estimated to produce nine million liters of biodiesel per year using 8,000 hectares of wasteland ("BP to Fund" 2006). In addition to the marked potential for economic gain, BP believes that their efforts will employ a significant number of people in the rural sectors of developing nations ("BP and D1 Oils" 2007).

BP also created a joint venture with D1 Oils, a partnership that exemplifies the potential benefits resulting from cooperation synergies in the quest for alternative energy. In

order to hasten the *Jatropha* planting program, over the next five years, the two companies will together invest \$160 million to cultivate around one million hectares over next four years and 300,000 hectares per year after, with an estimated production of two million tons of *Jatropha* oil per year (“BP and D1” 2007). BP-D1 Fuel Crops Limited, as of March 2008, has cultivated or has rights to cultivate 192,016 hectares of land, including 95,070 hectares in India, 47,478 in Africa, and 49,468 in Southeast Asia (“*Jatropha* Planting Programme” 2008). The program is designed such that agents from D1-BP Fuel Crops aid the farmers in planting the *Jatropha* by providing seedlings, managing related finances, and providing opportunities for farmers to sell the seeds back to the company. Third parties companies will be hired to control the quality of the crops by monitoring the farmers and assisting when necessary (“D1-BP”).

Labland, Ltd of Mysore, India is the leading *Jatropha* tissue culture research firm. Labland focuses on identifying varieties that have better oil yields, require less care, and are pest-resistant (“Mysore Biotech” 2008). In addition, Labland sells its seeds within India and abroad and has signed technological partnership deals with six companies in the United States, New Zealand, and Brazil (“Mysore Biotech” 2008).

India’s Reliance Industries Ltd. plays a significant role in the *Jatropha* market. Reliance Life Sciences (RLS), a subsidiary of RIL, owns fourteen *Jatropha* clusters in India, each consisting of 1000 hectares, and further plans to plant one million hectares of *Jatropha* by 2013. RLS currently has a biodiesel plant operating at 6500 tons per annum, and efforts are underway to increase production to 100,000 tons per annum by 2009 (Sarangan 2008).

Many Indian farmers face significant obstacles in attempting to secure seed supply at reasonable cost. They also face risk factors such as unpredictable climate conditions, political inefficiency, poor-quality inputs, and land fragmentation. To help mitigate these issues, Reliance Industries Ltd. offers one hundred percent buyback of the *Jatropha* at five rupees (approximately 14 cents), a tremendous incentive for farmers (Matthew 2006).

Much research and development is devoted to improving the yield of the seed by identifying transgenic mutants of *Jatropha* and evolving mass production through micro-propagation (“Plant Biotechnology” 2006). Private companies are developing gene maps of the *Jatropha* plant, a venture taken up recently by the Craig Venter Institute in the United States as well. Furthermore, transgenic *Jatropha* plants with saline and drought-resistant genes and improved oil yields is in development as well. Such R&D measures could potentially play an integral role in transforming *Jatropha* from a possibility to a reality.

Companies will need to work closely with the farmers they are targeting, helping to initiate and support *Jatropha* growth. By placing well-qualified and trained professionals in the field as a resource for farmers, companies are ensuring the quality of the crops while bolstering the trust of the farmers.

In order to be successful, any new venture has to be financially beneficial to companies. There are already many companies interested in *Jatropha* who are investing in technologies to make the plant economically viable in order to produce biodiesel. Between 70-75 percent of the total cost of biodiesel is attributed to feedstock (Sarangan 2008). Thus, the role of farmers is integral in producing biodiesel and their continued support is indispensable for our global sustainable energy future.

## VI. Conclusion

The rural sector of developing nations has the potential to become a source for sustainable energy aided by government initiatives and company investments in *Jatropha*. Continued research is essential to optimize seed yields and make production technologies more economically viable. Further research can also be directed towards the economic effects of *Jatropha* after it achieves popularity; for example, if farmers may find the crop so lucrative that they begin using land, they would use land for growing food for *Jatropha* instead, the food versus fuel debate would reemerge.

Concerns of climate change and rural development are both crucial problems. By understanding how they are intertwined and capitalizing upon these interstices efficiently, mutually beneficial relationships can be created. What is desired in this growing age of globalization is a united effort among nations, governments, and companies to hasten the process of becoming a sustainable community.

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## NOTES ON CONTRIBUTORS

**AMANDA EKEY** graduated from New York University in 2007 with a double major in International Relations and Economics. She has spent the last year at UBS Wealth Management as a part of the Business Strategy Development team. Amanda currently plans to attend law school starting in Fall 2009 and is very much looking forward to a career in public interest law.

**MICHAEL ARTHUS** was born and raised in Islip, New York. He graduated *summa cum laude* from New York University in 2008, with a double major in International Relations and Spanish. During his time at NYU, he earned high honors in both of his majors, was a Presidential Honors Scholar, and was made a member of Phi Beta Kappa and Mensa. He studied in Madrid in 2006, and his curiosity towards all things international has taken him to Florence, Shanghai, London, and Paris. He is currently pursuing a J.D. at Harvard Law School.

**KATHERINE HARRISON** graduated *magna cum laude* from New York University in 2008 with a major in International Relations and a minor in Spanish Language and Literature. While she maintains an avid interest in all things political, Katherine is pursuing a career in publishing, and currently works in the editorial department at Alfred A. Knopf Books for Young Readers, an imprint of Random House, Inc. She believes strongly in the power of books to foster better understanding between people from disparate backgrounds, and to this end, would like to focus on Latin American literature in translation in the future.

**ALEXANDER ARNOLD** is currently a senior in the College of Arts in Science. An International Relations and History student, he is particularly interested in studying U.S. foreign policy from historical, cultural, and legal perspectives. Alexander has studied and conducted research in Chile, Brazil, and China and is writing his Senior thesis on Ethical Realism in U.S. foreign policy. He hopes to continue his studies through pursuing a Masters in World History at NYU.

**MICHAEL LEIGH** was born in Houston, Texas, and moved to Seoul, Korea when he was five. While his family stayed in Korea, he came back to the States by himself at the age of 14 to attend the George School, a private high school in Newtown, Pennsylvania. Michael graduated from NYU College of Arts and Science *magna cum laude* with a double major in International Relations and East Asian Studies. While at NYU, he spent the summer after sophomore year and first semester of junior year studying abroad in Nanjing and Beijing, China. Michael is currently pursuing a J.D. at the Fordham University School of Law.

**DANIEL BARKER** is a senior in the College of Arts in Science majoring in International Relations and South Asian Studies. His research interests include South Asian development and security policy, regional integration, and the effectiveness of multilateral institutions. Daniel is active in several campus organizations, serving as the Founding Chair of the International Relations Society and the Co-President of the South Asian Studies Program Initiative. He is also a fellow with the Institute for International Public Policy, a Martin Luther King Jr. scholar, and an Associate Member of the Young Professionals in Foreign Policy. Daniel hopes to pursue a career in international economic development.

**ASHWINI SRINIVASAMOHAN** is currently a freshman in the College of Arts and Sciences, pursuing International Relations and Environmental Studies majors. She has conducted research in Shanghai, China and Mumbai, India in the field of alternative energy, working with the Jane Goodall Institute's Roots and Shoots Program and Reliance Life Sciences, respectively. She started a nonprofit, Healthy Eating and Active Living Foundation, Inc. to address global concerns of healthy and sustainable living. After graduation, Ashwini hopes to attend law school.