

Kennedy School Review
Volume XX

An HKS Student Publication
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Editors' Note

This journal marks the 20th anniversary of the *Kennedy School Review*. Twenty years of ideas, voices, and bold visions to change the face of policy.

The first edition of the *Kennedy School Review* opened with the reflection that “we stand on the edge of a world we barely recognize.” As the world around us is on trial, we once again find ourselves at the edge of the unknown. As homes, lives, and identities are displaced, democratic institutions struggle to endure. Yet in that displacement, we each have something to teach one another about freedom, equality, and *Veritas*. There is hope in the grassroots, and thus our journal for the new decade locates policy recommendations in those lived experiences.

The journal you are holding is the culmination of countless hours of research, on-the-ground reporting, difficult and emboldening conversations, and writing and editing from nearly 75 people. Our passionate and driven staff went through a record number of submissions to curate these 32 pieces. Our contributors tackle topics ranging from contradicting narratives about Mississippi’s prisons to the rise of the evangelical right in Brazil. They offer lessons on polarization, election security, human-centered policy decisions despite disagreement, responsible and ethical technology, inclusion of the arts and sports in public policy, and the climate-driven migration crisis. Our journal breaks into new forms of storytelling, including photo essays, business ecosystem maps, and narratives from migrants in shelters far from home, reimagining not only policy but also communication for the next decade.

The hope and resilience in this journal’s vision for public policy sets this edition apart. In our 20th year, the *Kennedy School Review* grew in its size and determination to promote bold ideas and elevate new voices. We have recruited more editors and published articles with more ambition in our print journal and our digital edition, harvardkennedyschoolreview.com, than ever before. The digital journal expanded its content reach, curating a special series on the 2020 US election and publishing insights on topics including the transatlantic freeze to the Hong Kong protests. Now in its third season, our podcast released first-hand accounts from the front lines of equitable pedagogy and interviews on right-wing extremism.

We are grateful and proud to be conduits for the power of words and ideas. We hope you keep reading and find faith in the revolutionary capacity of our collective voice.

Vandinika Shukla
Editor-in-Chief

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Managing Editors, Print

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**In Guarding Democracy, Hindsight
Really Will Be 2020:
The Tabletop Exercise as a Model for
Securing American Elections**

**Alina Clough and
Alexander de Avila**

When it comes to securing US elections against foreign interference, training humans may be the best investment.

On 19 March 2016, John received a work email with the subject line “Someone has your password.” It read:

“Hi John,
Someone just used your password to try to sign into your Google Account. Google stopped this sign-in attempt. You should change your password immediately.”
Change password: [Link]

Just to be sure this email was authorized, John forwarded the message to an aide for review. The aide scanned it and sent back the go-ahead message, writing, “This is a legitimate email.” Reassured, John clicked the link and changed his password.

Only the aide had mistyped. He meant to say, “This is an *illegitimate* email” but instead sent the message “This is a legitimate email” by accident. With a single click, Russian hackers gained access to thousands of staff emails and eventually accessed Democratic National Committee (DNC) servers.

Unfortunately, this is how Russian hackers weaponized stolen information after targeting and successfully phishing John Podesta, the chairman of Hillary Clinton’s 2016 presidential campaign. All it took was two letters mistyped (or autocorrected) out of one word to change the course of history.

This article focuses on one way to avoid a story like the one above—a stranger-than-fiction tale of a human campaign staffer using technology to make an honest mistake that opened the door to foreign interference. We begin with a review of the US intelligence community’s conclusion that foreign actors interfered in America’s electoral process. Next, we introduce one model for heading off misinformation and disinformation campaigns: the tabletop exercise, built and implemented by the Defending Digital Democracy Project (D3P), an initiative at Harvard’s

Belfer Center for Science and International Affairs. We close with an assessment of the state of election interference in the 2020 race for president.

Though several things went wrong in 2016, many were due to human error. As primaries are already underway and another general election inches closer, US election security efforts have focused on technological investment, while human investment has fallen by the wayside.¹ National priorities should include combating mis/disinformation campaigns and preventing US officials and political operatives from themselves becoming vulnerabilities in the face of attacks.²

Lessons from the 2016 Presidential Election

In October 2018, the US Senate released volume II of its report on Russian interference.³ Titled *Russian Active Measures Campaigns and Interference in the 2016 Election*, the 85-page report is heavily redacted but nonetheless clearly outlines numerous ways that Russian assets ran a sophisticated disinformation campaign to “influence the 2016 US presidential election by harming Hillary Clinton’s chances of success and supporting Donald Trump at the direction of the Kremlin.”⁴

The Russian government reportedly sent two operatives to the United States in 2014 to gather intelligence that they then used to target, phish, and influence, all with the goal of highlighting Hillary Clinton’s unpopularity and sowing discord in American society. Issues of immigration, Second Amendment rights, and race were weaponized and turned back on citizens “in an attempt to pit Americans against one another and against their government.”⁵ Russian operatives used Facebook, Twitter, and other social media accounts to generate fake news stories like Pope Francis endorsing Donald Trump and Wikileaks “confirming” that Hillary Clinton sold weapons to a terrorist organization. The two fake stories respectively received 960,000 and 789,000 comments, reactions, and shares.⁶

The most striking revelation from the Senate’s

report is the ease with which mistakes can be exploited and low-cost methods used to turn an advantage. If we have learned anything from 2016, it is that election security does not begin and end at the ballot box. No single party, news network, state election apparatus, federal agency, or individual citizen is equipped to handle efforts to spread mis/disinformation among the American electorate.

The American Response

Technology took the brunt of the blame for America's electoral failings in 2016. It's easy to imagine a Russian hacker hunched over a computer, manually changing vote totals, surrounded by lines of code while bypassing all US safeguards. Hacking, as many believe, involves forces beyond government control that can only be repelled with stronger firewalls and smarter technology. While some hacks absolutely do exploit software and hardware vulnerabilities, missing in this illustration is the fact that foreign interference in 2016 primarily came down to exploiting social vulnerabilities, not technological systems.

"If we have learned anything from 2016, it is that election security does not begin and end at the ballot box."

A private consulting firm, Cambridge Analytica, along with Russian bots and other social media-based influence streams, sought to influence voters long before they arrived at polling locations. Even the DNC hack, which did involve technical interference, was the result of spear-phishing—a common email manipulation tool that tricks humans into clicking links—rather than exhaustively searching for ways to penetrate servers.

This is not to disregard widespread attempts by foreign actors to electronically break into US election systems. Russian actors successfully accessed voter rolls in 39 states to extract data on voters and did attempt to delete some of them from the rolls. Still, these efforts were unsuccessful and would have been mitigated given the organization of US election

commissions at the county level. Russian actors were not sophisticated enough to get beyond public-facing databases in these hacks, much less alter the vote totals themselves.⁷

Other attacks, executed by Russia's foreign intelligence arm, attempted to spear-phish into county commissions and election software companies by directly sending malware to officials' emails. These phishing attacks underscore the importance of preventing humans from unintentionally opening gateways into sensitive systems.⁸

As the 2020 election nears, state election commissions are scrambling to save face with multimillion-dollar voting machine overhauls to make voters feel more secure about casting their ballots. From Georgia⁹ to Pennsylvania,¹⁰ states are racing to acquire new technology. Yet these big-ticket purchases do nothing to combat human error like forgetting to check your ballot, mistakenly activating phishing emails, or unknowingly spreading false messages on social media.¹¹

The Value in Training Humans

Russian President Vladimir Putin said during a 2017 interview with NBC's Megyn Kelly when denying Russian election meddling, "IP addresses can be invented—a child can do that! Your underage daughter could do that. That is not proof."¹² A boldfaced denial of election meddling, it is the exact language Americans have come to expect from the leader of Russia, but there is a kernel of truth in Putin's deflection: influencing an election does not require sophisticated computer programs or hacking capabilities. Manipulating election results means manipulating people, not just the systems people use.

The bad news is that it is easy to set up and implement a mis/disinformation campaign. All it takes is a nuanced understanding of a country's hot-button issues, access to an internet connection to make fake social media accounts and news stories, and the will and ability to spread a message. It is not even necessary to run ads online. The Senate Intelligence Committee found that Russians spent just \$100,000 on online

advertisements in the run-up to 2016.

While election machine purchases are headline items for policymakers, this approach is costly and fails to fully address the primary issues behind election interference. The actors interfering in US elections are both socially aware *and* technologically sophisticated, and the weakest chink in the election system armor cannot be replaced by new technology alone. The aide who answered John Podesta’s question about the validity of the email he received did not intend to give nefarious actors access to DNC servers. However, had he been better trained, or at least more careful, the 2016 primary landscape would not have included thousands of hacked emails.

The Tabletop Exercise (TTX)

Eight American intelligence groups concluded that Russia interfered in the 2016 election.¹³ Every election official, campaign manager, or state party leader worth their salt should be kicking and screaming for an effective way to train staff to detect and respond to attempts at mis/disinformation and foreign interference. The ultimate goal should be an election apparatus—including those who run, compete in, and report on elections—that is engaged, educated, and prepared to detect and deter mis/disinformation from foreign and domestic actors. The good news is that there is a low-cost, low-tech way to do it that doesn’t require so much as an internet connection: tabletop exercises (TTXs).

A TTX describes any type of formal or informal activity meant to simulate how a particular event will go. It is essentially a dress rehearsal or prelude to the show. The military uses TTXs before consequential missions, often by collecting sand, sticks, rocks, and dirt to build a terrain model of the geography where a future operation will take place. Scenarios are then gamed out on the board with input from the individuals who will be on the ground making decisions.

TTXs are effective because of the real-time nature of the challenges. In the same way that servicemembers gather around a terrain model to rehearse, election officials, party leaders, and campaign staff gather

to run through how an election season might look with the addition of full-scope mis/disinformation on the part of both foreign actors and other campaigns. Over the course of the exercise, TTX facilitators send players “injects” (short for “injections”) of sensitive scenarios. These scenarios are notional and meant to elicit player thought, response, and follow-through. An inject could be something as simple as a campaign tweeting that a primary is rigged against their candidate or an election official noticing strange activity on the network at a caucus or polling site. The injects are delivered in the most accurate way possible, and facilitators observe how teams decide to respond to—or instead disregard—the action. Players can choose to respond by sending information up their organizational ladder, issuing an official statement, contacting cybersecurity vendors, holding a press conference, or any other action they see fit.

The TTX election security model is valuable because it trains both individuals and teams on best election security practices. The players debrief the exercise, and facilitators provide feedback and assess organizational strengths and weaknesses in the face of mis/disinformation. TTXs force participants to think about their role within the election apparatus and reckon with how they might detect and respond to attempts by malign actors to gain a foothold. If human error represents the greatest potential for foreign groups to gain access to our elections, then humans also offer the best hope for securing elections and maintaining the sanctity of America’s electoral process.

Because they are effective, are low cost, and require few resources, the federal government would be wise to allocate grants to states to use for election training. This would incentivize senior state election officials to implement TTX trainings and get experience identifying and responding to injects in real time. It’s a simple and effective way of both evaluating and

“Manipulating election results means manipulating people, not just the systems people use.”

training teams, and it could be deployed in time for the general election in November 2020.

Conclusion

As William Shakespeare said, “What’s past is prologue.” Policymakers ought to keep this in mind as they debate how to prevent Russia from influencing the 2020 election. Moreover, the list of countries and non-state actors taking a hard look at interfering in American democracy has grown beyond Russia.¹⁴ It would be naïve to think that other countries and non-state actors are not formulating low-risk, high-yield ways to influence the 2020 elections.¹⁵ Special Counsel Robert S. Mueller said as much in a July testimony to the House Permanent Select Committee on Intelligence: “It wasn’t a single attempt. They’re doing it as we sit here. And they expect to do it during the next campaign.”¹⁶ The National Security Agency has reported the Russians are using stealthier methods to try and sow chaos in the 2020 election.¹⁷ In October 2019, Facebook reported that it shut down four disinformation campaigns that Iran and Russia were running through the social networking site.¹⁸

TTXs are useful for challenges to electoral integrity originating inside the United States, too. The 2019 governor’s race in Kentucky was impacted by a case of disinformation. Twitter user @Overlordkraken1 tweeted on election day that he ripped up mail-in ballots cast in favor of Republicans shortly after the Republican incumbent fell behind in the vote tally. Online bots retweeted the message, and the incumbent refused to concede until the votes were recanvassed.¹⁹ Election officials were forced to respond to the incident. Then there was the 2020 Iowa Caucus, where irregularities affected delegate tallies after the Iowa Democratic Party attempted to collect statewide totals from precinct chairs using a new app that was meant to streamline reporting. Instead, errors with the app led to days of uncertainty over who would emerge the winner in the first-in-the-nation contest.²⁰

All roads are leading to a bumpy finish to the 2020 campaign, but a TTX model can be an effective stabilizer. It provides a flexible, low-cost tool for those

in the free-and-fair election business to address the mis/disinformation and human-error-related issues already rearing their heads. TTXs do not solve all facets of the challenge America faces in holding elections free of malign influence. City, state, and federal governments must also invest in modernizing and securing voting systems. But that is not the whole story. In some cases, all it might take is one group of committed, well-trained election officials to ensure that a potential attack on American democracy is thwarted. Planning TTXs around real-world, up-to-date threats is a powerful way to do this. Making sure your autocorrect is off might help too.

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Polarization and Hope: What Can the United States Learn from Italy?

Gaia van der Esch

As an Italian living in the United States, every step of the vicious, divisive circle of today’s American politics feels like *déjà vu*. The societal divide between pro- and anti-Trump supporters appears to be the new normal for the United States. Voters are rallying behind what seem to be opposing worldviews, and polarization is increasing by the day. But who is left to fight for common ground?

During my childhood in Italy, polarization was part of my daily life. Today, we are still trapped in it. Why? Because each political party fought to prevail over the other, not for common ground. This is why, at each election round, Italy found itself in the midst of deepening societal divides and increasingly extreme politicians. We became nostalgic for what seemed like a low point just a few years before. From the outside I fear that, at this rate, American liberals too may soon enough be nostalgic for the current low point, Trump.

Throughout all my school years (1994–2011), Italy had its Trump equivalent: Silvio Berlusconi. At the time, it was unconceivable for someone like me—from a liberal family—to be friends with a Berlusconi voter. What could I share with someone supporting a rich businessman turned politician? Berlusconi showed little respect for democratic institutions, offering instead macho comments, narcissism, and luxury parties. We thought he was the peak of our polarization. And, indeed, once Berlusconi lost power, nearly 15 years later, we went back to politics as usual. We called him a “bad chapter” and avoided asking ourselves how such a divisive leader was elected.

This illusion of unity held true for a few years. But today, the divisiveness that Berlusconi embodied, and that we ignored, has found a new home in the League. This far-right party tripled its base in two years under the slogan “Italians first” and is today Italy’s largest party. The divide is back, this time with more anger and frustration. And with even worse consequences for our society.

To understand this cycle of polarization, I borrowed my grandma’s FIAT 600 and spent a few months traveling Italy.¹ I drove 2,500 kilometers across its mountains, villages, and coastlines, all in heavy summer heat, to interview 70 Italians in 17 different regions. To overcome polarization, we must start with addressing its core elements and roots: our Italian identity. And this can be done only by understanding the differing perspectives of this complex topic and by creating bridges across geographical areas, social classes, genders, generations, educational backgrounds, and political ideologies.

On my trip, I met Enzo Bianchini, a handyman. Gazing at the sea on a remote pebble beach in the region of Calabria, he told me he found himself unemployed at 54: “I feel left alone by my government, while migrants are not. I saw on TV that they receive housing, education, while I don’t. I expect to be helped first.” The liberal part of society could interpret his words as an anti-migrant statement, not as a symptom of other fears. He seemed afraid of migrants reaching Italy’s shores, but when I asked more, I understood that this fear was masking another concern: unemployment. “If I would have a job, and



Courtesy Gaia van der Esch

a welfare system that would support me in moments of difficulty, I would be happy to welcome migrants myself. After all, Italy has always been a crossroad of migration. But I am scared that today we can't afford it, and we should prioritize helping people like me that feel already left behind," he added.

Rapid societal changes are shaping our social ties, the bases of unity and trust among citizens, and creating a perceived conflict of values. By speaking to people like Enzo, I found that this divide—which occupies today's TV and newspaper headlines—is not rooted in deep political or ideological values or to specific "hot" topics, such as migration. The divide relates to the socioeconomic gap, to the worry of being left behind, which unaddressed, transforms into fear. This is how the vicious cycle of fear and division is ignited.

Veronica Di Leonardo, the cheerful owner of a small bar in the main square of my home village of Anguillara, put it this way: "We are angry with everybody and no one. We are losing social ties by

"The divide relates to the socioeconomic gap, to the worry of being left behind, which unaddressed, transforms into fear."

accumulating anger instead of fighting together for our country."

Isolation, coupled with the lack of a modern Italian identity, leaves people to cling to certainties, which are often illusions. Be it the liberals with their moral high ground or conservatives with their symbols from the past. Many people told me this is why today they feel closer to the right than the left wing. "It's more rooted, it brings us back to our traditions and to the times when we were doing better."

This mix of fear and social isolation led me to think that throughout my trip I would find an upset country, unwilling to respond to my questions. Instead, every person I asked to interview—in bars, beaches, trains, fishing boats, and mountain refuges—opened

up about their fears and hopes. And by understanding peoples' fears, be it their feeling of social isolation, the lack of dignified and safe jobs, or their anxiety to keep up with our fast-changing society, I discovered a new country: one that can turn the vicious cycle of polarization into a virtuous one.

I discovered a country full of resilience. Despite being divided by inequalities and disillusioned by the political class, Italians are doing well on a day-to-day basis.² And, despite complaining of the increasingly evanescent human relationships and of the ineffectiveness of our governments, they still feel proud of being Italian.³ But this pride is defined by elements of the past, our grandiose historical, cultural, and artistic heritage. Nobody in my many interviews managed to identify contemporary elements that define us as Italians. Strengthening our common vision and identity as a modern country might be a starting point to reinforce this pride, a way of giving us a reason to belong to our present and not to cling to our past.

Day after day, I met a country that wants to define a modern Italian identity but lacks the social bonds to do so. The country of squares and chit-chats on benches is losing its capacity to communicate in traditional ways. Facebook posts replaced our capacity to discuss among ourselves in bars or in the park,

“What they seem in search of is rather someone who listens to them and communicates complex policies in an accessible way, someone who is coherent and who keeps his or her promises.”

and Italians perceive themselves as increasingly individualistic people. If we define ourselves that way, we are destined to destroy our hyper-Italian values—such as family and solidarity.

But behind these fears and slogans, I found common values: all Italians I talked to cared deeply about loyalty and solidarity. And when asked to

prioritize certain values, respondents put authority as the least important one. An interesting finding, as journalists and politicians claim that Italians are in search of a strongman in power. What they seem in search of is rather someone who listens to them and communicates complex policies in an accessible way, someone who is coherent and who keeps his or her promises. This does not necessarily translate into a longing for authority, and for a strongman, but for loyalty and vision.

Most of all I found a unity, which Italians struggle to see but which appears clear to me after 12 years of living abroad. It is just as clear as American unity appears to a foreigner living in the United States. And this unity can appear to anyone that reactivates social ties, by seeing others as part of our shared identity and not as an “other.”

How might we rebuild those much-needed social ties?

As Veronica, the bar owner in my home-village, put it, “Let’s start by talking to each other differently and finding our unity again. I try to do this every day with my bar, by creating a community and a sense of home that has been lost. Greeting people with a smile every morning is my social commitment, and a way to restore this much-needed dialog!”

I feel people are longing for this dialog, in Italy as in the United States, among the pro- and the anti-Trump. For an alternative narrative and vision to emerge, one that is capable of uncovering common values and building bridges between polarized perspectives, citizens and politicians must create social capacity to ask hard questions and to find the answers together.

The window of opportunity for America is now open. Upcoming elections are an opportunity to hold complex conversations at all levels—in families, communities, and Congress. Take the time to talk to people who have a different perspective from you and ask them why. Listen to their stories, to their hopes and their fears for their families, their communities, and their country. You can agree to disagree, but by giving space to this discussion you might find, just as I happened to, that you can rediscover the respect

and empathy toward people who had very different life paths, which has impacted their world view. And, from this mutual respect and understanding, build the bridges that America needs to exit polarization.

With millions of conversations, Americans can build understanding and a common-identity narrative—a revisited American Dream.

This is exactly what we failed to do in Italy, as each party focused on gaining power rather than building common ground, leading to a disillusioned and disengaged society. And this is why the United States needs to start talking now. It's hard work, but after my conversations in Italy, I believe it can pave the way out of polarization.

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Lessons from the World’s Largest Single-Day Election: How Indonesia Governed the Political Narrative during the 2019 Election

Marina Kusumawardhani

Indonesia’s elections are arguably the most complicated in the world. Indonesia’s 190 million registered voters cast their ballots on the same day—the largest single-day election on Earth. The logistics are massive. Indonesia does not allow online voting, so paper ballots must be distributed to more than 800,000 voting centers by air, land, and water, involving more than 6 million election workers.¹

Throughout the six months of campaigning that preceded the 2019 election, Indonesian policymakers grappled with the threat of disinformation. After a single manipulated video sparked a firestorm of racist and fundamentalist propaganda that marred the 2016 Jakarta governor’s race, the government mobilized to contain the threat of radical narratives on a much larger scale. The 2019 election campaign became a battle between Indonesia’s status-quo secular narrative and a competing religious conservative narrative, which used racist and extremist content to strengthen its position.

This article seeks to answer two key questions. First, how did Indonesia govern the political narrative during the 2019 national election and strike a balance between freedom and control of speech? If some measure of control was necessary, how should the country improve its implementation? Second, how did Indonesia maintain trust in the election process and government institutions, which eventually led to a successful election with 82 percent voluntary voter turnout?

Legal Environment and Backlash around Free Speech Regulation

Unlike in the United States, there is no First Amendment in Indonesia. The country’s 1945 Constitution guarantees freedom of speech but states that its further implementation shall be governed and interpreted by “further laws.” One of these further laws, Pasal 10 UU No. 9 (issued in 1998), permits police to monitor and regulate public expression of opinions (such as demonstrations). A key police regulation issued in 2012 (Perkapolri 7/2012) clarifies that publicly expressed opinions must not represent hatred or insults toward a particular group, must not tarnish one of the country’s religions, and must not broadcast or distribute articles or drawings that include hatred or insults to another group.² As such, Indonesia follows Europe’s model of “responsible freedom of speech,” where anti-Semitic remarks and other hate speech are explicitly prohibited.

The Electronic Information and Transaction (ITE) Law, passed in 2008, further restricts online behavior. The law was designed to protect consumers in the online markets that were emerging at that time. However, under this law, anyone can be punished harshly for throwaway remarks online. According to SAFEnet, 245 people have been arrested since the parliament issued the law.³ Many of these arrests were announced by government officials (usually coupled with defamation charges), leading many to assume that government and law enforcement

officials have abused this law to silence their critics. Many also argued that this law sabotaged the freedom of expression restored in 1998 after the fall of the dictator Suharto. The law was enacted during the presidency of Susilo Yudhoyono, but the number of people arrested increased under Joko Widodo's administration. According to Freedom House, the democratic ranking of the country, in which freedom of expression is an essential element, fell during Widodo's presidency, especially in 2014 and 2018.⁴

Indonesia without the Law: The 2014 Presidential Election and the Rise of Hate Speech

But imagine a world in which none of these laws exists. In 2014, one tabloid called "Obor Rakyat" spread through mosques and *pesantren* (Islamic boarding schools) in West Java, Indonesia's most populous province. The content was mainly fake news about then-presidential candidate Widodo, smearing him as a non-Muslim Chinese communist. Two lessons emerge from this phenomenon. First, Widodo, once held as a beacon of hope in Indonesian politics, saw his support drop from nearly 80 percent to 53 percent by the end of the election campaign. Second, and more worrisome, racial tension is still pervasive in Indonesia and could be reignited by propaganda.

The situation created widespread concern among the country's minorities that they would be targets of racial violence, similar to the 1998 riot where the ethnic Chinese were targeted, and that they would be unable to rise in politics. After decades of reform, most Indonesians thought that this kind of racism was long gone, only to discover that it still matters to a large portion of the population. The free circulation

of fake news was an attack on other religions and ethnicities and threatened the very fabric of diversity in the country.

The racial issue reemerged in 2016 during the Jakarta governor election. Liberal Indonesians were surprised by the number of people protesting and demanding Jakarta Governor Basuki Purnama's resignation in 2016. Purnama, an ethnic Chinese Christian, was accused via a manipulated video of insulting the *Quran*. The governor repeatedly apologized for the misunderstanding, but the wave of protesters resulted in the biggest demonstrations in Jakarta in decades. Racist and radical propaganda threatened Purnama's supporters with hell or denial of Muslim funeral rites. Because of this aggressive campaign, the governor lost the election and was even jailed for two years on charges of blasphemy.

A study by the Syarif Hidayatullah Islamic State University found that millennials in Indonesia are seeking religious knowledge through social media and developing alarmingly radical and intolerant views compared to those who rarely go online. Around 88 percent believed that the government should ban religious minority groups, and 10 percent supported the establishment of an Islamic caliphate and would accept the use of violence as a means to defend Islam. Another study by the University of Indonesia also found that, of 75 convicted terrorists, it took 85 percent less than a year to move from discovering radical ideology in social media to committing acts of terrorism. Previously, it took five to ten years.⁵ Unless it can be controlled, this wave of online radicalization may make the intimidation seen during the Jakarta governor's election look normal.

Initiatives to Combat Radicalism

Some grassroots initiatives have fought the worrying spread of radicalism. The Nahdlatul Ulama (NU) organization created a team of 500 volunteer "cyberwarriors" tasked with battling online radicalism with memes, comics, and videos. The cyberwarriors also flooded the internet with positive content. Their ulamas, the traditional figures of religious authority, are

"Through this process, traditional religious authority has been (re) claimed, and internet users are given a choice to model themselves after the non-radical ulamas instead of ISIS leaders."

portrayed as hip counterstars, who shield the country from radicalism. Through this process, traditional religious authority has been (re)claimed, and internet users are given a choice to model themselves after the non-radical ulamas instead of ISIS leaders.⁶

Other initiatives aim to educate Indonesian users in digital literacy. Mafindo, a community-led NGO with five fact-checking staff, have organized 60,000 online members who monitor hundreds of potential hoaxes reported by the public.⁷ Mafindo also teamed up with Facebook on flagging efforts and with Google to set up a hotline number to publicly verify content spread through WhatsApp. CekFakta, a partnership of Indonesia's 22 most respected media outlets, brings journalists together to fact-check, verify, and report the results in mainstream and social media. Apart from journalists' efforts, the government's Ministry of Communication and Information holds weekly briefings on fake news and disseminates "weekly hoax" reports to the public. They also established a fake-news war room at the ministry, where dozens of employees actively monitor social media for signs of misinformation or fake viral content.⁸

Fact-checking by civil society, journalists, and even the government has its limitations. According to the leader of CekFakta, the debunking and clarification materials are not distributed enough, generally spread too slowly, and struggle to reach the scale of fake news distribution.⁹ The NU cyberwarrior counter-posts also only received hundreds of likes at most on Facebook, while more radical content frequently hits more than 1,400 likes per post.¹⁰ To Mafindo, distributing debunking materials to just 10–20 percent of fake news readership on "open" social media is considered a good result.¹¹ This number is even lower on encrypted social media like WhatsApp, where debunking materials spread even less due to the platform's "echo chamber" characteristics.

At the same time, the media landscape in Indonesia has also strengthened polarization. Indonesia's media revival after the fall of Suharto has created a media ecosystem widely regarded as relatively free and uncensored—and extremely "unruly." With

"Apart from journalists' efforts, the government's Ministry of Communication and Information holds weekly briefings on fake news and disseminates 'weekly hoax' reports to the public."

around 40,000 media outlets,¹² Indonesia now has more publications, newspapers, and TV stations than any other country in the world. Unfortunately, many of these outlets are "junk media sources," which mix facts with fiction, religious dogma, or even outright fake news. Furthermore, research shows that it is often misleading junk news that (deliberately) goes viral on social media.

Social Media Crackdown

Considering that these initiatives can't solve the spread of fake news and radical content, people are turning to social media platforms. While the Ministry of Communication and Information cooperated with Facebook during the election campaigns in content removal policy, this attempt is simply not enough since it relies on user reports.

Facebook itself has worked on a more aggressive mode of content monitoring, using machine learning algorithms to detect and remove extremist posts automatically before any user sees it. According to an ASEAN report¹³, Facebook algorithms removed an average of 43 hours of dangerous content in Indonesia during one quarter. (The Facebook algorithm, as of November 2019, is responsible for 80 percent of hate speech and extremist content removal worldwide.) However, the machine learning method still struggles to identify content in Indonesia's "tribal" (ethnic minority) languages. Indeed, Facebook's hate speech-detection algorithm (or "classifiers") is functional in more than 40 languages worldwide, but Facebook simply does not have large enough datasets to train its machine in tribal languages.¹⁴ This challenge is acute in Indonesia, a country possessing one of the highest numbers of ethnicities in the world. Algorithms

also struggle to understand “street language” or slang, even in the national language.

Police Crackdown

The police clampdown reflects authorities’ mounting unease about the impact of disinformation. The intensification of arrests between 2014 and 2018, which tarnished Indonesia’s democratic ranking, is consistent with the rise of online hate speech during the Jakarta gubernatorial and presidential elections.¹⁵ Some degree of hate speech prosecution seems necessary as long as there are no reliable alternatives to slow the spread of hate speech throughout the country.

In 2018, Indonesian police arrested 14 members of a digital network group called the Muslim Cyber Army (MCA).¹⁶ This group used hacking and hate speech campaigns to push the country in a more conservative direction by spreading inflammatory materials. They are using bots, software programs that run repetitive tasks, to magnify their message. In 2017, the police also detained three admins of a group called Saracen. The group was one of the country’s worst producers of racist, sectarian, and downright fake news, with more than 800,000 followers on its Facebook page.¹⁷

The international community usually applauds Indonesia’s pluralistic stance and the fact that relatively few citizens of the largest Muslim-majority country join ISIS in Syria. But often overlooked is that this success comes with a price, which comes with the massive clamping down of extremist narratives by force before they flourish to become a real political force. Indonesian people seem to be willing to trade the fall in some democratic and freedom-of-speech rankings in return for national stability and safety for ethnic minorities. Numerous studies in recent years have shown that public trust for the police force has only increased, in some cases even doubling from 40 percent in 2015 to 80 percent in 2019.¹⁸

Trust in Institutions and Influence on Voter Turnouts

In 2019, Indonesia made history as the only large

democracy that could beat a candidate who had run on a right-wing narrative and a “Trumpian campaign.” But unlike the campaigns in the United States, Brazil, or India, Indonesia has taken “concrete measures” to prepare for election disinformation,¹⁹ not only with media or civil society but also through police action.

Moreover, the election saw an 82 percent voter-turnout rate, one of the highest in the world. Contrary to “democracy proponent”’s fears of a police crackdown, law enforcement has resulted in widespread public trust in institutions and their ability to create a reliable election system. The Edelman Trust Barometer rated Indonesia as the highest in the world when it comes to trust in the government and its institutions.²⁰ People believe that their conversations on social media, their frustrations against racial hate speech and fake news, were actually heard and acted upon by the institutions.

According to Pew Research Center, Americans rate fake news as a larger problem than racism, climate change, or terrorism. Eight out of ten respondents say limitations on false news (restrictions on free speech, in effect) are needed. However, 53 percent of the respondents still think that journalists bear the most responsibility for fixing the problem (rather than the government, tech companies, or civil society).²¹ But in Indonesia, journalists have basically failed to fix the fake news problem. This failure is understandable, given the novelty of the field. But the study suggests that if the media fail, the public becomes less likely to accept information, creating a widespread apathy toward politics.²²

Conclusion

Police and social media crackdown on radical groups is necessary, at least in Indonesia, so long as it doesn’t go too far. There seems to be no substantial public support for eliminating the ITE Law. The general Indonesian public does not share the verdict of “authoritarianism” made by some international think tanks about the clampdown on disinformation and thinks that this measure is necessary to protect Indonesia from sinking into radicalism.

The ITE Law, however, can still be improved. Policymakers need to end arrests that crack down on constructive criticism targeting corrupt officials and focus on real hate speech cases. The Constitutional Court should review the law and void the points that are prone to misuse. Some experts also think that punishments should be less dire. Arrests, although made to deter people from posting hate speech in the first place, might be too harsh for some offenders.

This is not to suggest that the law and police crackdown are ideal, but they remain a lesser evil so long as other actors cannot provide reliable alternatives. This approach applies to other countries as well, since it is hard to imagine any country operating successful elections without a trustworthy ecosystem. In the United States, where strict First Amendment free speech protections may preclude this strategy, policymakers must maintain public trust in institutions and the electoral process by other means, perhaps by disseminating best practices to the journalists the public considers responsible for fighting fake news. Such dissemination, unfortunately, will take time. For now, Americans can only hope their 2020 election won't fall into the problems Indonesia was desperate to avoid.

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Which Truth Will Set Brazil Free: Political Lessons from the Rise of the Evangelical Right

Ana Ramos

“On climate, democracy, human rights, equality of rights and duties between men and women, and so on, all we need is this: to contemplate the truth, following John 8.32: ‘And ye shall know the truth, and the truth shall make you free.’ All our instruments, both national and international, should ultimately be directed towards this goal.”

– President Jair Bolsonaro at the 74th United Nations General Assembly, 24 September 2019

The term “A Bancada da Bíblia” — “the Bible Block” in Portuguese — speaks to the extraordinary influence that evangelical Protestants have come to exert in the Brazilian political system, and any analysis of Brazilian politics must consider the consequences of their rise to Brazilian democracy. A brief look at the history of the “neo-Pentecostal” movements in Brazil reveals that evangelicals’ political involvement will likely increase as their numbers grow, especially after the election of President Jair Bolsonaro. Increased democratic participation, even from a religious group, should not only be expected but also desired. In this case, the concern is less about the participation of a religious group in politics and more about the support of anti-democratic ideas as a way to impose the group’s interests in public life.

“The state is secular, but we are Christians. Or, to plagiarize dear Damara Alves, we are terribly Christian.” This phrase, uttered by President Bolsonaro during an evangelical service in Congress in 2019,¹ shows the prominence that the evangelical community

has gained in the past decade. Despite the steep rise of people declaring themselves non-religious (from 1 percent of the Brazilian population in 1970 to 8 percent in 2010), the number of evangelicals exploded during this time. Forty-two million Brazilians — or 23 percent of the total — declared themselves evangelical in 2010.² In 1970, this figure was just 5 percent. According to the Pew Research Center, the proportion of evangelicals in Brazil may be even higher (26 percent),³ which shows that the growth potential of this segment is not yet fully exhausted.

Although the profile of evangelicals is not completely homogeneous, they are most concentrated in areas with adverse economic and social conditions, affected by a serious lack of public services. According to Novaes,⁴ Pentecostal evangelical churches managed to enter the fringes of society with a message of hope and prosperity that other religious segments, as well as the state, had failed to convey. The economic crisis Brazil has experienced over the past years may have also facilitated the increasing popularity of evangelism.^{5,6}

The Rise of Evangelicals and Their Involvement in Politics

Brazil’s current constitution, published in 1988, makes clear that the country’s citizens should enjoy the basic rights of religious freedom and liberty of consciousness. Moreover, article 19 prohibits the establishment of state churches and any dependency or alliance of public authorities with religious leaders.⁷ Constitutionally, then, Brazil is a secular country.

Historically, this has not been the case. The official separation between church power and state power in Brazil—first stated in the Constitution of 1891—happened at the same time that Catholicism was granted preeminence over other religions.⁸ Evangelicals tended to defend state secularism as a means of protecting themselves. This included advocating for the separation of church and state, religious freedom, and secular teaching in public schools.^{9,10} But the central role of the Catholic Church began to change in recent decades, especially during the military regime that ruled from 1964 to 1985. The growth of both evangelicals and non-religious people may have been influenced by this displacement of the centrality of the Catholic Church.¹¹

According to Andrew Chestnut, a specialist in Latin American religion, Pentecostal evangelism has very successfully absorbed Latin American culture.¹² In only a century, Pentecostalism has become indigenous, or “Latin Americanized,” to a greater extent than Roman Catholicism has in its five centuries in Latin America. For example, the music in Pentecostal churches has the same rhythms that people enjoy outside of church. It also aligns with some traditional African religions by promoting the practice of exorcism.¹³

“In this sense, evangelicals behave as a public religion with the intent to regulate the secular world.”

As the religion grows, evangelicals do not intend to limit their conservative customs to the faithful congregation, instead working to influence society as a whole, contesting questions of public morality at the level of the legal norm. In this sense, evangelicals behave as a public religion with the intent to regulate the secular world. According to Montero,¹⁴ several borders have been crossed for this phenomenon to happen—from the family level as the first transmitter of religious belonging to public spaces such as the annual March for Jesus.

Politically, evangelicals are the most traditional groups in Brazil with regard to family and sexuality.

The country has experienced considerable changes in terms of reproductive and sexual rights since the return to democracy in 1985. The shift has been largely progressive, with a growth in secularization and the adoption of liberal behaviors. In this context, public morality has come under dispute, since Christian communities value the sacralization of the family and the sanctity of life.¹⁵

Traditional family values are undoubtedly the most significant battlefield. Many Protestants who converted from Catholicism say they were looking for a church that “gives more importance to a life within morality.”¹⁶ Evangelicals are often opposed to abortion in any situation, including rape (46.7 percent), and have a negative attitude toward homosexuality (about 84.3 percent of evangelicals consider homosexuality a disease that should be cured). In general, Latin America is still walking slowly toward same-sex marriage rights, with only Brazil, Uruguay, Argentina, Ecuador, and parts of Mexico approving the policy.

By virtue of their moral and political stance, evangelicals (Pentecostal and non-Pentecostal) have formed a “new right” in Brazil.¹⁷ In addition to defending traditional right-wing socioeconomic values (such as resistance to land reform or reducing the age of criminalization), they have a conservative moral compass. Pierucci and Prandi¹⁸ show that the rejection of Lula’s leftist candidacy and the choice for Fernando Collor’s candidacy in the 1989 presidential election stemmed from the evangelical leadership’s fear of two possible scenarios: the implantation of an “atheistic communism” if Lula won or the resumption of preeminence of the Catholic Church, especially in the sectors linked to Lula’s Workers’ Party. Since voting in Brazil is mandatory, the ballot box represents a strong lever for the evangelicals to advance their moral political positions.

A New Phenomenon: Evangelical Involvement in a Bolsonaro Presidency

The relationship between evangelicals and the presidency of Brazil is not new. The Universal Church, one of the main evangelical groups, entered the

Workers' Party government in 2002 and remained there until a few weeks before President Dilma Rousseff's impeachment in 2014. Pastor Marcelo Crivella, another important evangelical leader and now mayor of Rio de Janeiro, was Rousseff's minister for fisheries and aquaculture from 2012 to 2014. Shortly after her impeachment, the PRB—a party controlled by evangelicals—got the ministry of industry, commerce and services. In the Bolsonaro government, however, Almeida¹⁹ argues that the relationship tends to be more organic given deeper ideological alignment. Bolsonaro has bundled a value-based agenda with economic issues in order to advance his far-right agenda.

A retired colonel of the Brazilian Army, Bolsonaro is a former congressman who entered the public eye with a speech denouncing the corruption of old politics. He further consolidated his support in recent years by carrying the “antipetismo”²⁰ flag.²¹ In a country where approximately 30 percent of the population is considered functionally illiterate,²² using social media allowed him to gain popularity quickly.

Bolsonaro is Catholic by baptism, and his current wife, Michelle Bolsonaro, is an active evangelical Protestant. With her, he has participated in several religious demonstrations and was baptized evangelical. Bolsonaro seems to have built a solid and fruitful base of support with conservative evangelical segments over the years. While he was in Congress, Bolsonaro had a close relationship with Pastor Silas Malafaia.²³ According to Malafaia, their friendship began around 2006, when they spoke out against PL 122, a bill that criminalized homophobia. Pastors feared prosecution if they preached “against gay marriage” after the text was approved. Evangelical media propagated the idea that opponents were trying to destroy the “traditional family” and that the Workers' Party would use textbooks to spread Marxism and gender ideology.²⁴

Once elected to the presidency, Bolsonaro invited members of the military and technocrats to lead traditional ministries, but he also gave the ministry of women, family, and human rights to the evangelical community. The ministry is headed by Damares

Alves, a former evangelical pastor and a parliamentary advisor who exemplifies the conservative agenda. In terms of science, for example, she defends the implementation of teaching methods based on a Christian worldview and protests against the “existent Marxist indoctrination in schools.”²⁵

With Bolsonaro's popularity currently in decline, the government has been promising even more benefits to the evangelical community. Thirty-six percent of Brazilians do not approve of the president's mandate, with a loss of support especially among the richest and the most educated.²⁶ Besides the nomination of evangelicals for public office, Bolsonaro has granted tax breaks to Christian temples, promised to appoint an evangelical justice to the supreme court, and is considering appointing a religious politician to the post of vice president in 2022.²⁷ Based on the increasing prominence of evangelicals in Bolsonaro's administration, it is evident that responding to the evangelical base will be essential for any candidate who wants to be viable in the next election.

Lessons from the Evangelical Wave: Religion in the Political Public Sphere

As evangelicals continue to grow their influence in various sectors of society, including through religious communication channels, it seems that religion and politics in Brazil will continue to walk together. While religious freedom and secularization were historically pivotal to the survival of the evangelical faith in the country, now that evangelicals find themselves in a position of political strength, democratic values have taken a hit. Bolsonaro and his allies have demonstrated anti-democratic practices, including the defense of the military dictatorship and the persecution of press agencies. Nevertheless, evangelical support continues, apparently as long as the ruling government remains allied with the bloc's moral agenda.

Some institutions have taken strong opposing stances on difficult topics. In June 2019, for example, the supreme court equated homophobia and transphobia with the crime of racism. At the same time, though, president Bolsonaro has defended the

appointment of an evangelical justice during his mandate, which would be wholeheartedly supported by the Bible Block in Congress. Although president Bolsonaro's moves provoke strong reactions, the left seems disorganized. The imprisonment of former president Lula became a major focus of the left until his release in November 2019, and no consistent, strategic, and purposeful agenda seems to have arisen since then.

Whether or not the rise of evangelicals in politics threatens Brazilian democracy, their involvement (especially in Congress with the formation of the Bible Block) is an important part of the democratic process. If evangelicals vote in religious candidates because they are more aligned to their personal values, and this is done through a trustworthy electoral process, it will be fair game in democracy. However, this is only true as long as institutions are robust and democratic processes are respected.

In president Bolsonaro's case, the principal danger lies in the use of anti-democratic language to justify the imposition of values that the evangelical community defends (especially against abortion and same-sex marriage). The centrality of Christianity in this value system has divided the country in a phenomenon that looks similar to what has happened in the United States, where a more anti-religious left finds it hard to talk to a religious right. In the last few years, the left has taken more stances on the agenda of sexual and gender diversity. As the evangelical positions are clear in this respect, an anti-religious approach by leftist politicians has led evangelicals to align more with the right.

In this sense, both political sides have considered each other fanatics with whom you should not negotiate. Conservatives may feel that the left disrespects their values and dislikes religious people, and the left might believe that universal values should bring the country together. In the end, the two sides avoid the conversation altogether. Herein lies the main threat to democracy: the possibility of losing the capacity of dialog. As the number of evangelicals, as well as a reaction to secularism, rise, Brazilians need to get

used to the place of religion in the public square. Platforms of democratic participation, such as councils and committees within government, should be encouraged to create space for all opinions, from the right and from the left, to be incorporated healthily into the public debate. In this process, people of faith should be treated as they are: citizens trying to voice their concerns, with whom we need to seek a rational and tolerant discussion.

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“Bathrooms and Boycotts”: HB2, LGBT+ Nondiscrimination Protections, and Political Misinformation

Gabrielle Hubert

In the summer of 2016, I and hundreds of others canvassed for a major local nonprofit in response to an anti-LGBT law in North Carolina that had begun attracting national attention. I was surprised by how little people seemed to know about the law, which was called House Bill 2. This dynamic of misinformation came more into focus the next spring, when a confusing and ineffective “repeal” wiped HB2 from the spotlight. A year later, I received a university grant to conduct an independent research study on

how public mis- and disinformation shaped HB2 and its eventual dubious demise. What I found after months of interviews and polling was that reductive media framing caused an environment of widespread misinformation about the law, which shaped HB2’s unusual trajectory.

Background on HB2

The Public Facilities Privacy & Security Act, more commonly known as HB2 or the “trans bathroom bill,”

was passed on 23 March 2016, in North Carolina’s General Assembly. It was a response to a municipal nondiscrimination ordinance adopted by the City of Charlotte, which added sexual orientation and gender identity to the list of protected classes in dozens of policies affecting employment, housing, and public accommodations.¹ The nondiscrimination ordinance prompted widespread backlash from rural conservatives and lobbying groups, which focused on the implications for access of transgender individuals to gendered spaces. For example, the ordinance required that trans people be permitted to use the bathroom that aligned with their gender identity. In response, the North Carolina General Assembly convened a one-day special session to pass HB2, which banned municipal-specific nondiscrimination ordinances like Charlotte’s and set a statewide definition of protected classes that excluded sexuality or gender identity. It also required government buildings, including public schools and universities, to only allow people to use the restroom aligning with their “biological gender.”²

Backlash to HB2 was as swift as backlash to the policy it nullified. Controversy came to a head when the NBA pulled its All-Star game from Charlotte and PayPal canceled a planned North Carolina headquarters. Two months after HB2’s passage, one LGBT+ advocacy group asserted HB2 had already cost the state \$500 million. The Associated Press said HB2’s economic consequences could near \$4 billion. Both figures were likely inflated, but both still dominated headlines.³

The damage both to North Carolina’s reputation and its economy was such that HB2 became politically untenable. Furthermore, groups such as the American Civil Liberties Union, Equality NC, and even the US Justice Department filed court cases against the law. The US Justice Department even hinted that North Carolina’s federal education funding could be in jeopardy. On 29 March 2017, less than a year after HB2 became law, legislators passed House Bill 142 as a compromise. The law repealed HB2, clarified that government entities, including universities, must be consistent with state policy with regards to

access to gendered facilities, and placed a four-year moratorium on cities altering their nondiscrimination ordinances. This moratorium will end in December 2020.⁴ Essentially, HB142 rewound the clock to before Charlotte had passed its ordinance and put protections in place to ensure nothing similar could happen for the next few years. Even so, it was ostensibly a political success: the boycotts stopped and national attention drifted away. Though pro- and anti-LGBT+ groups harshly criticized HB142, debate ended in the legislature and the public sphere.

Public Misinformation and HB2

Misinformation, and the ways that public opinion formation is hindered by information asymmetry, can be found at every step of HB2’s trajectory. Charlotte’s ordinance followed years of dialogue and public education efforts, but HB2 was passed in just one day. One Democratic representative quipped, “I’m not sure what is really in this bill. Is it a possibility that we could be given at least 5 to 10 minutes to read this for ourselves, from front to back?”⁵ The most informative coverage of HB2 deviated from typical journalism in favor of pieces that tried to explain the simple facts of the law, with titles like “HB2: What Does it All Mean?,” “Understanding HB2,” and “HB2 Explained.” Will Doran,⁶ then the only North Carolina–dedicated writer for Politifact, remembers two months of nonstop coverage in 2016: “I had to do a dozen or so fact-checks on specific quotes about HB2, on top of overall explainers and Q&As.”⁷

Stakeholders disagreed on the most prevalent misconceptions about HB2. Doran concluded the greatest misunderstanding was related to the scope of the law, which gave the state government pre-emption over municipal government decisions on

“One democratic representative quipped, ‘I’m not sure what is really in this bill. Is it a possibility that we could be given at least 5 to 10 minutes to read this for ourselves?’”

employment regulations, such as local minimum wages: “A huge part of [the law] that affects way more people than the bathroom stuff is the impact it has on employment law: paid family leave, minimum wage, workplace discrimination lawsuits,” Doran said.⁸ Sarah McBride, the national press secretary of the Human Rights Campaign, echoed Doran’s view: “the most damaging misconception was the messaging about who trans people are, but the most common was lack of understanding around the preemption piece.”⁹

My research, in the form of an online opt-in poll with 1,213 respondents, sought to pinpoint what aspects of HB2 people understood the least and determine how they had developed these misunderstandings. Doran and McBride’s hunches were correct: the question that respondents missed the most was whether HB2 affected a municipality’s ability to change minimum-wage law. As for whether people fully understood the trans bathroom aspect of HB2, it was a mixed bag. Two questions specifically on this issue had the highest accuracy of responses; however, for both of these questions, still only 71 percent of respondents answered accurately.

Scholarly understanding of public opinion formation helps make some sense of the HB2 case. One cornerstone piece in the field, John Zaller’s *The Nature and Origins of Mass Opinion*, is a useful starting point. Zaller rejects the idea that people have consistent and coherent political beliefs on which they base their decisions. Instead, individuals more often receive messaging on political issues, accept that messaging based on how it fits with opinions they already hold, and then “skim from the top” of those messages when asked for their opinion.¹⁰ My survey also included a “bias score” that calculated the ratio of answers that made HB2 sound “good” or reasonable and those that made it sound “bad” or unreasonable. True to Zaller’s argument, I found that people were more likely to select answers that affirmed the opinion they already held about HB2, based on their initial self-reported bias.

Overall, misunderstandings were prevalent across all demographics. Those who opposed HB2 knew

more about it, but only by a slim, albeit statistically significant, margin of 61.2 percent versus 59.6 percent. Disturbingly, there was no difference at all in the knowledge scores of LGBT+ and non-LGBT+ people. This manifested in potentially impactful areas: 33 percent of LGBT+ people did not know they could still file a discrimination case at the federal level, and 66 percent of trans people did not know that they could use the bathroom matching their gender identity if they had updated their birth certificate.

It is important to consider where misinformation may have come from. Doran estimated that “99 to 100 percent of national media coverage was about bathrooms and boycotts. . . . If there was anywhere the media fell down, it was the big national networks calling it a bathroom bill and losing the nuance.”¹¹ Tami Fitzgerald, executive director of the conservative NC Values Coalition, expressed similar frustrations: “All these outlets from outside North Carolina came in and shifted attention from what really mattered.”¹² According to the survey, news media had no effect on knowledge or bias score; people who learned about HB2 from word of mouth knew just as much as people who learned about it from print, radio, or TV news. The only people with a higher knowledge score were those who learned about it from partisan sources. Traditional media outlets were retelling the same simplistic story; the only source of further detail was lobbying groups.

When I spoke to people during my canvassing, they described HB2 as expensive and having something to do with bathrooms; that perception had broader consequences. “The characterization of it as a bathroom bill allowed HB142 to appear to be a full repeal when really it only touched on the bathroom stuff,” said McBride. Furthermore, hyper focus on the boycotts meant that, once the boycotts were gone, so was pressure on North Carolina to fully rescind HB2’s most damaging impacts. The trajectory of the law is clear: HB2 was passed by politicians weaponizing North Carolinian’s unfamiliarity with trans issues and “terrified of losing ground following the legalization of same-sex marriage,” according to

“Misinformation, and the ways that public opinion formation is hindered by information asymmetry, can be found at every step of HB2’s trajectory.”

McBride.¹³ Thanks to a perhaps well-intentioned media, it took on a new and misleading narrative as a justifiably contentious “bathroom bill” with drastic economic consequences. That focus on the bathroom and business aspects meant that a law addressing only those things without touching the actual problems at hand—the thousands of people still vulnerable to discrimination and the drastic overstep of the state government—was still celebrated as a solution. After the passage of HB142, the news outlets moved on, but discrimination was, and still is, the law in North Carolina.

Nondiscrimination protections are one of the key battlefields of the LGBT+ movement. They are an unambiguous way to take the nondiscrimination system already in place and bring it up to date with changing social attitudes. Explicitly inclusive nondiscrimination protections can be useful in most contexts where discrimination is experienced, such as in employment, housing, loans, and public accommodations.¹⁴ They can be employed to combat service refusals, such as the recent bakery discrimination case that made it to the US Supreme Court, or as inclusive hate crime legislation to combat anti-trans violence. LGBT nondiscrimination policy often starts with local governments.¹⁵ But city ordinances fail to protect local residents or translate into statewide legislation unless the public is adequately informed.

There is an abundance of public attention to political misinformation and “fake news.” However, this debate largely overlooks another insidious form of misinformation: lack of knowledge exacerbated by reductive framing. Policies affecting those with low political efficacy, such as LGBT+ people, are especially vulnerable to this type of damaging misrepresentation. Because LGBT+-affirming policies, especially nondiscrimination ordinances, are gaining

rapid momentum, it is critical that we learn from the past. Media outlets and partisan groups need to rethink how they balance accuracy and advocacy when representing contentious policies like HB2, especially given what we know about how individuals evaluate political messaging. HB2 has demonstrated that slightly erroneous framing of a contentious political issue has tangible and extreme consequences that disproportionately affect vulnerable members of society.

What can supporters of a pro-equality agenda do in this situation? Mike Meno, former communication director of the ACLU of North Carolina, has a simple solution: “Facts are the best way to advocate.”¹⁶ Sarah McBride’s philosophy is similar: “When trans people are understood in their full humanity, we win.”

A Note on the Author’s Methodology

University of North Carolina at Chapel Hill IRB Study #17-1585 was completed over a four-month period in summer 2017, and analysis was performed in R in March 2019. The faculty mentor was Rhonda Gibson, and it was funded by the UNC Office of Undergraduate Research and the Program for Sexuality Studies. Respondents were recruited via North Carolina community and political pages on Facebook (n = 1,012) and via mTurk (n = 572), with 1,213 responses of sufficient quality for analysis. Respondents were North Carolinians eligible to vote at the time HB2 was passed and who indicated they had heard of HB2. This survey overrepresented women and supporters of HB2 and has not been weighted to correct for this in order to avoid skewing regressions. The survey collected demographic information about respondents and asked them about their views on HB2 and sources of information on HB2. The quiz itself can be found here: go.unc.edu/HB2quiz. A series of interviews were conducted by phone and in person in Raleigh and Washington, DC, with leaders in the movements for and against HB2. Based on interviewee preference, they were recorded and transcribed or preserved only through note-taking.

Gabrielle is a senior at UNC Chapel Hill studying public policy and english literature with a concentration in social justice. Her previous research experiences include working for the Asia Foundation, the Danish Institute for Human Rights, and the LGBTQ Representation and Rights Research Initiative.

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Coercion and Enticement: How the Indian Media Lost Its Soul to the BJP

Sarmad Ishfaq

Since the Bharatiya Janata Party (BJP) won the general elections in 2014, India's media has precipitously fallen from grace. The media's depreciation is intertwined with the rise of the BJP's controversial Hindutva agenda. Hindutva, an ideology of the BJP and other right-wing groups in India, aims to establish Hindu hegemony in India. Under BJP rule, Muslims and Dalits (formerly called "untouchables") have suffered mob lynching,¹ hate speech, and lack of political representation.² The Indian media today is generally characterized by a lack of objectivity, as its reporting has become increasingly jingoistic and pro-BJP. For example, since the BJP and Prime Minister Narendra Modi came to power in 2014, the media has drastically reduced coverage about the humanitarian crisis in Indian-controlled Kashmir³ or lied about it.⁴ The media was caught blatantly lying after Pakistan downed two Indian MiG planes during the Pulwama Attack and about Indian forces bringing down a Pakistani F-16⁵. India's dismal World Press Freedom ranking of 140 out of 180 countries can largely be attributed to the BJP's insidious political machinations. Employing the dual strategies of coercion and enticement to influence news production, the BJP has effectively transformed the Indian media into its personal propaganda machine.

Tactics of Coercion

Since the BJP took office, verbal and physical attacks on reporters have markedly increased. While talking to *Reuters*, some TV anchors and reporters said that they have been threatened "with physical harm,

abused on social media and ostracized by Modi's administration."⁶ The plight of the female journalist in modern-day India is even worse than that of her male counterparts. *Bloomberg News* asserts that the BJP's IT Cell regularly disseminates rape and death threats to female journalists, such as Barkha Dutt, who challenge Modi's agenda.⁷ Under the BJP's rule, Hindutva fringe groups have become empowered to commit unabashed violence. A far-right Hindu group murdered editor Gauri Lankesh, a critic of right-wing politics and the BJP, outside her house in 2017. Between January 2016 and April 2017, an Indian media watchdog reported seven murders and 54 total attacks on journalists, primarily perpetrated by political party leaders and members.⁸ Out of 114 incidents of assaults on journalists in 2014, only 32 people were arrested.⁹

Under the pretense of financial fraud, the government has raided channels such as NDTV, a left-leaning network that took a position against a BJP spokesperson.¹⁰ Media owners are also pressured into dismissing journalists who do not subscribe to the Hindutva ideology or condemn the lynching of Muslims.¹¹ In September 2017, Bobby Ghosh resigned as editor-in-chief of the *Hindustan Times*. Apparently, the newspaper's "Hate Tracker"—an online feature that depicted the proliferation of hate crimes across India since the BJP came into power—upset BJP officials. Bobby quit shortly after Modi met the owner of the newspaper. Two senior journalists said that they were told Modi was displeased with Ghosh's editorial policies.¹²

Similarly, Prasun Bajpai, host of *Master Stroke* on ABP News, maintains that he was removed because government officials were displeased with his reporting of their wrongdoings.¹³ In response, the BJP unofficially boycotted the channel, which led to the regular “mysterious” loss of satellite signal while the show was airing. The show lost significant revenue, which precipitated Bajpai’s resignation. The satellite signal resumed normalcy after his exodus.

Strategies of Enticement

Part of the Indian media’s susceptibility to coercion is its dependence on government advertisements as a major source of revenue. Sudhir Chaudhary, editor of Zee News, one of India’s most popular channels, states that under such conditions, no news channel in India is able to be neutral.¹⁴

Although some media networks are supportive of the BJP’s Hindutva alignment because their owners themselves believe in the ideology, others are more interested in government bribes and advertisement revenues. In 2016, according to the Broadcast Audience Research Council, the Indian government emerged among the top advertisers on television for the year. During elections, “paid news” or “advertisements,” where channels and newspapers reportedly demanded cash for the coverage of politicians, became commonplace.¹⁵ When India’s most popular and controversial BJP-supporting anchor, Arnab Goswami, launched Republic TV, questions arose regarding the channel’s main financial backers, who happened to be BJP strongmen.¹⁶ The government primarily uses Republic TV as its mouthpiece,¹⁷ which has unsurprisingly become one of the most-watched English news channels in India. Following the money trail, one of India’s largest channels, Times Now, has initiated its own regular programming of jingoistic, overtly pro-Modi and Congress-bashing content.¹⁸

Perhaps the most brazen indicator of the Indian media’s corruptibility was emblemized by an investigative undercover operation by Cobrapost, an independent news organizations in India. Sending an employee posing as a Hindutva group member

“Part of the Indian media’s susceptibility to coercion is its dependence on government advertisements as a major source of revenue.”

into the offices of major news networks, Cobrapost revealed that many channels were ready to strike business deals to promote Hindutva content and influence the 2019 elections coverage for a price.¹⁹ The undercover “Acharya Atal” offered managers and owners of Indian networks money to implement his three-pronged strategy vis-à-vis Hindutva promotion.²⁰ Interestingly, many media houses openly told Acharya that they wholeheartedly agree with the agenda and ideology of the RSS, a right-wing paramilitary organization with close ties to the BJP, and would be honored to support the cause. Cobrapost stated that the organizations were willing to “not only cause communal disharmony among the citizens but also tilt the electoral outcome in favour of a particular party.”²¹

Conclusion

A free, thriving media is the cornerstone of any working democracy. It is meant to hold the government accountable and truthfully inform the public of current events happening nationally and internationally. Unfortunately, due to the BJP’s use of threats and violence on the hand and money and fame on the other, the Indian media has been reduced to a Hindutva-promotion tool of the ruling party. This has not only undermined India’s democratic process but has also adversely affected minorities, whether the historically oppressed Kashmiris or the marginalized Dalits. Modi’s resounding 2019 election victory saw him return as premier, which means it may become even more difficult for the media to break free from the BJP’s grasp.

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The Forgotten Climate Migrants: How an Outdated International Legal Framework Is Leaving People Behind

Alex Domash

On a cold night early in November 2018, Germán Nuñez,¹ a 28-year-old Honduran migrant, was explaining to me what he planned to do once he reached the US border. It was past 2:30 in the morning, and we were sitting outside on the synthetic track surface at the Estadio Jesús Martínez Palillo, a 1968 Olympic-stadium-turned-migrant-shelter, in Mexico City. Germán, who has an imposing figure but a gentle demeanor, had been travelling with his wife, Paola, and their two-year-old daughter, Rossy, for the last four weeks as part of the Central American migrant caravan. “We’re planning to shut down the border,” Germán said. “If we stop the flow of traffic, they’ll eventually have to let us in.”

Germán’s wide-brimmed hat rested delicately atop the thin gray beanie that hugged his head. Two white socks covered his hands to provide protection from the cold, and a cigarette smoldered between his lips. He spoke to me earnestly as his wife cradled their daughter and sang her a soft lullaby. Around us, a thousand or so migrants who had already arrived at the stadium in Mexico City were bundled in several layers of donated jackets. A constant chorus of coughs rang out from the nearby kids, burrowed beneath their second-hand wool blankets. The occasional wailing of a baby rounded off the late-night clamor.

“What other options do we have?” Germán continued. “Hunger doesn’t qualify us for asylum, and we don’t have the money to pay for a *coyote* to smuggle us across. What would you do in our position?”

Germán’s story was relatively common among

the migrants in the caravan. He and his family had left their home on the outskirts of Ocotepeque, a municipality located in the dry corridor of western Honduras, on October 12. They were a family of farmers who grew maize and beans on a hectare of land in their rural community. “It didn’t rain last year,” Germán told me. “Or the year before. My fields didn’t produce a thing. We scraped enough to make a few tortillas and survive. But that was it.” One evening in early October, Paola heard about the caravan on the local news, and the next morning the entire family was on a bus headed to San Pedro Sula to join the thousands of other migrants.

That night, as I lay shivering and exposed to the nighttime wind, I thought about Germán’s desperation, and his idea to “shut down” the border. Under normal circumstances, we hope citizens have mechanisms to demand accountability from their government when something goes wrong. But where do you go as a citizen when culpability resides not only with your own government but also with the international community? How do you protest the lack of rain?

“Therefore, if an asylum seeker, such as Elder Ramirez, can prove his claim — ‘if we go back home, we will die of hunger’ — states could be obligated to grant asylum under international human rights law (though not international refugee law).”



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A boy stares wearily ahead as he prepares for a two-day, 600-kilometer trek from Mexico City to Guadalajara. After resting for a few days in the capital city, the group of more than 5,000 migrants arise at 4 a.m. to continue their journey north, their life belongings strewn across their backs.

A lone teenage boy, maybe 18 years old, passed by and disrupted my momentary reflection. My eyes followed this young Honduran migrant as he walked into the distance. Quietly and solemnly, he approached a stray dog sleeping on the hard track surface and wrapped a gray blanket around its body. He then lay down, uncovered, and drifted off to sleep beside his temporary companion.

* * *

Three months later, on 15 February 2019, President Donald Trump declared a national emergency on the southern border in order to obtain \$8 billion to build a border wall. It was the culmination of a months-long fear-mongering campaign by the president and his allies, who sought to portray the caravan as “crime infested” and the migrants as “invaders.”²

The underlying forces that contributed to the surge of migration from Mexico and Central America,

however, garnered far less attention. “Mr. Trump can build a wall on the border, but that won’t stop desperate people from coming,” Miguel Perez told me as we marched north one morning with the rest of the caravan in the state of Querétaro, Mexico. Perez was a farmer from Concepción, a small village situated high in the Siete Orejas mountains in the department of Quetzaltenango, Guatemala. In his village, families traditionally harvest maize and potatoes. He explained how, in recent years, the climate had become increasingly arid, causing farmers to lose money on their potato harvests and reap little from their maize. “There’s been very little rain over the last five years. When our harvests cannot produce for our families, we have no choice but to leave.” He added, “And the situation will only get worse.”

Although president Trump disputes its existence,³ the pernicious effects of climate change have played an increasingly important role in driving Central American families from their homes. Many of the migrants traveling to the US–Mexico border come from the dry corridor of Central America, a tropical dry forest region stretching from the western provinces of Panama to the Pacific coast of southern Mexico. The region is known for its irregular rainfall and, according



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Hundreds of migrants, including an eight-month-pregnant woman and several infants, cram into a caged transport truck on their way to Queretaro, Mexico.

to climate scientists, has become one of the most susceptible regions in the world to climate change.⁴

While low rainfall totals in the dry corridor are not uncommon, a prolonged five-year drought dating back to 2014 has led to unprecedented devastation.⁵ In 2018, the UN Food and Agriculture Organization (FAO) estimated that more than 280,000 hectares of beans and maize were eradicated in El Salvador, Guatemala, and Honduras.⁶ Subsistence farmers in these three countries experienced crop losses ranging from 50 to 75 percent of their harvests.⁷ In response, the governments declared states of emergency, and the UN World Food Programme warned that the loss of crops would mean that “families would not have enough food to eat or sell in the coming months.”⁸

According to a report from the Intergovernmental Panel on Climate Change (IPCC), there is increasing evidence that the strength and duration of these recent droughts is linked to human activity. Over the past few decades, Central America has become significantly hotter and drier. Rainfall declined by about 1 mm per day during the period from 1950 to

2008, and temperatures increased by 1.3–1.8 degrees Fahrenheit during the 40-year period that began in the mid-1970s.⁹ A 2018 study found it very likely that “anthropogenic drying is already underway in the region.”¹⁰

The result is persistent drought and regular crop failure, which left more than two million people in the dry corridor in urgent need of food assistance in 2018.¹¹ Many subsistence farmers were left with no choice but to migrate. The stories of farmers such as Germán Nuñez and Miguel Perez, whose flights north were driven by food insecurity, thus represent an urgent and growing category of displaced people in the region: climate migrants.

The International Organization for Migration (IOM) defines climate migrants as “persons or groups of persons who, for compelling reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are obliged to leave their habitual homes.”¹² According to the UN, there are at least 20 million climate migrants worldwide—more than those displaced by war and political repression combined.¹³ In Mexico and Central America alone, the World Bank estimates that climate change could lead to an additional 1.4

million people leaving their homes over the next three decades.¹⁴

“There are always a lot of reasons why people migrate,” Yarsinio Palacios, an expert on forestry in Guatemala, told Jonathan Blitzer of the *New Yorker* in a feature on Central America’s dry corridor. “Maybe a family member is sick. Maybe they are trying to make up for losses from the previous year. But in every situation, it has something to do with climate change.”¹⁵

* * *

On an afternoon in December 2018, a severe rainstorm in Tijuana, Mexico, flooded a makeshift refugee camp erected in the shadow of the US–Mexico border wall. Over 5,000 migrants, many of whom had been displaced from their permanent homes due to a lack of rain, now found themselves flooded out of their temporary shelter. The migrant caravan had arrived in Tijuana, a city with one of the highest homicide rates in the world, in late November, and while many of the migrants had expectations of applying for asylum on arrival, a controversial metering policy

A young boy stands alongside hundreds of migrants in the caravan, as they wait in the midday heat for an opportunity to hitchhike to the next destination.

implemented by the US Customs and Border Patrol limited the number of asylum applications to around 40 per day. Thus, asylum seekers were forced to wait, usually upwards of three months, on the Mexican side of the border wall.

In response to the flooding of the migrant camp, the Tijuana government declared a health emergency and ordered the immediate closing of the tented city. Families once again gathered their belongings, slung their bags over their shoulders, and scattered around the streets of Tijuana—uncertain where they would spend the coming months as they waited for their number to be called. “I’m scared for the safety of my four-year-old son waiting here,” a Honduran migrant, Elder Ramirez, told me. Elder was from a small mountainous town called Gracias in western Honduras. In Gracias, Elder had owned two cows and a few hectares of maize. I found him sitting with his son, Jossue, outside of a tent just beyond the flooded camp. “But there is nowhere for us to go now. Even these streets are better than Honduras. If we go back home, we will die of hunger.” He paused, and then asked me gravely, “Do you think we will get the asylum?”

Under the current international legal framework,



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After a severe rainfall, the Mexican government declared a health emergency at the temporary migrant shelter and required a full and immediate evacuation. The United States can be seen just beyond the netted fence.

their chances are very low. While the term “climate refugee” is often used in the media and in public discourse, the phrase does not formally exist in international law. The definition of refugee that forms the basis of both US and international law was outlined in the 1951 United Nations Convention Relating to the Status of Refugees (and amended by the 1967 Protocol Relating to the Status of Refugees) and describes a refugee as someone fleeing persecution based on “race, religion, nationality, or membership of a particular social group or political opinion.” Drafted in the immediate wake of the Holocaust and the mass displacement of World War II, the legal definition did not foresee the new dangers that would force people to become refugees in the 21st century.

The Refugee Convention’s primary protective mechanism is the principle of non-refoulement, which forbids a country from forcing refugees or asylum seekers to return to a country where they will be in danger. In international refugee law, the

interpretation of non-refoulement only applies to the five protected groups outlined in the 1951 Convention. However, some regional refugee instruments, such as the 1969 OAU Convention governing Specific Aspects of Refugee Problems in Africa and the 1984 Cartagena Declaration on Refugees, extend the principle of non-refoulement to persons fleeing “events seriously disturbing public order.”¹⁶ Under such provisions, persons fleeing sudden-onset natural disasters might be considered refugees.

Beyond international and regional refugee laws, complementary protections could also give rise to an obligation of non-refoulement under international human rights law. Article 6 of the International Covenant on Civil and Political Rights (ICCPR), a multilateral treaty adopted by the United Nations General Assembly and part of the International Bill of Human Rights, recognizes the individual’s “inherent right to life” and requires it to be protected by law.¹⁷ As interpreted by the UN Human Rights Committee (HRC), this includes the obligation on states not to extradite, deport, or otherwise remove a person from their territory where there are substantial grounds for believing that there is a real risk of irreparable

harm.¹⁸ However, whether article 6 extends the scope of non-refoulement toward persons fleeing from environmental disasters had, until recently, remained untested.

In January 2020, the HRC ruled for the first time that governments may need to consider human rights violations caused by the climate crisis when assessing asylum applications.¹⁹ In 2016, the New Zealand courts rejected that rising sea levels in Ioane Teitiota’s home of Kiribati were sufficient grounds for protection as a climate refugee. Teitiota then took his case to the HRC, claiming that New Zealand’s decision to refuse asylum, and subsequently deport him, violated his right to life under the ICCPR. Though the committee ultimately upheld the decision of the New Zealand courts, citing an inability to establish that there was a sufficient risk to Teitiota’s life, it also recognized that “without robust international efforts, the effects of climate change in receiving states may expose individuals to a violation of their rights under article 6 of the Covenant, thereby triggering the non-refoulement obligations of sending states.”²⁰

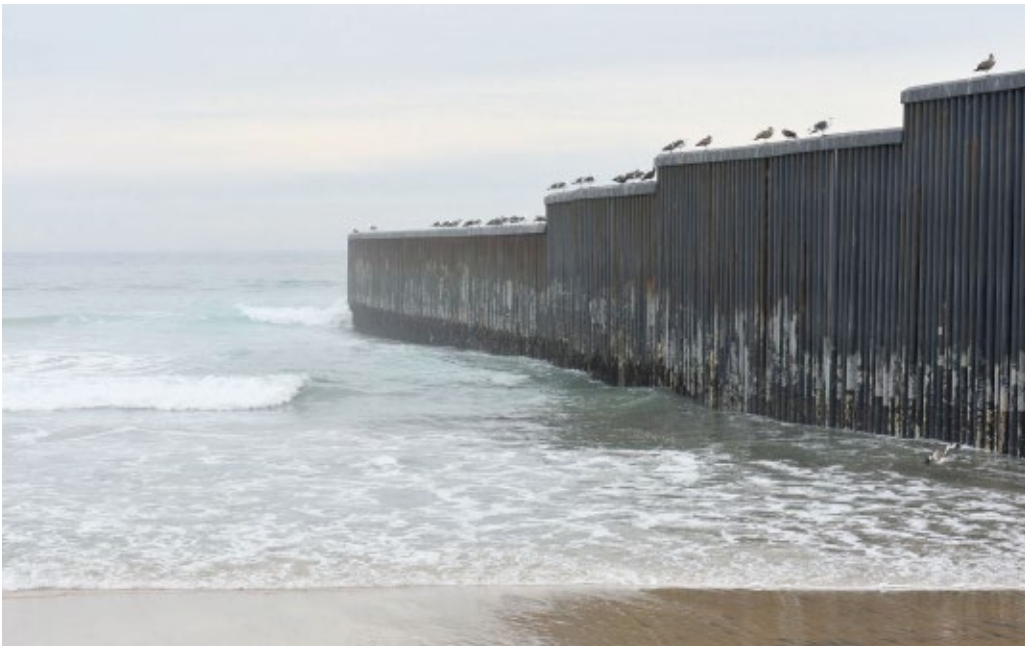
The border wall, which divides Tijuana from San Diego and extends out into the Pacific Ocean.

Therefore, if an asylum seeker, such as Elder Ramirez, can prove his claim — “if we go back home, we will die of hunger” — states could be obligated to grant asylum under international human rights law (though not international refugee law).

* * *

The United Nations Global Compact on Refugees was adopted by 164 countries in December 2018 and recognized, for the first time, that “climate, environmental degradation, and natural disasters increasingly interact with the drivers of refugee movements.”²¹ Yet, most human rights experts and agencies, including UNHCR (the UN Refugee Agency) and IOM, do not endorse the term climate refugee, fearing that reopening the 1951 Refugee Convention, when even long-standing interpretations of international refugee law are being attacked, could fatally weaken the current refugee status.²²

However, the shortcomings of the existing legal framework are clear. Aside from the lack of international consensus on the scope of non-refoulement, international law does not explicitly address whether and under which circumstances disaster-displaced persons should be admitted to another country, what



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rights they have during their stay, and under what conditions they may be returned. In the context of environmental disasters, there are also no universally recognized criteria to distinguish between voluntary and forced displacement or how to categorize slow-onset natural hazards, which drive migration through a gradual erosion of resilience.

States, in coordination with international human rights bodies, must establish more coherent and consistent protections for people displaced by environmental disasters—be they sudden-onset or slow to develop. Such a framework would identify and define “persons displaced in the context of disasters and climate change,” distinguish between voluntary and forced migration, ensure that at a minimum the non-refoulement principle is upheld, and establish a legal basis for these persons to stay for a defined period of time on the basis of temporary stay arrangements when needed.

The human cost of inaction is too high for further delay. Without the international community’s coordinated action, millions of people like Germán and Elder will be forced to choose between severe food insecurity at home and the dangers of unauthorized migration abroad.

Back in 2018, during the late night at the Mexican City shelter, Germán mentioned a contingency plan if the United States rejected his claim as a climate refugee. “If we don’t get asylum this time, we’ll return with a mega-caravan of 50,000 people next time,” he had told me. “So many people in Honduras are hungry and desperate.”

In October 2019, Germán and his family were rejected entry into the United States and returned to Honduras. Knowing that climate change has jeopardized their way of life at home, they wait for another opportunity to make the dangerous trek north.

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Upending the US Wind Industry, Offshore

Lindsay Ashby Devonas

Offshore wind potential off the US coastline is enough to power the entire country twice over.¹ A largely unknown energy windfall, offshore wind is the use of wind farms built in bodies of water to harvest wind energy to generate electricity. Massive wind turbines over twice the size of the Statue of Liberty² can loom just out of sight of the beach, with the capacity to provide power to the over 40 percent of the US population that lives in coastal counties.³ Despite decades of political and cost barriers, pushback from fisheries, and a sweeping environmental review ordered by the Bureau of Ocean Energy Management (BOEM), state, federal, and private support of offshore wind has exploded. Careful stakeholder navigation can pave the way for this projected \$70-billion renewable industry⁴ capable of powering US coastal and Great Lakes states nationwide.

Offshore wind in the United States may be a waking giant, but the industry is not new worldwide. Several nations, including Denmark, turned to harnessing alternative energy resources following the 1973 oil embargo. Meanwhile, the United States experienced over a decade of failed efforts to implement offshore wind in the early 2000s, largely due to economic and political opposition, most notably against the

proposed Cape Wind project off Nantucket Sound.

However, the tides are turning. In 2016, Rhode Island Governor's Chief of Staff Jeff Grybowski oversaw and operated the United States' first operational wind farm: 30 MW Block Island Wind. Since, the BOEM has auctioned some 15 parcels along the Atlantic coast for offshore development.⁵ A number of projects have secured federal offshore leases and revenue offtake contracts from utilities or states. The implications of development are monumental—if East Coast states build out their declared offshore wind pipeline of over 20 gigawatts (each gigawatt is the size of a typical conventional power plant), this will equal the entire global build of offshore wind today.⁶ The strongest and most consistent US offshore wind is between Washington, DC, and Boston,⁷ where population density makes it difficult to build onshore energy infrastructure.

Offshore wind's historical visibility barriers are now industry strengths. All new offshore wind projects are awarded out of sight in federal waters more than 15 miles off the coastline. Previous projects, including Cape Wind, were less than five miles from the shore. Robert Kennedy Jr., whose family's compound was within sight of the proposed Cape Wind farm, exclaimed general support for wind power, which enjoyed an 81 percent approval rating from Massachusetts citizens,⁸ but opposed this project in his own backyard.⁹ Now, the East Coast denizens can have their cake and eat it too.

This new energy source also comes with a great sticker price. Massachusetts, Connecticut, and Rhode

“Careful stakeholder navigation can pave the way for this projected \$70-billion renewable industry capable of powering US coastal and Great Lakes states nationwide.”

Island projects are bidding in at prices that will save ratepayers money. The Massachusetts Vineyard Wind project rang in lower than the average power price and will save ratepayers \$1.4 billion during the first 20 years of the project.¹⁰ US offshore wind project costs have fallen 75 percent since the 2014 Block Island Wind Farm in Rhode Island.¹¹ According to industry leader Ørsted, the “constructive interplay between visionary policymakers and industry . . . unlocked the financial resources needed to drive innovation and supply chain build out.”¹² Offshore development will also tap into the skills of workers in existing US oil and gas companies, which have decades of experience developing ocean energy infrastructure.¹³ Economic and environmental benefits make offshore wind a bipartisan boon.

The largest obstacle to offshore wind may be its own success. The BOEM is conducting an extensive review of the 1+ GW Vineyard Wind project given the surge in recent projects. “I’m not surprised the agencies aren’t moving with lightning speed for the first utility scale offshore wind farm in America,” noted Mr. Grybowki.¹⁴ While the draft environmental impact statement notes that the cumulative impact of seven proposed wind farms do not pose significant environmental risk, there may be moderate to major short-term economic impact on commercial and recreational fishing.¹⁵ This can be alleviated in the design phase of proposed projects. For example, turbine spacing and alignment considerations can allow vessels and fish to traverse farms. Additional and created solutions can be found through site-specific dialogs to ensure coexistence of business and offshore wind.

Offshore wind can blow carbon-reliant energy away. Federal agencies and the United States must respond to the national interest in this renewable energy bonanza to welcome a clean power future.

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Joan Campderros-i-Canas

Sustainable Cities in an Era of Climate Change

Joyce Ng

Climate change is the crisis of our time. As engines of growth and life, cities around the world are developing measures to adapt to and mitigate the effects of climate change. With almost 70 percent of the world's population due to live in cities by 2050,¹ sustainable urban development will become an even more pressing issue in the era of climate change. Ranked by Mercer's 20th annual 2019 Quality of Living Rankings² as the most livable city in Asia, Singapore is often lauded as one of the global leaders in sustainable urban development.

A city-state of 721 square kilometers, equivalent to 228 square miles, with few natural resources, Singapore faces a dual challenge: delivering sufficient land for housing, transport, and recreation to meet the city's growing needs while reducing carbon emissions and ameliorating the impacts of climate change.

Planning for sustainable urban development is a matter of survival. Singapore approaches this through a long-term, integrated, and comprehensive urban planning framework, led by the country's national planning agency, the Urban Redevelopment Authority. Since the launch of the Building Construction Authority's Green Mark Scheme in 2005, more than 30 percent³ of Singapore's total built-up area has been environmentally friendly. Every two years, the World Cities Summit, held in conjunction with the Singapore International Water Week and the CleanEnviro Summit Singapore, invites city leaders to Singapore to share knowledge on urban planning with counterparts internationally.

Today, approximately 80 percent of Singapore's resident population of 4 million⁴ live in Housing Development Board (HDB) flats across the island.

“Under the Smart HDB Town Framework, these flats are fitted with real-time sensors that capture information such as temperature, humidity, and residents’ energy usage to create cost-effective solutions, including smart lighting and more efficient water and waste management.”

Under the Smart HDB Town Framework,⁵ these flats are fitted with real-time sensors that capture information such as temperature, humidity, and residents’ energy usage to create cost-effective solutions, including smart lighting and more efficient water and waste management. Singapore’s government has also implemented minimum energy performance standards for household appliances to reduce energy use in homes.

More broadly, the HDB has undertaken a major program to install rooftop solar panels. Half the island’s HDB flats will be fitted with rooftop solar panels by the end of this year,⁶ and the country has pledged to ramp up its overall solar capacity to meet 4 percent of the total electricity demand.⁷

In an effort to make public transport greener, Singapore’s Land Transport Authority has an ambitious plan to double the rail network in 15 years. Planning is based on the “45-minute city, 20-minute town” model.⁸ This means that nine in ten peak-period journeys to the city center will be completed in 45 minutes, and nine out of ten people will be able to access amenities in less than 20 minutes through walking or cycling. This will require more dedicated bus lanes and cycling paths to prioritize public transit. By 2030, the density of the rail network is expected to be comparable to London, New York, and Tokyo. More than 120 trains are expected to be procured, increasing the total fleet size by more than 40 percent. Cycling paths should double from 355 km in 2015 to more than 700 km by 2030 and 1,000 km by 2040. These policies collectively aim to increase the use

of peak-hour public transport from 66 percent in 2015 to 75 percent in 2030 and 85 percent in 2050.⁹ Additional policies that encourage electric-vehicle use and infrastructure, including around 2,000 charging kiosks, are planned to accompany these public transportation investments.¹⁰

The journey to adopt new technologies will require changes in consumer mindsets and will encounter resistance. While Singaporeans are aware of climate change, many still prioritize efficiency and convenience over mindful consumption habits. Implementing these policies will require close collaboration within the government, alongside commercial and industrial will. While there has been an increase in public consultation in recent years, more resources will need to go into public campaigns and sustained education to convince the general public, and businesses, of the need to mitigate against climate change—especially given that Singapore only contributes 0.11 percent to global greenhouse gases.¹¹

The policies outlined here are not comprehensive, yet they show how a country with limited natural resources can be innovative in adapting to—and mitigating—the realities of climate change. The next challenge is to nudge Singaporeans toward climate-friendly choices and mobilize businesses to act.

A mid-career master in public administration 2020 candidate at the John F. Kennedy School of Government at Harvard University, Joyce will return to the Singapore government upon graduation to develop infrastructure-related policies. Prior to HKS, Joyce was an urban planner with Singapore’s national land-use planning and conservation agency, the Urban Redevelopment Authority, and worked on long-term strategic land-use policies, medium-term physical planning issues, and immediate local municipal infrastructure provision. Joyce graduated with a BSc in geography (first class honors) from the University College London and is an alumnus of summer programs with Yale University and Harvard Beijing

Academy. Joyce also enjoys playing the violin and is passionate about the flourishing of communities.

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World Vision

Making a Move on Climate Migration Policy in Africa

Lucy O’Keeffe

Climate change is rarely featured in discussions on economic growth. However, Dr. Ngozi Onkojo-Iweala, the former Nigerian finance minister and managing director of the World Bank, cited climate change, along with conflict and fragility, terrorism, and pandemics, as a major constraint to Africa’s ability to reduce poverty during a talk at the John F. Kennedy School of Government at Harvard University this past fall.¹ Accelerating droughts and extreme weather events, she explained, would exacerbate displacement and

migration flows between states within Africa and even lead migrants to Europe.

Internal displacement within African states, however, is perhaps an even larger issue within climate-related migration. The World Bank estimates the number of individuals internally displaced by climate change in Africa will reach 86 million by 2050.² In 2018 alone, there were 2.6 million new disaster-related displacements, mostly attributed to storms, floods, and droughts.³ Furthermore, back-to-back cyclones

“A policy strategy is needed to address both internal and cross-border climate-related migration, one that ultimately can reduce forced displacement by enhancing African states’ adaptive capacity.”

Idai and Kenneth, which hit Mozambique in March and April 2019, internally displaced over 163,000 people in Mozambique, Zimbabwe, and Malawi, underscoring the severe disruption created by a sudden-onset event.⁴

A policy strategy is needed to address both internal and cross-border climate-related migration, one that ultimately can reduce forced displacement by enhancing African states’ adaptive capacity. As not all cross-border movement can be averted, establishing legal clarity at the international level is imperative to ensure adequate protection of individuals forcibly displaced by the effects of climate change.

The United Nations High Commissioner for Refugees’ (UNHCR) recent actions on the issue of climate-related migration signal a growing concern about the lack of clear international or regional legal frameworks governing this issue. In October 2019, the UNHCR High Commissioner, Filippo Grandi, speaking at the 70th session of the UNHCR’s Executive Meeting in Geneva, called for a “bigger, broader” approach to manage a growing contemporary driver of displacement: climate change.⁵ More recently at the World Economic Forum in Davos, Grandi said, “We must be prepared for a large surge of people moving against their will.”⁶ His statement followed an unprecedented ruling. The day before, the UN Human Rights Committee found in a New Zealand asylum case that “without robust national and international efforts, the effects of climate change in receiving states may expose individuals to a violation of their rights under articles 6 or 7 of the Covenant, thereby triggering the non-refoulement obligations of sending states.”⁷ The principle of non-refoulement⁸ prevents

states from returning refugees to their home countries, if “his [or her] life or freedom would be threatened.”⁹ According to Jane McAdam, a climate change and displacement legal scholar, the question now is how the UN Human Rights Committee’s decision will be implemented. As McAdams writes, “The decision is not legally binding but the international obligations¹⁰ on which it is based are.”¹¹

African states have additional obligations under the 1969 Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa. The 1969 OAU Convention builds on the 1951 Refugee Convention’s definition of refugee¹² to incorporate additional factors warranting protected status like “external aggression, occupation, foreign domination or events seriously disturbing public order.”¹³ “Events seriously disturbing public order” could be expanded to include natural disasters. The challenge for African states will be evaluating climate-change asylum cases considering the increased moral, if not legal, imperative to protect individuals facing perilous, climate-induced circumstances in the countries from which they fled.

African states must also tackle the more pervasive issue of internal migration. Focusing attention on adaptation and resiliency planning should be central to taking a bigger, broader approach to climate displacement. African states will require financing to reduce the heavy economic burden as the costs of climate adaptation in Africa are projected to be 5–10 percent of GDP by the end of this century.¹⁴ Focusing investment on highly populated coastal areas that are more vulnerable to sea-level rise and tropical cyclone activity, for example, may help mitigate the costs of sudden-onset displacement by spreading the costs across proactive planned relocation. Sea-level rise and extreme weather events are not the only detrimental impacts identified in the Intergovernmental Panel on Climate Change’s Fourth Report. The panel also predicts climate change will cause water stress, decreased agricultural yields, and increases in arid- and semi-arid land in Africa, all of which may trigger migration.¹⁵

Flexible adaptation mechanisms, such as immigration reform at the continent level, may facilitate climate-change movement for individuals requiring temporary resettlement. As part of its Agenda 2063 framework, the African Union is working on an African passport and free-movement initiative.¹⁶ This initiative aims to relax visa restrictions and liberalize cross-border movement as part of a broader economic integration strategy. The policy proposal does not explicitly consider migration related to climate change, but it could potentially be used to support short-term relocation of people displaced by the effects of climate change. This idea has been explored in recent research by the Platform on Disaster and Displacement, an organization focused on cross-border displacement from disasters and climate change. Their analysis suggests that the free-movement initiative could potentially fill some of the current protection gap in Africa.¹⁷

The human migration dimension of the climate crisis may place additional strain on the existing immigration policy frameworks. A robust policy response to climate migration in Africa should focus on three areas: securing legal protections for climate refugees, alleviating the burden on individuals displaced by climate change, and identifying opportunities to avert future displacement. Given the transboundary nature of this issue, the solutions and efficacy of policy responses ultimately depend on collaboration within the African Union and at the international level. There is no question that Africa needs to prepare for the likely increase in the number of refugees as a result of climate change. How African states can avoid the added burden on the refugee system through proactive planning will ultimately determine how well it can adapt.

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Is the World Ready for Global Citizens? Toward Citizenship(s) for the 21st Century

Derrick Flakoll and Bochen Han

Why We Care

A year after we married, Bochen flew hundreds of miles from Nanjing, China, to Guangzhou for her green card interview. In America, I (Derrick) waited, as I had for most of a year. This date was the culmination of months of cross-continental document wrangling and excruciating uncertainty—and of putting our lives together on hold.

It began when an official at Bochen's undergrad college in North Carolina accidentally rendered her ineligible for the post-graduation work authorization that international students can normally apply for. As a Canadian and American in love, simply being together became a hurdle. Once we'd married, we could begin planning a life together. But we quickly realized that applying for a green card from within the United States would require Bochen to neither work nor leave the country for at least seven months. Alternatively, applying from abroad would mean that simply re-entering the country before the process was complete would jeopardize the application. Bochen decided to return to Southeast Asia, where she had previously interned, and study in China while the case progressed.

Notwithstanding the difficulties of working with authorities across five countries, our case was repeatedly held up. First, authorities demanded Bochen's birth certificate when in China, her birth country, didn't issue such certificates until a year after her birth.¹ It took several rounds of correspondence for them to accept her substitute (which is recognized on the National Visa Center's website²). On another

occasion, officials demanded a police certificate for Thailand, where Bochen had lived for under a year—again, contrary to official language.³ Finally, the authorities made a timestamp error while transferring her case from Myanmar to China, nearly causing her to miss her critical interview. It soon became evident that Bochen's time abroad made the process infinitely more complex, as it seemed like the US immigration system, despite routinely processing roughly 500,000 applications annually,⁴ somehow could not accommodate a multinational work and residential history. Each holdup meant wrestling with unwritten rules and uncertain wait times, making us increasingly frustrated at the carelessness with which our lives were being treated. It appeared that we were being punished for Bochen's pursuit of global citizenship—of an identity unbounded by borders, connected to communities around the world, and (especially in our case) defined by a commitment to working for the wellbeing of humanity everywhere.

For all our difficulties accommodating an opaque, often arbitrary system, our story is neither exceptional nor the most harrowing. Yet we share it to show how agonizing the process can be, even for people who did everything right. This journey was a rude awakening for us: growing up American and Canadian, we rarely had to give our nationalities a second thought. Our experience revealed that legal status determined almost everything, from job prospects to the ability to be with loved ones, and that the liberal dream of global citizenship was far from being realized in our current system.

Dominant Models of Citizenship: Conceptions and Pathways

Traditionally, *conceptions* of citizenship are divided into civic and ethnic. Civic citizenship is extended to any immigrant who agrees to obey a country's laws and principles. In Canada, for example, citizens are expected to endorse the same values of tolerance and inclusion from which they benefit. Ethnic citizenship requires both legal compliance and membership in one of a nation-state's dominant or traditional ethnic groups.⁵ Certainly, more globally inclusive citizenships cannot be ethnically defined. The challenge confronting many countries is thus creating a civic concept that is both persuasive and durable.

Countries generally offer two major immigration pathways. The first, the merit-based immigration process that brought Bochen's family to Canada 18 years ago, prioritizes candidates who can best contribute to the economy based on factors like education, employability, language ability, and net worth.⁶ Notably, in over 20 countries investors can secure citizenship, or the less privileged status of permanent residency, simply by investing substantial sums.⁷ The other pathway, the core of the US immigration system and our route to Bochen's permanent residence, is family reunification, which prioritizes relatives of current citizens and residents. In practice, the two systems often coexist.

Micro-level Problems: Excluded Lives and Frustrated Dreams

Deep inequalities in economic opportunity and security have driven more people to leave their home countries than any time since World War II.⁸ As of 2019, 3.5 percent of the world's population, or 220 million people, are migrants.⁹ Now, even facing a global anti-migrant backlash, 15 percent of humanity—775 million people—would move to another country if they could.¹⁰

For all the diversity of today's immigration avenues, they share a basic inefficiency, inequity, and insensitivity. Merit-based immigration systems, for example, effectively discriminate against poorer immigrants

who lack the means to acquire degrees, invest large sums, or otherwise demonstrate economic value. Undermining the spirit of family reunification, family members of those born in major source countries might now wait 20-plus years for permanent residency, compared to mere months in the 1990s.¹¹ For all their benefits, cultural citizenship tests and stringent vetting procedures can impose severe administrative burden on applicants if poorly designed,¹² discouraging them from migrating, contributing to receiving economies, and improving their own lives. And in all of this, official discretion over who fulfills immigration requirements such as "good moral character" can render the process highly uncertain and unequal in application, especially if officials fail to care about immigrants' particular circumstances or understand the realities of a globalizing world.¹³ Confronted with systems insensitive to cosmopolitan values, even the best and the brightest migrants find insurmountable barriers to their flourishing and ability to contribute to their adopted economies.¹⁴

"Our experience revealed that legal status determined almost everything, from job prospects to the ability to be with loved ones, and that the liberal dream of global citizenship was far from being realized in our current system."

While obtaining permanent residence can take ages, citizenship can also take years to acquire—if it's offered at all; countries like China and the Gulf states virtually never naturalize foreigners.¹⁵ To live in a state as a noncitizen is to live in heightened vulnerability; as Hannah Arendt observed, only citizenship offers "the right to have rights."¹⁶ Second-class statuses like residency mean limited protections by the state. Despite treaty obligations, host countries have rarely been willing to provide refugees with adequate essential services like health and education.¹⁷ Employers in countries from Qatar to America exploit

migrants' fears of deportation to depress wages and impose abusive working conditions.¹⁸ And nationalist movements deny citizenship to vulnerable minorities like Myanmar's Rohingya, leaving them effectively with no rights at all.¹⁹

But perhaps even more distressing than living with limited rights, noncitizens live in a constant state of non-belonging, as one's identity, whether perceived by oneself or others, remains tethered to national affiliation. Can one call oneself American without American citizenship, even if one has lived in the United States for decades, speaks English better than natives, and identifies wholly with American values? The incredible emotional toll of cultural exclusion can deter all but the most determined would-be migrants and leave lasting scars in those who do migrate.²⁰

Macro-level Problems: Social Injustice and a Disconnected World

Ironically, migrants' preferred destinations are often responsible for the political and economic instability that drive them out. People born in societies damaged by European and American colonialism and exclusion deserve reparative justice: a chance to experience the opportunities that might have been available at home in a fairer world.²¹

Beyond correcting historical injustices, the immigration system must be redesigned to better support international collaboration and exchange on current global problems like climate change. Solving our era's great challenges requires citizens who can freely move where their talents are needed, living and working together with more ingenuity and productivity than they could achieve alone.

In discussing facilitation of global labor exchanges, some argue that the Gulf Model, in which migrants have no prospect of citizenship, is an ideal immigration model as it not only provides a win-win economic relationship between migrants and the state but also helps curb global inequality without having to deal with the complexities of full inclusion.²² Yet sociocultural exclusion of migrants, as with economic exclusion, can grow to threaten national stability²³ and increase

the power of xenophobic and authoritarian strains of nationalism.²⁴ At the same time, failing to address concerns about immigration and cosmopolitanism within a liberal democratic framework will simply drive nationalist voters toward authoritarian populists.²⁵

Hints of a Way Forward: Immigration for Tomorrow

As the world considers how to grapple with increasingly mobile populations, it should look to the region that has best accommodated its transnational citizens: Europe. The signing of the Schengen Treaty meant that legal residents of signatory states—primarily European Union members—could travel and work visa-free across borders.²⁶ As governments experiment with permitting foreigners within Schengen to exercise even the most closely guarded privileges of citizenship (e.g., voting), citizenship within Schengen is approaching true transnational citizenship.²⁷

Emulating Schengen, the African Union is implementing a continent-wide free-travel area as a forerunner to a similar common labor market.²⁸ Similarly, the Association of Southeast Asian Nations is considering expanding its visa-free travel into a freer labor regime.²⁹ Yet the overall record of EU “transnational citizenship” is mixed. Economically, the free movement of persons has helped match skilled workers to the best uses of their talents, reducing unemployment by up to 6 percent and raising GDP growth by up to 1 percent in some states.³⁰ Politically, it has driven much of the demographic change and populist backlash that led to events like Brexit.³¹ Europe appears increasingly unable to handle the

“But perhaps even more distressing than living with limited rights, noncitizens live in a constant state of non-belonging, as one’s identity, whether perceived by oneself or others, remains tethered to national affiliation.”

multiculturalism that has become inextricable from its society—one that could be respected and productively deployed but that has instead become an engine of division and resurgent authoritarian politics.³²

Meanwhile, European countries like Estonia have sought to further expand Schengen’s incipient transnational citizenship. Leveraging its digital prowess and the appeal of Europe’s common market, Estonia has established an “e-Residency program” that has enlarged its economy by 14 million euros and attracted over 14,000 e-Residents since 2014.³³ e-Residency is far from full citizenship, granting commercial rights like work authorization and business registration that permanent residents would expect but falling short of the civil and political rights that citizens are generally entitled to. Digital nomads who never set foot in Estonia may have no reason to care. However, these restrictions on rights make it harder for e-Residents to transition to physical residency, which would both support Estonia’s economy and migrants. Still, it substantially expands working rights and legal protections in a critical world market and comes far faster and cheaper than traditional residency. In that sense, e-Residency represents a true step forward for would-be global citizens who want to contribute to different regions of the world.³⁴

While Schengen and Estonia focus on immigration’s potential for transnational collaboration and economic growth, Spain and Portugal recently attempted to make amends for historical injustice by offering citizenship to the descendants of expelled Sephardic Jews. While hundreds of thousands signed up, practical burdens such as documenting ancestry and Spanish language ability may have dissuaded many others. Notably, the program was skewed in favor of skilled young professionals seeking an EU passport, limiting reparative citizenship’s ability to correct for the global inequalities that it allegedly exists to redress (except, perhaps, through migrant remittances).³⁵ Even these privileged applicants with full formal equality may in effect become second-class citizens due to cultural exclusion if their ethnic, religious, or gender identity is seen as alien or undesirable—as

is likely in Spain, where anti-Semitism remains all too common.³⁶ While this reparative citizenship proposal leaves much to be desired, it suggests a way to square the circle between transnational citizenship’s economic and moral dimensions, not only recruiting skilled professionals to fill labor shortages in developed countries but effectively sharing wealth and opportunity with those whose homelands were decimated by colonialism.

Finally, Canada’s inclusive citizenship model may offer an even broader solution to social and economic exclusion. In Canada, there is a public consensus in favor of immigration, because the system focuses on attracting highly educated and adaptable workers, linking their presence to economic growth.³⁷ The government’s support for social integration, including official multiculturalism, strong human rights protections, and funding for ethnic community organizations and language classes, further enables migrants to contribute to Canada’s economic and cultural life relatively unhindered by exploitation or exclusion.³⁸ Through mechanisms like apprenticeship programs and more flexible “provincial nominee” immigration quotas, thereby diversifying its criteria for “merit,” Canada reduces discrimination within its merit-based system.³⁹ The system is by no means perfect; Bochen can attest that immigrants in Canada face hurdles. Racism still exists in Canada, and the country has not integrated unskilled workers as successfully as skilled ones.⁴⁰ But the United States and other countries could still learn much from Canada’s relative success.⁴¹

Conclusion: Making Global Citizenship a Reality

Our schools and leaders ask us to think and act as global citizens: to take responsibility for and engage with humanity as a whole, undeterred by physical or cultural barriers. Unfortunately, we know firsthand the frustrations of trying to live and work as global citizens in a world that isn’t built for it. We know, too, that many would-be global citizens have it harder than us. They’re subject to longer waits for more restricted

rights or barred from opportunities by political, ethnic, or cultural criteria. Simply put, our system of rights and guarantees continues to presume an exclusive, permanent connection between each person and a single state, and it needs to play catch-up with the realities and necessities of the 21st century.

Our moment demands a cultural shift amongst ordinary citizens and public officials alike. We need to ask how we can ensure that immigration systems avoid the inefficiencies, insensitivities, and inequities of the current process for those seeking secure lives abroad. More fundamentally, we need to ask how we can create more inclusive conceptions of citizenship while also allowing states to set reasonable immigration requirements that prevent populism, ethnocentrism, and other forms of “unmanageable disruption.”⁴² What does it mean to be a member of a national community? Without an answer to this, even citizenship is a kind of homelessness, leaving migrants adrift and potentially sparking alienation, polarization, and social conflict.

We know there are ways to redefine citizenship—both legally and culturally—for a more mobile world. In the 1960s, fewer than one-quarter of countries allowed dual citizenship; in 2017, approximately two-thirds did. Roughly half of that change came relatively recently, after the 1990s.⁴³ Dual citizenship expanded in this way because migrants working abroad successfully organized to demand it.⁴⁴ With the emergent models of transnational free movement, e-Residency, reparative citizenship, and multicultural integration, today’s aspiring global citizens have examples to point to as they advocate for more flexible and compassionate 21st-century citizenships.

Systemically supporting global citizenship is not just desirable, it’s a moral imperative. We deserve a world where smart, driven, caring people are free to work where they can do the most good, and live wherever they can lead their best lives in common with their communities. Anything less needlessly stunts the potential of every person in the world, whoever or wherever they are.

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Jonathan Michrosh

The Iceberg: Immigration Policies under Trump

Gabriela Lastres

After enduring years of severe domestic violence, Ana¹ made the painful decision to flee to the United States, leaving behind two of her four children because she could not afford to bring them. She arrived at a Texas port of entry and expressed her fear to return before being detained in a frigid immigration center. Although she was released to distant relatives in Houston, her immigration ordeal had just begun. Struggling to find stable work, she could barely make ends meet, much less afford an attorney to navigate

the immigration system. Fortunately, she found legal representation from a nonprofit, and after commuting back-and-forth to her attorney for almost two years, and repeatedly reliving her trauma in preparation for her court hearing, Ana was finally granted asylum in December 2016.

While Ana faced many obstacles starting in 2014, if she were to arrive at the border today, she would face an even more draconian process. Over the past three years, the Trump administration has

made dozens of changes to the immigration system to deter immigrants from coming to the United States or prevent them from gaining lawful status. While policies like the Muslim ban or family separation have drawn nationwide protest, many other policies have gone unnoticed.

Since 1968,² the United States has admitted immigrants like Ana in accordance to international and US laws, which clearly state that people who claim a fear of returning to their country must be given an opportunity to present their asylum case.³ The Trump administration, however, has adopted the “Remain in Mexico”⁴ policy, preventing asylum seekers from entering the United States and applying for asylum.⁵ Instead, asylum seekers must remain in dangerous camps where kidnapping and violence are rife and legal representation is nonexistent.⁶ Since its adoption, there have been over 600 reported cases of assault, rape, or kidnapping in the camps, at least 130 of which were against children.⁷

In 2019, the Trump administration held a record number of immigrant children in detention.⁸ Following the public backlash to the family separation policy, the administration filed to withdraw from the 1997 Flores Settlement Agreement, which prohibits detaining migrant children for more than 20 days.⁹ If approved by a federal judge, the Department of Homeland Security (DHS) will have the legal authority to detain children indefinitely,¹⁰ likely causing untold amounts of trauma.¹¹

When potential asylum seekers are not simply turned away, they are given a credible fear interview (CFI). The CFI assesses whether their fear of returning is credible but is not meant to determine whether that fear is valid or merits a granting of asylum.¹² Currently, the Trump administration is turning asylum seekers away before they can apply for asylum or receive a CFI. Since summer 2019, CFI approvals have dropped massively.¹³

After passing their CFI, some asylum seekers are released without bond, but many languish in detention centers unable to afford either the bond (the median bond is \$7,500) or an attorney.¹⁴ Unlike

in criminal cases, there are no public defenders, and immigrants must find and pay for attorneys themselves.¹⁵ Those who cannot afford bond, or are denied the opportunity to bond out, go through the asylum process in detention, which often takes years. Although approximately 99 percent of asylum seekers attended all their court hearings, the government claims detaining asylum seekers is necessary as they will never show up if released.¹⁶

Even after successfully filing an application, the odds of winning asylum are not favorable. While only about 31 percent of applicants were granted asylum in 2019,¹⁷ the Trump administration continues to create new barriers to further lower that number. Ana, like many others, won asylum because victims of domestic violence have been recognized as a protected social group.¹⁸ However, in 2018, Attorney General Jeff Sessions made it much harder for asylum seekers fleeing domestic or gang violence to win their cases after he overruled a Border of Immigration Appeals (BIA) decision that had established domestic or gang violence as grounds for asylum.¹⁹

“Over the past three years, the Trump administration has made dozens of changes to the immigration system to deter immigrants from coming to the United States or prevent them from gaining lawful status.”

Since the average wait time for asylum cases is about three years,²⁰ work authorization is essential for survival and paying the thousands of dollars needed for legal representation. Recognizing how important it is for immigrants to have a job, the Trump administration has sought ways to create more barriers to legally work. Currently asylum seekers can apply for a work permit 150 days after filing for asylum,²¹ but the administration has proposed to increase the wait to 365 days.²² If approved, asylum seekers won't be able to legally work for six additional months, increasing the likelihood seekers take an abusive job, become

homeless, incur debt, or become unable to pay their attorneys. Similarly, the Trump administration recently proposed implementing a \$50 fee for the asylum application, which is currently free, along with increasing the fees for residency and citizenship applications by 79 percent and 83 percent, respectively.²³ The administration also wants to eliminate or curtail fee waivers currently available to immigrants who cannot afford the filing fees.²⁴

Recently, the Trump administration quietly published a new rule that would increase the scope of who is considered a burden to taxpayers, or a “public charge.”²⁵ In January, the Supreme Court allowed this change to go into effect, authorizing DHS to use applicants’ work history, age, disability status, and use of benefits to deny residency and visa applications to the United States.²⁶ In addition to possibly preventing many immigrants from obtaining residency, the policy has scared thousands of immigrants. Shortly after the proposal was published, there was a noticeable decline nationwide in immigrants’ use of benefits.²⁷ Immigrants—including asylum seekers who are unaffected by the policy—began dropping off programs like Women Infants and Children (WIC) and the Children’s Health Insurance Program (CHIP), which are excluded from the new policy.²⁸ Even if legally unaffected by the change, hundreds of thousands of immigrants and their families will be scared from using needed benefits.

New policies like “Remain in Mexico,” overturning legal precedent to protect victims of domestic or gang violence, or expanding the definition of a “public charge,” as well as process changes to reject CFIs or increase the number of detained children and asylum seekers, may seem like tedious, administrative changes. It is crucial to remember, however, that these changes have long-lasting negative effects on immigrants. Fueled by anti-immigrant bias, they make the incredibly difficult task of getting lawful status in the United States even harder. The Trump administration has sought to deter immigrants at every step of the process, terrifying generations of immigrants. While these policies are reversible, the

pain and suffering—and sometimes, death—their cause are not.

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The Pull Out of the Poverty Trap

Ghida Ismail

One warm afternoon in the historic Chawkbazar neighborhood of old Dhaka in Bangladesh, Shawkat, a 55-year-old rickshaw driver, was resting on the side of a road after hours of pulling his rickshaw in the day's insufferable heat. On the other side of the road, a 10-year-old girl was standing with a toddler in her arm, begging passersby for money.

Shawkat, irritated at this scene, explained that he would never send his children to the streets. "A poor person's life cycle consists of working hard, burning yourself out, and investing in your children," he said. He doesn't plan to stop pulling the rickshaw, despite the physical strain, until he secures a stable future for his children. For him,

this is the only way to support his family and pull them out of poverty.

Bangladesh has been praised over the past decades for its progress in alleviating poverty. Many economists believe that this poverty reduction has been driven primarily by a rapid structural transformation in which labor has moved from agriculture to manufacturing jobs, specifically in the garment industry. This structural transition has led to annual GDP growth of 6.5 percent over the past decade, higher than all other countries in South Asia, except India.¹ Other experts point to targeted anti-poverty interventions such as poverty graduation programs, which provide the poorest with capital, assets, and/or training and have been shown to lead to higher income and consumption levels.² Comparatively less attention, however, has been given to the regulatory reforms that would be needed to support individuals such as Shawkat, who are fighting to lift themselves out of poverty.

In Bangladesh and around the world, many families resort to informal work, such as pulling a rickshaw, to earn an income and provide for their families. In November 2019, the Dhaka Transport Coordination Authority reported between 600,000 and 1 million rickshaws operating on the streets of Dhaka.³ According to some estimates, more than 60 percent of the global workforce, representing 2 billion people, are employed in the informal economy.⁴ Most of these workers constitute the working poor, who are trying to make ends meet in harsh conditions with little legal protection. Governments can thus accelerate their efforts to alleviate poverty by creating a regulatory framework that supports, protects, and rewards informal workers in their attempts to improve their own livelihoods. Such an effort would create a more inclusive economic system and could improve the welfare of millions of poor families around the world.

Poverty, Informality, and Marginalization in Bangladesh

In Dhaka, around 400,000 low-income migrants arrive annually from rural areas,⁵ and rickshaw driving provides them with relatively easy access to the urban

labor market. “I know [driving a rickshaw] is a very hard job, but considering that I am a poor person with no education, it’s good that I can at least do this job to earn some money,” said Azim with a resigned smile. He has been pulling a rickshaw for 15 years and mainly uses his earnings to educate his son.

Despite its benefit to hundreds of thousands of Bangladeshis, rickshaw pullers are not covered by Bangladesh’s labor law. Only around 80,000 of the rickshaws in Dhaka are licensed, and no new licenses have been granted since 1986. Furthermore, rickshaw fares are only regulated in the elite area of Dhaka; the lack of price regulation in the rest of Dhaka means that rickshaw pullers are often underpaid for their efforts or cheated by customers. They also have little legal recourse in case of an accident. “We’re the weakest on the streets,” said Choburj, a 26-year-old rickshaw puller. “If a car or a motorcycle hits a rickshaw, we can’t do anything about it. We just have to accept this.”

Most rickshaw drivers do not participate in government elections, as they feel excluded by public programs and policies. Pullers wish the government would give poor communities more support, “but, the government is busy with rich people problems,” said Afsar, who has been driving a rickshaw for more than 15 years. “For example, the government was very responsive to student movements that occurred when a child was hit by a car last month. However, if it was ten rickshaw drivers that died in an accident, the government wouldn’t have reacted.”

“The government has failed to appreciate the importance of pulling a rickshaw in the informal economy and the economic opportunities it provides.”

The government has failed to appreciate the importance of pulling a rickshaw in the informal economy and the economic opportunities it provides. They have banned rickshaws on major roads, and the Dhaka Transport Coordination Authority recently revealed its intention to remove all rickshaws from

the streets in the next two years.⁶ Such plans would disrupt the means of subsistence for millions of Bangladeshis and hurt Bangladesh's efforts to alleviate extreme poverty.

A Regulatory Framework for the Informal Economy

Governments need to acknowledge the vast number of individuals who depend on informal work to earn their livelihood and invest in designing, implementing, and enforcing regulations that protect and support these workers in their efforts to exit poverty. In the case of rickshaw driving, this could include (1) issuing licenses to ensure pullers receive legal and monetary support in case of accidents, (2) setting price regulations that protect pullers' earnings, (3) regulating the terms between rickshaw owners and the drivers, and (4) establishing a grievance redress mechanism or strengthening unions to enable drivers to share concerns and complaints.

Other countries have successfully followed similar approaches to support informal workers. Mexico regularized shoe shiners on the streets of Mexico City and provided them with the legal right to work in public spaces with a valid permit. Accordingly, when shoe shiners were being evicted from the streets, they were able to legally reclaim public spaces to work in.⁷ In Liberia, a street-vendor union was established to improve communication between street vendors and the municipal corporation, which led to a diminishment of police harassment.⁸ A regulatory framework should reduce the obstacles and uncertainties facing the livelihoods of informal workers, which would in turn enhance their economic productivity and make economic growth more inclusive.

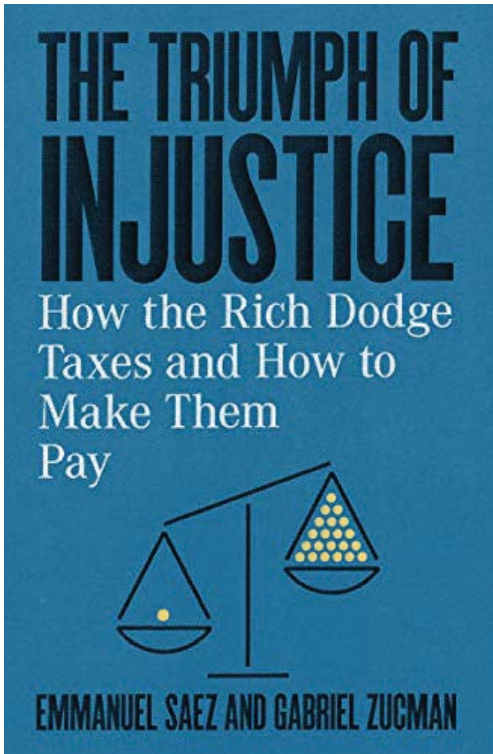
When Shawkat began pulling a rickshaw 20 years ago, he dreamed of saving enough money to send his children to school. Through his strenuous labor, he was able to achieve this vision. "While I can't read or write, my children now can. They are much brighter than I am," he said with a smile. It is pulling a rickshaw that permitted Shawkat to provide a better life for his children. Supporting the

informal economy, rather than suppressing it, could help millions of people like Shawkat escape poverty and earn a living through decent and dignified work.

Ghida Ismail is a researcher working on impact evaluations of development programs with Innovation for Poverty Action and the World Bank. Ghida's research has covered diverse issues including smallholder farmers' access to information and intra-household dynamics of poor rural households in Bangladesh.

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Book Review:
The Triumph of Injustice
by Emmanuel Saez
and
Gabriel Zucman

Daniel Remler

On 15 April 2016, the International Consortium of Investigative Journalists released documents detailing how Panamanian law firm Mossack Fonseca had enabled massive tax evasion by the rich and powerful from around the world. These documents, known as the Panama Papers, exposed how shockingly widespread, and even tolerated, tax evasion has become in the modern global economy. As portrayed in *The Laundromat*, a Steven Soderbergh film based on the scandal, Jürgen Mossack (played by Gary Oldman) gives a succinct summary of Mossack Fonseca's business model: "Tax evasion is a crime. But tax avoidance, that's what put us in business. And the line between the two, we like to say, it's as thin as a jailhouse wall."

Though national authorities around the world began investigating individuals named in the documents, calls for new legislation in the United States and Europe were few and far between. Economic inequality has moved to the center of political debates around the world since the global financial crisis.

Mass protests against gas tax hikes in France and transit fare increases in Chile highlight increasing frustration over the divide between the rich and the rest. Even conservative political parties today speak the language of inequality. The question confronting leaders now is over how much and what kind of inequality has increased and, more urgently, what can and should be done. It is these challenges that economists Emmanuel Saez and Gabriel Zucman address in their latest book, *The Triumph of Injustice*.¹

Saez and Zucman, both professors at the University of California, Berkeley, add yet more data to the mountain of evidence showing that wealth inequality has grown significantly in the United States. More controversially, they argue that this is exacerbated by the structure of the US economy and tax system, which they claim imposes a heavier tax burden overall on the poor than on the rich as a share of their aggregate income. This analysis has been fiercely debated in public, with economists like Larry Summers arguing it mischaracterizes the

data on wealth inequality in America.² But what has been less discussed, besides the signature wealth tax, are their audacious proposals to address wealth inequality that occupy the second half of the book. These would not only require significant changes in domestic policy but also an unprecedented level of international cooperation. They represent an alternate vision of American diplomacy, one that would make combatting inequality a top priority.

As longtime collaborators with economist Thomas Piketty, Saez and Zucman are consummate empiricists. Building on the research first made famous by Piketty's *Capital in the 21st Century*, Saez and Zucman make the case that the top 1 percent of the income distribution has amassed an unprecedented level of wealth. Their key empirical contribution is to show how the American tax code is not as progressive as it seems, for two principal reasons. First, the rich engage in significant tax avoidance. As Zucman documented in his first book, *The Hidden Wealth of Nations*, inconsistencies in macroeconomic and tax data suggest that the rich and corporations take advantage of offshore tax havens to significantly minimize the tax they owe the US government.³ Second, with sales taxes, gas taxes, property taxes, and the cost of health care taken together, and contrasted with tax avoidance by the rich, Saez and Zucman present a startling conclusion: for the first time since records began, the top 400 richest Americans pay less in taxes as a group than the bottom half of the income distribution.⁴

Where others would end there with some broad recommendations, Saez and Zucman devote almost half the book to policy proposals, including some they claim have never been proposed before. The centerpiece is a wealth tax levied on the ultra-rich, which would not only reduce wealth disparity and raise revenue for the government but also blunt the political power of the wealthy. This is coupled with establishing a new regulatory agency independent of the IRS, closing loopholes for individuals and corporations, abolishing the sales tax, integrating the income and corporate taxes, and more. These

“The question confronting leaders now is over how much and what kind of inequality has increased and, more urgently, what can and should be done.”

recommendations are meant to be complementary. But crucially, many of these proposals depend on international cooperation, or else risk the wealthy moving their money offshore, away from the prying eyes of US authorities.

So how might their proposals reshape international politics? First, they would necessarily turn some countries into new enemies. As Saez and Zucman argue, “each country is entitled to its laws, but when these laws have a major negative externality, victims are entitled to retaliate,” proposing that the United States impose sanctions on tax havens that do not cooperate.⁵ What goes unsaid is that some of the likely targets are Luxembourg, the British territories of Jersey and Anguilla, and Panama, all of which are American allies, partners, or their territories. However, as Saez and Zucman point out, several US states also display aspects of tax havens, so putting pressure on small states might appear hypocritical and weaken US leadership.

International cooperation would also imply cooperation with authoritarian states, at the same time as those states' elites are among the biggest beneficiaries of global tax evasion. As the source of some of the largest flows of dollars avoiding taxes, China and Russia would be critical to a truly global response. But both countries are too big to effectively coerce, and Saez and Zucman give no direction as to how Washington could work with Beijing and Moscow.

Overall, the diagnosis Saez and Zucman give of an American economy tilted in favor of the rich is persuasive and a valuable contribution to understanding inequality. Saez and Zucman worry that, left unchecked, rising inequality is transforming into augmented political power for the rich, further entrenching their grip on the economy and politics. Reversing this erosion of democracy is the task they

set for their proposals. These proposals are novel and would have far-reaching consequences the authors only just begin to address, particularly on American diplomacy. They are worthy of further debate, and for that alone the book should be judged a triumph too.

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The World Was Not Built for Negative Interest Rates

Will Hickey

Since the 2009 financial crisis, two unlikely trends have dominated world markets: negative interest rates and inverted yield curves. Negative interest rates occur when customers pay banks to hold their money. Inverted yield curves occur when short-term interest rates are higher than future interest rates. This is no small matter. Today, over \$17 trillion, or 30 percent, of the world's fixed income debt issuance (bonds, sovereign notes, etc.), mostly held in the EU and Japan, are in negative-rate territory and growing (Figure 1).

"I'm of the view that the world-wide suppression of interest rates over the past ten years has been not only inadvisable but, on moral grounds, something very near to a crime."

—Jim Grant

Negative rates distort economic activity, inflating speculative bubbles in property and developing country currency, artwork, private equity, and stocks.¹ They encourage risk-taking in a world bereft with economic instability, usually for people who can least afford to take risks.

	3 month	1 year	2 year	3 year	5 year	7 year	10 year	15 year	20 year	30 year
Switzerland	-0.84	-0.72	-0.80	-0.80	-0.74	-0.71	-0.58	-0.41	-0.34	-0.20
Germany	-0.60	-0.61	-0.63	-0.66	-0.61	-0.55	-0.38	-0.24	-0.09	0.12
Netherlands	-0.67	-0.04	-0.63	-0.66	-0.55	-0.43	-0.23	-0.08	0.13	0.16
Japan	-0.21	-0.18	-0.19	-0.20	-0.20	-0.21	-0.09	0.10	0.26	0.42
Denmark	-0.72	-0.55	-0.71	-0.64	-0.57	-	-0.34	-	-0.13	1.01
Sweden	-0.50	-	-0.36	-	-0.29	-0.21	-0.03	0.12	0.33	1.62
France	-0.59	-0.57	-0.62	-0.61	-0.44	-0.30	-0.06	0.20	0.42	0.74
Ireland	-0.44	-0.39	-0.45	-0.45	-0.35	-0.15	0.06	0.33	0.52	0.86
Spain	-0.54	-0.51	-0.42	-0.38	-0.13	0.07	0.40	0.79	0.80	1.27
Portugal	-0.48	-0.45	-0.51	-0.33	-0.11	0.14	0.37	0.76	0.96	1.29
Italy	-0.27	-0.11	-0.01	0.04	0.52	0.84	1.27	1.75	1.95	2.29
Canada	1.66	1.70	1.57	1.56	1.47	1.47	1.44	-	1.55	1.55
United States	1.61	1.58	1.59	1.58	1.60	1.68	1.74	-	-	2.18
United Kingdom	0.75	0.61	0.49	0.45	0.46	0.44	0.65	0.92	1.11	1.21
Australia	0.94	0.83	0.78	0.73	0.78	0.91	1.08	1.20	1.48	1.67

Figure 1: Current sovereign bond yields as of November 2019

Source: Manulife, as adapted by Hickey²

Negative interest rates were pioneered by the Swiss in the early 1970s when the United States abandoned the Bretton Wood's gold standard and the US dollar fell. Investors frantically sought out a currency that was stable and not easily devalued by fiat³ and poured their money into the Swiss franc, causing its value to soar and wreaking havoc on the Swiss economy by driving up borrowing costs.

The Swiss central bank tried several unorthodox moves to prevent these capital inflows such as not paying interest to nonresidents, but all failed. Not until 1982, when interest rates in the United States rose exponentially, did money inflows into Switzerland stabilize.⁴

Negative Rates: A Policy Tool to Spur Economic Activity in Developed Economies

Japan and EU: Low Growth, Anything to Get People to Spend!

The Bank of Japan had been the benchmark for a near-zero rate scheme until Sweden dropped into negative rates in 2009.⁵ Rates began to go negative again in 2012 to encourage growth, with the Swiss, Danes, and Germans following suit.⁶

Negative rates are used to spur economic activity, particularly in high-cost economies like Switzerland, Denmark, and Germany, by incentivizing people to spend and borrow today, instead of holding cash. In Denmark, negative rates are forcing negative home loans, meaning the bank will pay borrowers to take out a loan in which borrowers will pay back less than their original loan. In Switzerland, large cash depositors are charged monthly deposit fees instead of earning interest on their accounts.⁷ To stay afloat, banks use fees and charges to start and close real estate deals.

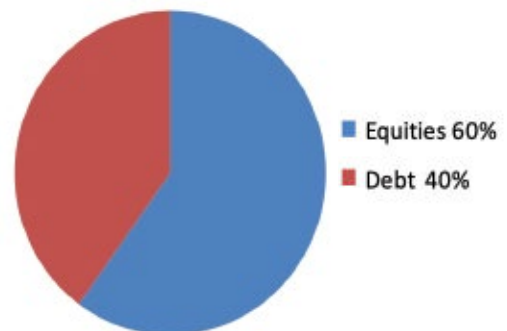
The banking system cannot function properly with negative interest rates, and correspondingly, neither can pension systems, the backbone of long-term social stability. For example, CalPERS, the state agency that manages \$350 billion in assets for California's state employees' pension and health benefits, had to adjust its ten-year expected returns from its pension fund from 7 percent to 6.1 percent. Nonetheless, it still maintains its 7 percent hurdle rate, the minimum rate required to pay its nearly 1.9 million pensioners without significantly drawing down on its holdings.⁸ This gap, as described by CalPERS CIO Ben Meng, can only be made up by investing in more risky assets, such as a new investment portfolio split between stocks (50 percent), bonds (28 percent), tangible

assets such as property (13 percent), private equity (8 percent), and cash (1 percent). This is an increase in risk from the historic, but now ineffective, benchmark of 60 percent stock and 40 percent bonds.⁹ Other pension funds, including in the United Kingdom and Denmark, are also realizing they have to address the issue of ultra-low yields.¹⁰

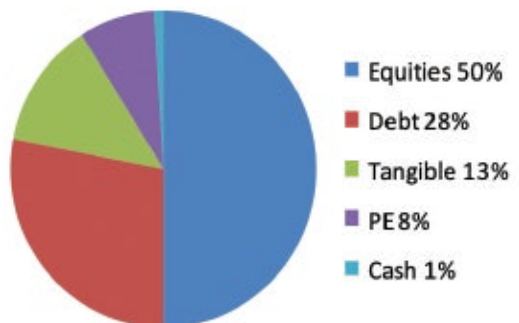
Graph 1: Comparing the two (historic and new) CalPERS Investment Models

Source CalPERS CIO Ben Meng, as adapted by Hickey

Historic CalPERS Pension Fund Model



Current CalPERS Pension Fund Model



Lowering the cost of borrowing money to spur economic activity is no longer working either. European central banks, in particular, are struggling to jumpstart economic activity. Negative rates affect savers adversely, and low borrowing costs do not necessarily filter down to the consumer at a retail level. Banks with interest-rate shortfalls in a world of near or actual negative rates must charge their customers more, from higher overdrafts and remittance fees to exorbitant

out-of-network ATM fees. Savers, in particular older people on fixed incomes, receive nominal payments for saving and thus struggle to make ends meet.

The US and the Dollar System: Not Made for Negative Rates

Bond investment guru and ex-Harvard endowment fund manager Mohamed El-Erian said recently, “If the U.S. tries to operate under negative interest rates, something will probably break.”¹¹ Negative interest rates in the United States, he argued, could cause systemic failure or a banking collapse.

Setting interest rates at zero or negative confounds long-term investment planning. The valuation measures used worldwide cannot be applied to financial systems with negative interest rates. These models, which include the Federal Reserve’s monetary model and the Capital Asset Pricing Model, assume a positive return over time.

Currently, near-negative rates in developed countries have caused the dollar, with comparatively higher rates, to appreciate. This harms developing countries, such as Indonesia, Turkey, and Nigeria, that have borrowed heavily in dollars but are repaying in local currencies or commodities. The biggest loser has been emerging markets’ economic growth. Now, there is almost no growth anymore in the world in aggregate when real interest rates for inflation are considered. The US Federal Reserve has been slow to cut rates, amplifying demand for the dollar. Chairman Jerome Powell said the Fed will not adjust interest rates because of low rates elsewhere. This is an unwise approach. Negative rates are draining dollars from the global system and hurting many of the United States’ trading partners.

The Mal-effects of Negative Rates

In the Thirst for “Yield” . . . A Saver’s Loss Is a Speculator’s Gain

Because of low interest rates, money managers, pensions, insurance funds, and investment bankers around the world are desperately seeking “yield,” or

“Negative rates are draining dollars from the global system and hurting many of the United States’ trading partners.”

passive income on their holdings. This search for yield could prompt investors to make risky decisions, which could have dire costs. Negative rates push yield seekers into riskier bets to obtain a higher “alpha,” or return on their investments in private equity, junk bonds, art, stocks, and opaque developing economy assets.¹² The strong dollar and corporate stock buybacks have been funding the US stock markets’ ascendancy in 2019. Investors are chasing Facebook, Amazon, Apple, Netflix, and Google stocks, driving their values away from fundamental earnings.

The Carry Trade: Borrowing in Low-Yield Currency to Gain Higher Yields Elsewhere

Risky bets have reintroduced the concept of borrowing in low-interest-rate currencies, such as the euro or yen, and investing them in bonds in other countries, such as in New Zealand or Argentina, to capture higher spreads. This tactic, called carry trade, has worked well between developed countries, where central banks ensure or guarantee their sovereign debt and investors arbitrage¹³ the differences, such as between Japan and Spain. Later, this system spread to currency-related deposits, as they are more liquid, which works as long as the invested currency, usually in a developing country, remains stable against the investing currency.¹⁴ However, if a significant currency depreciation, devaluation, or default occurs, the losses can outpace any potential higher-interest-rate gains. For example, Argentina peso bank deposits can pay over 52.5 percent interest, the highest in South America. This seems like an astronomical amount¹⁵ until one considers that the peso also lost more than half its value against the dollar in 2019, effectively zeroing out any real currency gains in US dollar terms.¹⁶

The carry trade has another issue. Large capital inflows into developing economies can cause distortions and create a “wealth effect” that precludes needed structural change, such as labor reform, increasing share of services in the economy and reducing dependence on imports. For example, as long as a nation’s currency is high in value, people import more and domestic industry suffers.

Why Would Anyone Buy a Negative-Rate Bond? Holding Cash Is a Problem

A basic economic assumption of debt is that interest is paid to lenders. The current global bond market has upended this expectation. In volatile times, financial institutions, such as brokerages, banks, and nations, opt not to invest money in active ledgers and instead purchase assets such as sovereign bonds, which are liquid and digitally tradeable. The average person does not buy negative-rate bonds, instead preferring corporate, municipal, or provincial bonds. However, their impact on the individual from financial institutions’ investment in sovereign bonds is very real.

The threat of negative interest rates makes holding cash attractive, requiring large tenders.¹⁷ Recently, the €500 note has made a resurgence in Germany and Austria, creating a high store of value on one note that will not be worth “less” in the future. This same rationale also applies to the Swiss franc CHF1000 note, where a recent Financial Times article recommends storing them in safe deposit boxes due to a cash-obsessed world of negative rates.¹⁸

Implications

Recently, former US Fed Chairman Ben Bernanke said:

The Fed should also consider maintaining constructive ambiguity about the future use of negative short-term rates, both because situations could arise in which negative short-term rates would provide useful policy space; and because entirely ruling out negative short rates, by creating an effective floor for

long-term rates as well, could limit the Fed’s future ability to reduce longer-term rates by QE or other means.¹⁹

Here, Bernanke argues the United States should not rule out a policy of negative rates in the future. Long-term negative rates have several, potentially negative, implications.

First, because investors will not get a return from depositing their money in banks, they will seek out riskier ways to invest their money that will bring them a higher yield. This money will find its way into high-yielding foreign currencies, distorting currency values in those economies and subjecting investors to currency risks. Second, lower yields in the EU have destabilized the pension safety net, threatening EU citizens’ ability to retire at 62 with full benefits. This could lead to protests, first in Greece, Spain, and Italy and then spreading into northern states. France is already seeing paralyzing strikes over pension reform.²⁰ Only EU states with a rigorous production model such as Germany or Holland can overcome it. Third, most central banks will have compromised their primary tool to spur economic growth, making a future financial crash susceptible to serious impacts. Flooding the system with money through quantitative easing,²¹ central banks’ typical response to a contracting economy, may not be an option if interest rates are already negative. Finally, if US interest rates were to go negative, all bets would be off. A main driver of the US economic boom has been the Fed’s policy of keeping rates marginally higher than the rest of the world, attracting capital inflows from across the globe, particularly the EU.

Coda: Beyond Fiat Money: The Trend towards Alternatives like Cryptocurrency (Bitcoin, Libra)

In recent months, negative rates in some European countries turned slightly positive, but likely only temporarily.²² Much depends on the Federal Reserve’s actions and Trump’s tariffs. Today’s economic consensus is that negative interest rates do not spark more

economic activity than a low rate of, for example, 1 percent. Therefore, new ways to spur economic activity are sorely needed. Options include reducing regulations on small business creation, opening up economies, or trying cross-border cryptocurrencies.

We are in the digital age. Constructs such as cryptocurrency, social media, and artificial intelligence are forcing cross-border activities not beholden to any sovereign, where individuals can communicate and create directly and freely. The future may lie in a better store of value beyond dollarized paper currency dictated by central banks.

Postscript: At the time of writing, interest rates have cratered due to the coronavirus pandemic and collapse in oil prices. The US Treasury 10-year note now trades for less than 1 percent and looks to be heading toward zero. Without a reversal in fortunes, the world may soon be awash in negative interest rates.

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The Case for a Digital Dollar: Security at Home and Abroad

Jeremy Ney

The US dollar must go digital. A digital dollar will not only benefit the US economy through financial stability at home, it will also improve America's financial security abroad, particularly in light of China's economic rise. In 2009, the late Paul Volcker quipped that the ATM was the most useful financial innovation in the last 20 years—more than a decade later, policymakers have the opportunity to create the next great financial innovation: central bank digital currencies.

Central bank digital currencies, or CBDCs, refer to the digital form of fiat money. Rather than issuing physical cash or coins, the government issues digital tokens whose value is backed by the full faith and credit of the government. Unlike Venmo balances or credit card accounts, CBDCs are the liability of the central bank, which in turn maintains deposits, reserves, and accounts rather than a private firm.¹

America's interest in a digital dollar emerges from two spheres: financial security and geopolitical realities. First, a CBDC would allow Americans to deposit money directly at the Federal Reserve, thus creating a truly risk-free store of value. Second, China is currently pursuing its own digital yuan, which could undermine America's ability to implement sanctions effectively, particularly against North Korea.² America must therefore innovate in global payments not only to maintain critical diplomatic tools but also to ensure greater resiliency for the US economy.

Domestic Financial Stability

The most important benefit of CBDCs is the ability to

improve the safety and soundness of the US economy. The safest place that depositors can keep their money is at a central bank.

Most CBDC research has focused on monetary policy effectiveness and expected benefits in payments systems, but less research exists to highlight how CBDCs may impact financial stability. If depositors switch from holding their savings at commercial banks and instead keep these funds at central banks, America will see significant shifts in bank business models, lending, and risk allocation.

Current workarounds for risk-free money fall short. The closest approximation of security is the federal deposit insurance system, but this provides a less-than-full guarantee. While the FDIC deposit insurance fund totals \$41 billion, it is supposed to cover \$6 trillion in insured deposits.³ This means that the \$250,000 FDIC cap could only reimburse 0.6 percent of deposits kept at banks in the event of default. As a result, bank runs may occur because depositors know that their money is not truly safe during crises. The government must therefore intervene during periods of distress via bailouts and new complex regulatory regimes.

Deposit insurance actually distorts market pricing in two ways. First, it explicitly lowers the risk premium charged by banks. In other words, banks know that the government is responsible for repaying losses to depositors in the event of a bank failure—thus, they do not accurately price their products according to the true risk they are taking. Economists have noted that this can distort the risk premium charged by

banks by as much as 25 basis points.^{4,5,6,7}

Second, FDIC deposit insurance implicitly reduces market discipline. The World Bank summarizes this effect well: “When deposits are insured . . . bank depositors lack incentives to monitor. The lack of market discipline leads to excessive risk-taking culminating in banking crises.”⁸ While insurance is helpful to defend against bad outcomes, the current system has incentivized poor risk-taking practices.

The goal of CBDCs, in turn, is to provide the same type of risk-free store of value without the subsequent market distortions. Rather than creating a convoluted set of intermediaries that require heavy oversight and engender moral hazard, CBDCs can provide a truly risk-free store of value. CBDCs thus become the public policy good that was desired all along. The obvious next question is how we can ensure that CBDCs do not cause similar or worse market distortions.

The International Monetary Fund’s (IMF) 2018 framework, *Casting Light on Central Bank Digital Currencies*,⁹ sheds light on this exact question. The IMF categorizes the risks of rolling out a CBDC into two different scenarios: the risks of disrupting bank business models in tranquil financial times and the risk of bank runs in times of systemic financial distress. The report notes that CBDCs may reduce lending in the short term, but if implemented correctly, this economic shift will be counterbalanced by a long-term improvement in credit quality. In other words, deposits will flow out of commercial banks and into central banks, yet this will ensure that the lending that banks do engage in will be of a higher quality.

There are, however, some challenges in implementing CBDCs. First, the Federal Reserve would be responsible for executing such a policy, yet it would need to develop the technical capabilities to allow

all retail depositors to hold accounts there. Second, bank business models would have to evolve as these institutions lose a significant source of their funding to CBDCs. Deposits are considered a sticky asset, and banks may have to offer higher interest rates in order to attract regular deposits. Third, CBDCs may have disproportionate impacts in geographic locations in which community banks are especially reliant on deposits to fund their lending models. Despite these challenges, consumer safety and soundness remain paramount.

National Security and Statecraft

America’s international interests greatly outweigh any obstacles to implementing a central bank digital currency. America’s influence in the global economy rests on two pillars. The first pillar is the strength of the US economy, which emerges from America’s capacity to withstand financial shocks, to grow its GDP, and to maintain the US dollar as the global reserve currency. The second pillar is the financial infrastructure and payments processing that America and its allies rely on to track payments, including those by countries that violate sanctions. A digital currency created by a foreign country could weaken that second pillar of American influence if it became the standard for global payments. In such a scenario, countries could deploy digital currencies to bypass international sanctions, undermining a key instrument in America’s foreign policy toolkit.

The largest threat to US economic primacy in international digital payments comes from China and its push to develop its own digital currency. The People’s Bank of China (PBoC) has proposed¹⁰ releasing a digital yuan and has filed over 50 patents¹¹ for a CBDC, which would allow anyone transacting in the new currency to operate outside of traditional payments infrastructure. This traditional infrastructure is currently operated by SWIFT, the Society for Worldwide Interbank Financial Telecommunication. Congressmen French Hill (R-Arkansas) and Bill Foster (D-Illinois) penned a letter to Federal Reserve Chairman Jerome Powell, noting that “the US dollar

“If China is the architect of this new global payments system, the United States may struggle to monitor transactions and maintain sanctions.”

could be in long-term jeopardy from wide adoption of digital fiat currencies.”¹²

China’s economic strength and size makes the digital yuan much more potent. In a country where annual mobile payment volumes are nearly \$800 billion¹³ (10 times that of the United States), a digital currency could be rapidly adopted.

Surveillance may be at the heart of China’s decision to move forward with a digital currency. Privacy concerns have mounted as the PBoC has been compared to Big Brother¹⁴ in its quest for insight into civilian transactions.

While a new global payments system may appear dangerous to US interests, the current system is not perfect either. SWIFT has come under considerable pressure in recent years, as notable cyberattacks, like the \$81 million theft by North Koreans against the Central Bank of Bangladesh,¹⁵ have highlighted end-point weaknesses in payments infrastructure. In this case, North Koreans were able to compromise a SWIFT computer to route payments to bank accounts across the world and would have stolen \$1 billion were it not for several fortunate mistakes on the part of the hackers. As such, the infrastructure associated with a US CBDC could provide the technological rails to build a more secure ecosystem for transactions.

If China is the architect of this new global payments system, the United States may struggle to monitor transactions and maintain sanctions. For some nations (and non-state actors) that want to avoid US sanctions and oversight, the ability to skirt such regulations would be incentive enough to adopt the digital yuan. Former chief economist of the IMF Ken Rogoff has pointed out these threats: “Just as technology has disrupted media, politics, and business, it is on the verge of disrupting America’s ability to leverage faith in its currency to pursue its broader national interests.”¹⁶

The United States may increasingly need to rely on military force if American economic influence wanes. Since September 11, America has deployed “smart sanctions,”¹⁷ which focus on arms embargoes, capital restraints, and asset freezes. President

“America must therefore innovate in global payments not only to maintain critical diplomatic tools but also to ensure greater resiliency for the US economy.”

George W. Bush’s passage of executive order 13224 and section 311 of the Patriot Act gave the Treasury Department broad powers to engage in sanctions. Several economists have noted¹⁸ that sanctions are a non-violent solution that reduce the propensity toward war; actions that diminish the effectiveness of sanctions as a policy tool may spur the United States to rely increasingly on kinetic options.

China is not alone in trying to develop a new economic system beyond US control. Russia,¹⁹ Iran,²⁰ and Venezuela²¹ have all announced that they are considering developing (or have already developed) digital currencies to liberalize the flow of money into their countries. President Maduro has claimed²² that the Venezuelan digital currency, dubbed the “Petro,” has raised over \$3.3 billion since its launch in February 2018. President Trump signed an executive order banning Americans from purchasing crypto Petro.

Other cryptocurrencies, like Libra or Bitcoin, do not pose as serious a threat to US economic primacy. Today, roughly 5,000 digital currencies have a total market value of over \$263 billion.²³ Of these, Bitcoin has the largest circulation, but it pales in comparison to the \$1.75 trillion US dollars in circulation.²⁴ “While we debate these issues, the rest of the world isn’t waiting,” Mark Zuckerberg, the Facebook chief executive, said during his testimony in front of the House Financial Services Committee. “If America doesn’t innovate, our financial leadership isn’t guaranteed.”²⁵

In sum, the Federal Reserve, US Treasury, and Congress can work together to help America outmaneuver China. Former Commodity Futures Trading Commission (CFTC) chair Christopher Giancarlo and former CFTC chief innovation officer Daniel Gorfine argue that just as the Soviet launch into space

threatened US technological dominance, “recent developments in digital currencies similarly threaten the dollar’s dominance.” They posit that “a network of Beijing-dependent states trading a digital yuan . . . could end the delicate world economic order Americans have long taken for granted.”²⁶

Economic statecraft remains a critical tool in any country’s arsenal. The above agencies must ensure that China does not gain the upper hand in soft power competition.

Conclusion

The US financial system can be restructured by giving universal direct access to credit risk-free central bank money. In the ten years since the financial crisis, technological advancements and regulatory tools have laid the foundation for the emergence of central bank digital currencies.

American policymakers must understand three key benefits and threats that digital currencies pose. First, digital currencies created by competing states may threaten economic primacy by allowing countries to bypass sanctions that provide a critical tool for American economic diplomacy. Second, digital currencies may improve US financial stability by providing a risk-free store of value for retail depositors. Third, policymakers at the Treasury Department and Federal Reserve ought to consider how CBDC design implications may disrupt bank business models, lending, and certain communities in America. As the global economy becomes increasingly interconnected and as technology continues to shape economic statecraft, CBDCs have emerged as a method to fundamentally reshape the financial system and promote long-term financial stability.

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China's Belt and Road Initiative in Southeast Asia: A Practical Pathway to Economic Prosperity— If Done Right

Melina Anlin

China's Belt and Road Initiative (BRI) is a collection of highly ambitious global infrastructure projects that can be found on historical Silk Road trade routes,¹ spanning from East Asia to Europe.² China is expected to spend over \$1 trillion on BRI infrastructure projects by 2027,³ in an experimental effort to bring prosperity to parts of the world that have been left out in the new global economy. However, amidst the shifting balance of power between the United States and China, some argue that China is using

the BRI as “debt-trap diplomacy” for achieving its end goal of global supremacy. This might not necessarily be the case.

Ever since Chinese President Xi Jinping's announcement of the BRI in Indonesia in 2013,⁴ there have been a number of notable BRI projects in Southeast Asia, including the Sihanoukville Special Economic Zone in Cambodia and the on-and-off Bandar Malaysia mixed-development project. Host countries in Southeast Asia have had varying opinions

“Historical relations serve as fundamental building blocks that shape present-day perceptions about BRI between China and its host countries.”

about the benefits of BRI, given the predominantly unfavorable narratives of BRI projects portrayed by Western media as well as the degree of success or failure for each project. However, at the end of the day, the BRI is a practical alternative for making a country more economically prosperous. Countries have to determine which type of financing, Chinese or Western capital, works best for their own interests depending on individual projects and circumstances. This article specifically explores how historical relations, alternate sources of investment, and domestic affairs play into decision making on whether or not BRI investment is viable for Southeast Asian countries and, more broadly, any host country partnering with China.

Understanding Historical Relations with China

Historical relations serve as fundamental building blocks that shape present-day perceptions about BRI between China and its host countries. A historically strong relationship with China accelerates the introduction and progress of BRI projects in host countries. China is eager to select a host country that will welcome its BRI efforts with open arms, so that it can showcase initial BRI “success stories” to other countries. Likewise, a historically rocky relationship will carry its ghost from the past to present-day bilateral relations and complicate the development of BRI projects in host countries. Cambodia’s strong relationship with China illustrates the former point. Cambodia’s “eager embrace” of the BRI is due in part to China’s role as a close defense ally, particularly when China sided with Cambodia to protect it from Vietnam’s and Thailand’s invasions.⁵ Since then, Cambodia has been an early proponent of BRI. After

the revitalization of Sihanoukville, a Cambodian city that transformed “from a village into a town like Macau,”⁶ China has been touting its ability to successfully deliver on infrastructure projects. Pilot projects like Sihanoukville can be showcased to other Southeast Asian countries in order to get buy-in on BRI.

On the other hand, Indonesia had a complex relationship with China during former president Suharto’s term, cutting off diplomatic ties for decades due to differences in political ideologies.⁷ Even though economic interests have driven subsequent Indonesian presidents to restore Indonesia–China relations,⁸ Indonesia’s deep and dark history of suspicion, mistrust, and anti-Chinese sentiments still impacts today’s bilateral relations, and it complicates the development of Chinese-led projects in the country. To date, the Indonesian government has not recognized any BRI programs,⁹ revealing the country’s cautious stance toward China.

Seeking Alternate Sources of Investments

The importance of China and BRI for a country’s economic development is dependent on how much leverage and how many investment options that country has. For countries that did not receive aid based on the Washington Consensus, a set of reforms in the 1980s¹⁰ for promoting economic prosperity in developing countries, China’s BRI presents a quick and feasible option for achieving economic growth with tangible results on the ground. In the case of Myanmar, which has a history of US and EU economic sanctions, China’s (and later Japan’s¹¹) eagerness to build a deep seaport and industrial park in one of the country’s poorest regions¹² will help increase foreign direct investment and trade in the future. As a result, Myanmar does not have to rely entirely on the Western world to find economic prosperity—but neither does it have to be solely dependent on China to bolster its economic development. Japan has been investing in the country too, with successful initiatives such as the Thilawa Special Economic Zone.¹³

Getting Involved in Host Countries' Domestic Affairs

Each country's domestic affairs, nationalistic sentiments, and project expectations can raise tensions over embracing China's BRI. In addition, Western and local media's portrayal of the BRI, as well as social media, can further complicate the situation, since these platforms can easily shape and sway public perceptions of China's initiative. Indonesia serves as a prime example where China needs to understand the complexities nested in host countries' domestic affairs. It is not surprising that Indonesia has been a high priority for China, given that the country is Southeast Asia's largest economy, with GDP of over \$1 trillion¹⁴ and a domestic population of over 260 million.¹⁵ However, given differences in the two countries' political ideologies, and the history of anti-Chinese sentiments that are still present to this day, the Indonesian government's legitimacy lies partly in not being seen as too pro-China. Furthermore, a growing wave of nationalism has given rise to the spread of anti-Chinese/BRI propaganda in majority-Muslim Indonesia. To appease these nationalist sentiments, the current administration must at least show that it is paying attention to domestic national interests and exercise caution in promoting BRI projects in Indonesia. In July 2019, for example, the Indonesian government announced that BRI projects in the country are to be re-labeled as BRI-GMF (Global Maritime Fulcrum) to reflect the synergies between the two countries.¹⁶

In addition, insight into how previous Chinese-led projects have been implemented, managed, and perceived on the ground has huge implications for

the future of BRI in host countries. In the case of the high-profile \$6 billion Jakarta–Bandung high-speed railway project in Indonesia, the project has been delayed multiple times. As former Head of Indonesia's Investment Coordinating Board (BKPM), Tom Lembong, put it, “What has plagued the project over the last three years is just mismanagement, plain and simple. We had not even the B team in there. Possibly not even the C team, but the D team.”¹⁷ This type of negative sentiment does not reflect well on Chinese companies' image in the country, which only makes it tougher for China to sell the merits of BRI throughout the world. In order to gain the trust of host countries, China must make a concerted effort to ensure that project management and quality are held to the same standards as projects done domestically in China.

Lessons and Future Vision

An analysis of different Southeast Asian countries shows that one cannot naively generalize the impact of BRI on Southeast Asia as a whole. Unique and subtle differences exist from country to country in the region. Lessons from Cambodia show that China can more easily implement BRI projects in countries that share similarly authoritarian political regimes. However, in a democratic country like Indonesia, public opinion matters. In this particular case, China needs to pay attention to how their projects are being perceived by local communities and how they can get implicated in the host country's domestic affairs. It would be wise for China to realize that each country needs a tailored BRI approach.

Given that countries nowadays are increasingly interdependent on one another, China needs to understand that how it handles its own domestic affairs will influence other nations' perceptions of China's diplomacy and projects abroad. For instance, when China's ambassador Bai Tian denounced China's internment of Muslim minorities in Xinjiang, outrage and anger worsened among Muslims in predominantly Muslim Malaysia.¹⁸ Malaysian political analyst Azmi Hassan also added that negative perceptions of China could “cloud one's thinking”¹⁹ and have a trickle-down

“In order to gain the trust of host countries, China must make a concerted effort to ensure that project management and quality are held to the same standards as projects done domestically in China.”

effect on how BRI projects are perceived by the Malaysian public. As a result, Malaysians may lose sight of the BRI's practical benefits.

While China has its own fair share of learning and adjustments to make regarding the BRI, it is important for government officials and key private sector players in current and potential host countries to think about how they could use the BRI to their advantage. Host countries should focus on ways that they could leverage the BRI to benefit their countries' human capital development and economic growth, rather than getting caught up in Western media narratives of whether or not the BRI is debt-trap diplomacy. Governments should consider setting the rules of the game for BRI in their own countries and take the lead in controlling BRI narratives for their own people. To the former point, governments could mandate that any BRI project is to be done on a business-to-business basis, thereby avoiding government exposure to default. They could also encourage BRI deals to be structured as investments in which Chinese companies take equity ownership, instead of merely providing loans and contracts. Finally, host countries should define what BRI success means for themselves and take active steps to realize it. If success means that BRI will bring China's technological know-how and knowledge transfer to host countries for improving workforce skills and productivity, then it is crucial that domestic players fight for local employment opportunities and get the A team from their Chinese counterparts. After all, any aid, loans, or investments in BRI countries can only be economically beneficial with the active involvement of the host government.

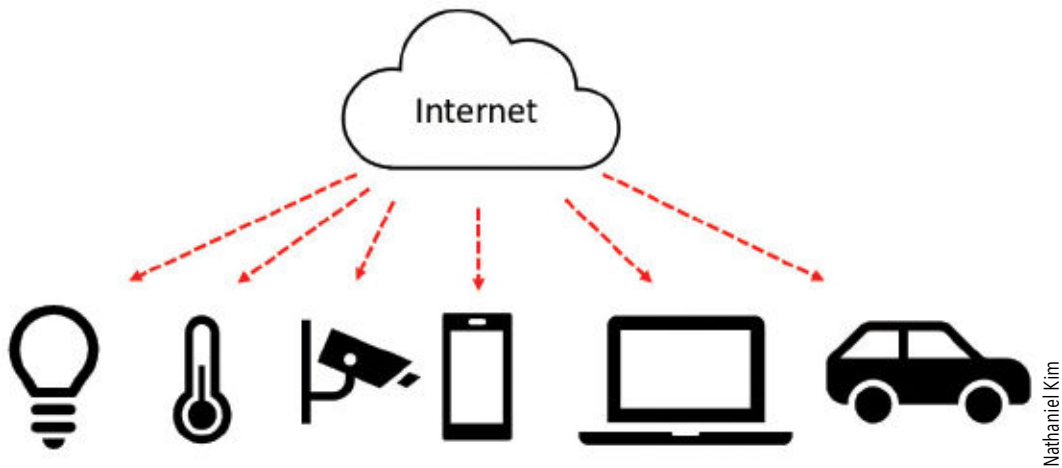
This article is written based on learnings and reflections from Professor Willy Shih and Professor Meg Rithmire's course, IFC Asia: China's Belt and Road Initiatives, which is taught at the Harvard Business School. Several BRI project examples are taken from a research paper written by Melina Anlin, Lea Gee-Tong, and Hanh Nguyen, as part of the final project for the course.

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Consumer Product Safety in an Ever-Connected World

Nathaniel Kim

The alarm rings at 7:00 a.m. Rubbing your eyes, you mutter, “Alexa, I’m awake.” The Amazon Echo begins your morning routine, explaining weather and traffic conditions for your commute and activating the smart kettle for your tea. Everything is going as expected, except for one thing. Someone has hacked your smart kettle and removed its built-in safety restrictions, causing it to dangerously overheat. Instead of water boiled to a perfect temperature for your earl grey, you find your kitchen engulfed in flames.

This scenario is both hypothetical and real. It’s hypothetical because there have been no smart-kettle-related safety incidents in the United States . . . yet (knock on wood). But it’s also very real—at a European conference in 2018, a cybersecurity expert gave a live hacking demonstration showing how easily a smart kettle can be rendered dangerous to consumers.¹

If hackable kettles do not immediately terrify you, consider this: anything connected to the internet can be hacked, and thousands of products are being connected to the internet every day, adding to the rapidly

growing Internet of Things (IoT). Some estimates expect 50 billion devices to be connected by 2030.²

The explosion of the IoT market comes with similarly large risks to the public. Competitive pressures are pushing smart-product manufacturers to introduce thousands of new devices that lack even the most basic security features. This has brought IoT products to the center of serious security incidents, ranging from hacked home surveillance cameras used to harass children in their bedrooms³ to hundreds of thousands of IoT devices overloading regional Internet servers.⁴

As a result, cybersecurity issues such as hacking or unexpected system failure—concerns once associated with government espionage and traditional computers—are now highly relevant for consumer protection. However, existing consumer product safety policies may not be sufficient to address the challenges brought on by the IoT.⁵

The first policy challenge involves terminology and definitions that don’t reflect the hybrid nature

of consumer products today. Product safety laws typically treat “goods” (hardware) and “services” (software) as distinct categories. IoT devices fall into both of these categories, and this gray area will only continue to grow.

Information asymmetry is another problem: producers naturally know more about a product and its potential risks than consumers. Product labels have commonly helped solve this issue by signaling to consumers that certified products were safe. However, labels may not be compatible with the Internet of Things, given its dynamic nature. Unlike traditional products that remain unchanged throughout their lifecycle, smart products regularly receive software updates that add or remove functionality. We can no longer declare that a product is complete and ready for certification with certainty.

There is also the hairy question of liability. Assigning responsibility for harm during the use of an IoT device is complicated. Take, for example, the smart security camera being used to spy on children. Who is responsible for any resulting harm? The hardware manufacturer or the software developer? Is the parent responsible for not changing the default password to a stronger one? What counts as a strong enough password? Who decides?

No single solution will be able to address all these problems. However, three things are important to include in any policy solution.

First, smart products should be treated as categorically different from their “dumb” cousins. As security expert Bruce Schneier puts it, a regular fridge is a container that keeps food cold, while a smart fridge is a computer that also happens to keep food cold.⁶ Product safety policies should be updated to account for the realities of digital security. This includes the fact that software will always have bugs and that security risks cannot be eliminated. Risk management should therefore be an ongoing process throughout a product’s lifecycle, instead of a one-and-done quality assessment that declares a product to be safe after a single inspection.

Second, the responsibility for product safety should

be held by suppliers. Software vendors have historically avoided this responsibility by writing provisions freeing them from liability into contracts or license agreements, thereby placing a disproportionate burden of risk on consumers. Policymakers should rethink liability for smart products, perhaps following the California Supreme Court’s reasoning in the 1940s: “Public policy demands that responsibility be fixed wherever it will most effectively reduce the hazards to life and health inherent in defective products that reach the market.”⁷

Finally, governments should coordinate cross-border efforts. As with most high-tech products, IoT devices have global supply chains: components are manufactured and assembled then marketed and sold around the world. Enforcement of security standards is a global challenge with transnational repercussions, and standards should be negotiated and managed with this international scope in mind. Europe made promising progress on this front last year, when the European Telecommunications Standards Institute (ETSI) released the first globally applicable safety standards.⁸

As the smart kettle scenario outlined at the beginning of this article suggests, it is not an exaggeration to say that public safety and human lives are at stake when it comes to securing the Internet of Things. While it is certainly important to consider the implications for defending against cyberattacks and securing critical infrastructure, they should not overshadow the equally serious task of protecting millions of everyday consumers from unsecured products.

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Dennis van der Heijden

Protecting Digital Privacy: Why the United States Should Follow Europe’s Lead and Pass Federal Legislation

Aisha Iqbal

Since the 2016 election, the right to digital privacy has emerged as a fundamental issue in the United States, as reports have detailed the way technology companies such as Google and Facebook are potentially violating consumer rights in how they collect, analyze, and sell user data.¹

Despite public concern following events such

as Cambridge Analytica’s involvement with the 2016 election and the Equifax credit data breach, government action in the United States has been limited. It wasn’t until the California Consumer Privacy Act (CCPA), which went into effect 1 January 2020, that substantive privacy regulation was enacted on a statewide level. At the federal level, legislators

have proposed several digital privacy bills, but none has received the support of both political parties.

By comparison, the European Union implemented major privacy regulation legislation in 2018, the General Data Protection Regulation (GDPR), giving EU consumers greater agency over how companies use their data. Without similar federal legislation, the United States is not only compromising its constituents' right to privacy, it is allowing big tech to grow without the necessary consumer safeguards. As California Congresswoman Zoe Lofgren highlights, "a legal framework for digital privacy is needed to protect consumers from the ever-growing data-collection and data-sharing industries that make billions annually off Americans' personal information."²

Europe's Digital Privacy Regulations

The GDPR established fundamental digital privacy rights for its citizens and residents, which have served as a model for national legislation elsewhere, including in Brazil. Due to the size of the European market, GDPR regulations have prompted tech companies to change their data standards in Europe.³ For example, Facebook began asking users if they wanted to see certain ads or share their profile information with its advertising partners.⁴ Many see changes in Europe as a first step toward broader, global privacy updates. "If we can export [these changes] to the world, I will be happy," said Vera Jourova, the European commissioner in charge of consumer protection and privacy, who also helped draft GDPR.⁵

Under the GDPR, any public or private entity handling data must have "appropriate technical and organizational measures" to protect individuals.⁶ The entities must design information systems that ensure

"Without similar federal legislation, the United States is not only compromising its constituents' right to privacy, it is allowing big tech to grow without the necessary consumer safeguards."

consumers cannot be identified and their information is not publicly available. Further, they cannot process personal data unless it falls under specific legal bases, which include contract or legal requirement.⁷

In addition, to collect and use data, companies must disclose the lawful basis for its processing, the length of data retention, and whether data are to be shared to any third party or party outside of the EU.⁸ European consumers can request a copy of their data and have their data erased under some circumstances.⁹

The GDPR requires some public and private authorities that use data collection to employ a data-protection officer to manage compliance with the legislation.¹⁰ Companies must also report data breaches to each member state's supervisory authorities within 72 hours if there is impact on user privacy.¹¹

US State and Local Response

One of the first states to enshrine a "right to privacy" in its constitution, and the first to pass a data-breach-notification law, California also passed the first comprehensive digital privacy legislation in the United States.^{12,13} Similar to GDPR, the CCPA requires companies to disclose to customers what data they collect and how consumers can request the company delete or stop selling their data.¹⁴ Companies cannot deny service if consumers opt out from data collection.¹⁵

CCPA's passage has already impacted how technology companies operate in the United States. In late 2019, Microsoft was the first company to announce that it would abide by the new regulations in every state, calling privacy a "fundamental human right."¹⁶

As of August 2019, at least 25 states and Puerto Rico had introduced digital privacy bills, though California's is still the only success. New York's failed privacy bill was even more expansive than California's. It introduced in the United States the concept of private right of action, allowing individuals to sue technology companies for data breaches instead of depending on collective action.¹⁷ GDPR does allow private right to action, but it is not clear whether each

“Federal legislation without a pre-emption clause is necessary to ensure universal and consistent consumer privacy in the United States.”

EU member state can actually enforce the action within its domestic court system.¹⁸

States and localities have found greater success in specialized data-protection legislation. Illinois, Texas, and Washington passed biometric privacy laws targeted at the increased public use of facial recognition technology.¹⁹ Nonetheless, Al Gidari, a privacy professor at Stanford Law School, told the *New York Times* that “absent a very strong federal privacy law, [the American public] is screwed.”²⁰

US Federal Response

Historically, the federal government has responded to consumer data through more specialized protection acts, including the Health Insurance Portability and Accountability Act (HIPAA), Family Educational Rights and Privacy Act (FERPA), and Children Online Privacy Protection Act (COPPA).²¹ As with the case of data regarding health, education, and minors, federal guidance is required to restrict an unequal privacy landscape from emerging.

Multiple proposed federal pieces of legislation have failed to make it through Congress due to two issues: private right to action and federal pre-emption. Republican legislators say inclusion of private right to action, giving individuals the right to sue companies, would harm the business community and clog up the judicial process. Many Democratic legislators assert that it is essential to the passage of a comprehensive bill.²²

Legislators have introduced numerous bills based on the inclusion or exclusion of federal pre-emption, according to which federal law preempts state law when the laws conflict.²³ If a weak federal privacy law is enacted with pre-emption status, it would nullify relatively strong legislation such as CCPA, a concern of privacy activists.²⁴ However, a national

standard, similar to the GDPR model, would reduce costs associated with implementation as it would be uniform across states, a favorable position for several technology companies.²⁵

Policy Options

Federal legislation without a pre-emption clause is necessary to ensure universal and consistent consumer privacy in the United States. Building upon the global model set by GDPR, federal legislation must promote an individual’s right to control his or her digital data, set critical transparency standards, and establish accountability measures—without undermining states’ efforts.

Legislation such as the Consumer Online Privacy Rights Act, introduced by Indiana Senator Maria Cantwell in November 2019, would give consumers the right to view, correct, and delete their data while also presenting them with the private right to action.²⁶ It also lacks a federal pre-emption clause. Unfortunately, current partisan divides have stalled the bill’s progress. Despite barriers, bold legislation like Senator Cantwell’s is fundamental for the protection of the 21st-century American consumer.

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Forget the Surveillance State — We’re Living in the Surveillance Estate

Jean-Baptiste Féline

The expression “surveillance state,” used to describe the surveillance led today by Western governments, piggybacking the private sector, is no longer appropriate. The reality of surveillance in our societies is more omnidirectional than ever. It fosters a new state of mind and enables new behaviors: this is the “surveillance estate.”

The Surveillance State Is a Fantasy

The so-called surveillance state in democracies—an

overwhelming set of lawful or unlawful activities led by a government upon its citizens and foreigners for security reasons—mostly pertains to fantasy. The vision of an almighty government implementing massive surveillance techniques against the people, monitoring every individual’s move and communication, is misleading. Yet this tenacious idea persists in the collective imagination: we tend to associate a public surveillance system with iconic fictional figures like George Orwell’s infamous Big Brother in

Nineteen Eighty-Four or Pre-Crime Unit in Philippe R. Dick's *The Minority Report*.

Hollywood “preaches suspicions of authority,” as the author David Brin puts it.¹ The dystopian views propagated by the movie industry heavily exploit the psychological realm of intrusion, which can be symbolized by multiple-camera systems, microphones shaped like shotguns and pointed at the targets to be surveilled (as in the movie *The Conversation*²), or biometric-reading machines. But however much we may enjoy fantasizing about a dreadful and paranoid future, *Minority Report*'s precogs³ are, for instance, very unlikely to assist policemen anytime soon. In fact, law enforcement is struggling simply to solve crimes that have already been committed,⁴ let alone building a futuristic capacity to prevent them from happening.

We collectively imagine the surveillance state as a monolithic police state, able to surveil, enforce, judge, and imprison. The prominence of this vision has flourished through scholarship itself—especially the surveillance studies—as authors have relied almost systematically on the same famous carceral model of Jeremy Bentham's *Panopticon*.

Despite this omnipotent mythology, in our imperfect but precious democracies, the authorities can collect damning data on people who will nevertheless succeed in carrying out their nefarious projects. Even terrorist attacks, addressed as a top-priority issue, are perpetrated in nearly all cases by known individuals previously marked as national security threats.⁵ Does this mean that surveillance is not efficient and that all such crimes take advantage of intelligence failures? No. Rather, the collection of a piece of intelligence does not necessarily enable the government to act,⁶ for a wide range of material, political, and legal reasons. But more to the point, it reveals that while detection is coordinated in the best fashion and eventually allows for the disruption of many attacks,⁷ monitoring and continuously surveilling the various individuals once flagged—and foreseeing their actions—is a much more difficult task.

“Surveillance varies in its intensity but also involves different actors with multiple roles: this is the ‘surveillance estate,’ where multidirectional surveillance challenges traditional hierarchies of power and implicates all of us in a pernicious game of ‘who trusts whom.’”

The Reality of Surveillance: States in Need

To achieve its mission of preserving national security, the US government can run surveillance operations if granted a judicial warrant,⁸ but legal frameworks do not prevent all abuses and wrongdoings, especially when a state is eager to track its enemies down. This is not a new phenomenon. Professor Jack Goldsmith, who sees J. Edgar Hoover as the “godfather of the American surveillance state,” underlines that “for the six decades prior to 9/11, presidents and attorneys general, under pressure to find and defeat various ‘enemies’ in American society, had secretly blessed surveillance practices that would be declared illegal when they came to light years later.”⁹

The 2001 terrorist attacks put the executive branch back under high pressure, which led to programs such as Stellarwind¹⁰ and PRISM. The unlawful disclosures by Edward Snowden in 2013 made headlines and had a huge impact, corroding the public trust toward the intelligence community.¹¹ But perhaps the most interesting takeaway from the scandal was not that German Chancellor Angela Merkel's phone line was tapped, along with those of other European leaders,¹² but that the US government largely depends on the private sector to carry out its mission, and especially the big tech companies providing internet services: Google, Facebook, Apple, Yahoo, Hotmail, to name a few.

Today, Western governments are quite candid about this situation and openly recognize their need for the private sector's involvement. Intelligence-com-

munity leaders call for closer cooperation with the private sector, as Sir Andrew Parker (MI5 Director from 2013 to 2020), recently did in the *Financial Times*:¹³ “The private sector has way more information and data about any of us than MI5 would ever have about the individuals we’re interested in.” Such cooperation is not limited to “data relating to terror suspects” but also involves increasing partnerships of all types, including financial investments in start-ups.¹⁴ This kind of public acknowledgement is quite remarkable, since great powers traditionally strive to communicate an image of intelligence preeminence as part of their national deterrence strategy.

The cooperation between governments craving data to ensure national security and private conglomerates holding immense wells of the new digital oil is sometimes fruitful and sometimes hostile, and always complex and deeply intertwined. In cybersecurity, private firms like FireEye and CrowdStrike sell their products and services to government agencies for routine or exceptional requests, bringing an important and useful complement to the intelligence-community’s capacities.¹⁵ But the private sector does not always put national interest at the top of its priority list.¹⁶ Some American companies—among the finest and most powerful—have provided China with surveillance hardware and technology, ultimately enhancing the surveillance system implemented by the communist Celestial Empire across its regions, where human rights abuses against minorities and dissidents are observed.¹⁷

Introducing the Surveillance Estate

In fact, the private sector has now developed a knowledge of individuals that is more comprehensive and precise than ever, encompassing social connections, opinions, psychological profiles, cultural behaviors, purchase patterns, health data, geolocation, finances, and more. This huge data collection and monetization by giant tech companies—which are essentially advertisement companies with sound and innovative technologies—are now more understood and, in cases like the commercial and political usage of such data

by Cambridge Analytica, have faced public scrutiny.

Since their inception, Facebook and Google’s business models have been based on surveillance and boosted by the network effect.¹⁸ Apple’s strategy has its own specificities, building a low-cost luxury brand and transforming customers into devotees,¹⁹ but also relies heavily on proprietary formats, artificial intelligence, and sometimes a geolocation option you cannot turn off.²⁰ These companies operate in this novel business realm by exploiting information directly generated by the users. This specific digital economy loots all available data and creates new forms of information and market opportunities, which sustains the global surveillance-originated big data that Professor Shoshana Zuboff calls “surveillance capitalism.”²¹

The field of surveillance studies now takes into consideration, by and large, activities operated either by public or private entities. Even the now-preferred term “surveillance societies” is considered to be “potentially misleading” by David Lyon “because they suggest merely a total, homogeneous situation of ‘being under surveillance’ when the reality is much more nuanced, varying in intensity and often quite subtle.”²² Indeed, the reality is more complex than a massive top-down surveillance run by authorities and companies. Surveillance varies in its intensity but also involves different actors with multiple roles: this is the “surveillance estate,” where multidirectional surveillance challenges traditional hierarchies of power and implicates all of us in a pernicious game of “who trusts whom.”

According to the harsh logic of the surveillance estate, governments monitor their citizens to con-

“Such extreme and historical examples teach us that surveillance, at some points, is always carried out by humans against humans — whichever techniques are used. And the damage, before being economic, legal, or political, is profoundly human.”

trol crime, but they must also protect themselves from criminal surveillance, limiting transparency when it comes to critical infrastructure.²³ And for data-gathering companies, individuals are both the *sources* and the *targets* of surveillance. Many of these companies are highly manipulative, gripping our lives with enhanced marketing techniques.²⁴ Facebook exploits our “deep subconscious needs for belonging, approval and safety.”²⁵ And we could argue that the surveillance companies, at the individual level, instrumentalize the same fears—risk aversion and public panic—we observe when our collective security is threatened. Nonetheless, our active role in the surveillance system does not make us mere victims ready to be manipulated, though many social studies tend to describe it in such terms. While we may not see the big picture of the ultimate tradeoffs, we certainly enjoy the convenience of technology, which enables us to meet our personal surveillance objectives.

Old forms of monitoring are now carried out through our connected devices, and new opportunities also emerge: social media,²⁶ now a primary source of information for journalists; horizontal surveillance for security reasons (“if you see something, say something”) or moral motives; video captures of mundane happenings in the streets; reality TV polling. . . . The digital citizen is a pro-surveillance activist who likes to share and view: as a consumer (reviews and ratings), as a voter (opinions surveys), as a friend (online connections), as a parent (snooping tools²⁷ and daycare cameras), as a witness (news reporting by bystanders), as a tenant or landlord (home-automation and security products), as a manager,²⁸ as a spouse.²⁹ Do these multiple roles signal empowerment or excessive individual entitlement? Smartphones can be weaponized to quickly denounce or impulsively report others’ words and activities, damaging reputations or more.³⁰ With this tendency to pry and self-entitlement, a misconception of whistleblowing has also mushroomed, leading to a confusion between public and private lives: “[Jonathan] Zittrain worries that people have lost sight of the original value behind

whistleblowing, which is to make powerful institutions publicly accountable. Now everyone is vulnerable.”³¹

The New and Hard-Fought Boundaries of Privacy

To tackle these new surveillance challenges, and to recover a certain control over privacy and personal data, it may be an appropriate approach to regulate the data-broker industry, as recently suggested³² by the security researcher Bruce Schneier. But such markets are for third-party data trading. Another, larger issue is the first-party data (users’ data) held by the GAFA giants (Google, Apple, Facebook, and Amazon), as well as other companies like Microsoft, Tesla, or Uber.

There is not an obvious and easy regulatory model to recover data control. Hence, the first real efforts undertaken so far have been focused on the monopolistic power of the GAFA. The new markets being so opaque and evolving at a fast pace, it seems necessary—though not sufficient—to challenge their monopolistic abuses. And since the issue is global, our societies must address it with international instruments. Across the Atlantic, the European Union Commission has been striving to frame the Big Four’s outgrown appetite, distributing gigantic fines to Apple,³³ Facebook, and Google over the past few years, mainly on anti-trust legal grounds, as it had done several times before to Microsoft. Besides sanctions, the European Union took, with the General Data Protection Regulation,³⁴ a major regulatory step that is likely to be followed soon by proposals from the Executive Vice-President of the Commission, Margrethe Vestager, whose new mission for “A Europe fit for the Digital Age” entails the coordination of a “European strategy on data,” work on a “new Digital Services Act” and on “digital taxation.”³⁵

In addition, a whole array of investigations has been launched within some EU member-state jurisdictions,³⁶ and other kinds of initiatives, such as the French 3 percent “digital sales tax,”³⁷ infuriated Washington and Silicon Valley, who would prefer to reach a consensus through the OECD.³⁸ Despite

these efforts, mere regulation and litigation may not suffice to tame the Big Four, especially where other competing national interests impede genuine international cooperation. It is for this reason that people like Professor Scott Galloway³⁹ or Roger McNamee⁴⁰ argue for dismantling the big tech monopolies. This idea of “breaking up” the giants has disseminated, and Senator Elizabeth Warren, a former 2020 Democratic Party presidential candidate, inserted it in her program.⁴¹

However it takes form, the wrestle promises to be nasty, given the power and money at stake. Although the states have the incomparable privilege of sovereignty, the private digital empires make phenomenal profits, have a small overhead relative to their business scale, and embody innovation—quite the contrary of the governments they face. The big tech companies are ahead, and “their abilities to surveil for profit outrun public understanding and the eventual development of law and regulation that it produces.”⁴² Most companies are still headed by their founders and owners. By nature, they are relentless, leading offensive strategies,⁴³ experimenting and forcing their way until they meet further resistance.

“Hey Google! Show Me the Way out of the Surveillance Estate.”

Although the techniques of surveillance are mostly engineered and used by the government and the private sector, the omnidirectional aspect of the surveillance estate is essential to bear in mind, as the human component and our shared responsibility ought not to be downplayed. Even in historical surveillance states, the image of an almighty government, on one side, watching and listening to the citizens on the other side is not accurate. The Stasi exemplifies surveillance states’ involvement of civil society to exercise surveillance in multiple directions: the East German Ministerium für Staatssicherheit hired unofficial collaborators (inoffizieller Mitarbeiter) throughout its decades of surveillance and relied on individual citizens in its quest to monitor everyone, especially the government itself.⁴⁴

Such extreme and historical examples teach us that

surveillance, at some points, is always carried out by humans against humans—whichever techniques are used. And the damage, before being economic, legal, or political, is profoundly human. Over-surveillance destroys personalities. It breeds distrust and, ultimately, shatters self-confidence, impairing the possibility to develop virtue.⁴⁵ In other words, today, we might give up our character by giving away our characteristics.

Dystopian literature leads us to imagine a world where our internal freedom is chained, our soul at risk. In this respect, the pervasive nature of surveillance technology appears as a means to radically distract us from what matters. As the author Georges Bernanos wrote: “We do not understand a single thing about modern civilization if we do not first admit it is a universal conspiracy against any kind of inner life.”⁴⁶ We do not yet know what the most suitable policies are to address the challenges of this surveillance estate. But true empowerment will not come from being granted more rights by the state but by realizing that we already participate in shaping our present world; essential freedom cannot be achieved merely by defying authorities or corporate giants but rather by contemplating what we can each achieve with our given dignity.

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Endnotes

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Aaran Patel

Mumbai's Stories in Stone: Urban Heritage Conservation in the Maximum City

Aaran Patel

Mumbai's urban identity has been in flux since its founding as a colonial port city. Over the course of two centuries, a combination of British officials and Indian merchants and laborers transformed the formerly sleepy archipelago of seven islands in the Arabian Sea into a global hub of commerce.

In the past 50 years, Mumbai's population boomed from 5 million to 20 million, and its economy transitioned from trade based to service based. However, Mumbai's never-ending quest for

space threatens heritage structures integral to the city's history, raising questions about the balance between conservation and development.

The Mumbai Heritage Conservation Committee (MHCC) was born from NGOs' participation in the development planning process and their demand for regulatory frameworks to preserve built heritage. Although MHCC is an advisory committee and has few implementation powers, it has shaped regulation and citizens' awareness

about heritage. This includes developing a grading structure for heritage buildings based on their history and significance. While this grading has been critical to protecting buildings and raising funding, it also asserts a significant power over what buildings are considered worthy of preservation.

Although by Indian standards Mumbai is quite young, its short history has bequeathed a range of architectural styles. From strategic defenses to places of worship to residences, Mumbai's historic buildings reveal the changing priorities and aspirations of residents through the ages.



Aaran Patel

Mahim Fort, on the city's west coast, juxtaposed with rising luxury high rises and office complexes

Mumbai's coastal forts, established as strategic strongholds between the 16th and 19th centuries, are among the city's oldest man-made structures. They protected residents from enemies and controlled the passage of goods and people among the city, its hinterlands, and commercial shipping channels. Some of these forts have received the highest category of grade I classification by MHCC, ensuring sensitive subsequent developments around the historic structures. However, not all forts have received grade I

classification. After years of willful neglect, some are barely able to withstand the forces of tide and time. Unclear land ownership of Mahim Fort has led to squatting and encroachment, further complicating conservation efforts. Because of its vague heritage status, Mahim Fort's foundations are crumbling in the wake of recent coastal erosion.



Aaran Patel

Building detail on D.N. Road in the Fort precinct

Built by the British in 1769 and positioned close to the city's southern docks, Mumbai's most historically significant and strategic stronghold was Fort George. The fort held the offices of shipping, trading, and banking firms and became known as Mumbai's first business district. As it became a center of global trade, the colonial city outgrew Fort George. The ramparts of the fort were dismantled in the 19th century to make way for new developments. Today, the area is home to Mumbai's largest concentration of heritage buildings. Neoclassical and Gothic Revival buildings line the thoroughfare through the business district.



Aaran Patel

Watson's Hotel

As the walls of Fort George came down, real estate speculators realized the potential value of the land that had once abutted its moat and periphery. An Englishman, John Watson, bid for the parcel of land on which he later designed and constructed India's first cast iron building: the eponymous Watson's Hotel. Its components were imported from Bristol, England, and its structure assembled on site. The luxury hotel opened with fanfare in 1871. Over subsequent decades, as the hotel was no longer profitable, the establishment's once-resplendent rooms were leased out to residential and commercial tenants. Today, the iconic hotel is in disrepair. Its facade is a snapshot of how rent-control regulations prevent landlords from raising the funds required to maintain heritage buildings.



Aaran Patel

Victoria Terminus Station, now known as Chhatrapati Shivaji Terminus

Mumbai's heritage conservation movement in the 1980s and 1990s played a critical role in drawing awareness to the architectural identity of the city. As a result of these efforts, landmark buildings including the Victoria Terminus train station, Gateway of India, and Rajabai Clocktower now have grade I heritage status. This grading has cemented their place in the city's urban identity in perpetuity and has helped direct the funding required for their upkeep.



Aarav Patel

Victoria Terminus station building details, with the city government headquarters in the background

The Indo-Saracenic buildings, including the headquarters of Mumbai’s Municipal Corporation, were built at the zenith of British rule in India, marking a moment of imperial flair and expression. Though the layout of these buildings resembles Gothic Revival structures, the decorative elements drew from Indo-Islamic architecture native to the subcontinent. The Indian philanthropists who built Mumbai’s universities and other public institutions largely chose a similar architectural style, with more Indian motifs and designs.



Aarav Patel

Hajian Dargah

Indo-Saracenic architecture is found in a range of residential, commercial, and religious buildings, characterized by Indian self-expression. Private patrons have recently conserved some of these buildings, like the Hajiani Dargah. Although the plots of land neighboring the Sufi shrine were sold to developers, the family that built Hajiani Dargah restored the monument to its former glory. Vikas Dilawari, a renowned conservation architect and member of the Mumbai Heritage Conservation Committee, led the restoration process. The philanthropists' patronage, he said, has played a critical role in keeping the heritage conservation movement alive.



Aaran Patel

Soona Mahal, one of Mumbai's iconic Art Deco buildings

Between the 1930s and 1940s, Art Deco was the predominant architectural style in Mumbai. Over the past decade, citizens have increasingly developed an appreciation for this style, in particular Mumbai's Art Deco office and residential buildings and movie theaters.

The nonprofit organization Art Deco Mumbai is a citizen-led initiative that documents many of the city's buildings and neighborhoods. Its digital

repository, savvy social media use, and programming of lectures and film screenings about Mumbai’s architectural heritage have encouraged people to pause and photograph rather than merely pass by iconic buildings. Art Deco Mumbai’s founder, Atul Kumar, cites recent engagement from younger Indians as evidence that the group’s outreach is working, bringing “curiosity, sensitization and appreciation of the City’s Deco architecture, which are crucial steps in enabling conservation.”¹

“Mumbai’s never-ending quest for space threatens heritage structures integral to the city’s history, raising questions about the balance between conservation and development.”

These platforms have the potential to combine research with awareness, which could lead to neighborhoods and precincts receiving heritage status and zoning laws that encourage sensitive development. Mumbai’s most significant recent conservation success story was UNESCO recognition of the Victorian Gothic and Art Deco Ensemble as a World Heritage site in 2018, which Art Deco Mumbai helped make possible.

It will take citizens’ participation and government planning to incorporate heritage into the future of Mumbai’s urban identity. Through his work on MHCC, Mr. Dilawari has concluded that the government’s main responsibility is to build a “comprehensive conservation development plan which respects the full ecosystem.”² This could include public-private partnerships in funding for conservation, citywide zoning guidelines, and recognition of areas as heritage precincts. Though battles for space will continue to define Mumbai, efforts to bolster awareness about and accessibility to the city’s built heritage indicate that citizens may prioritize preservation alongside development.

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Revitalizing America's Food Deserts

Stephanie Nussbaum

There is a food crisis in the United States. In the richest country in the history of mankind, millions of people struggle to access and afford food. In many rural food deserts, communities lack fresh food despite being on some of the most fertile lands in the country. Rather than growing crops for human consumption, industrial agriculture grows crops to feed animals or make processed foods.¹ In urban food deserts, entire neighborhoods may be without a single grocery store or fresh-produce stand.²

The challenges of accessibility and affordability go hand in hand. Low-income Americans are less likely to live near a grocery store.³ Households spend more

on food as they earn more, though this represents a smaller share of their overall budgets. The lowest income Americans spend over 35 percent of their budget on food, compared to only 8.2 percent spent by the richest one-fifth of Americans.⁴ While the federal government has attempted to address the affordability of food via the Supplemental Nutrition Assistance Program (SNAP, or food stamps), there has been considerably less attention paid to the issue of access.

Nearly 23.5 million people live in a food desert in the United States, and approximately 50 percent of them are low income. The US Department of Agriculture (USDA) defines a census tract as a food

desert if it meets two conditions: (1) low income and (2) low access. The low-income condition is met if the area has a poverty rate of 20 percent or higher, or a median family income at or below 80 percent of the state average. A non-rural area is considered low access if enough people (either 500 people or a third of the population, whichever is greater) live more than a mile from the nearest food market. In rural communities, the minimum distance to a supermarket expands to 10 miles.⁵

Food deserts can also have serious consequences. Limited food choices often lead to poor nutrition, a critical determinant of health. Living in a food desert increases one’s risk of obesity and developing a chronic disease, such as diabetes⁶ and high blood pressure.⁷

Revitalizing America’s food deserts won’t be easy. There are substantial upfront costs to developing and opening a new store. Perhaps more importantly, stores can only survive where sufficient demand exists. In rural or low-income areas, there is often insufficient demand to incentivize private operators. In the absence of a cohesive national policy addressing food deserts, local governments, federal pilot programs, and the private sector are innovating—and innovating quickly.

State and Local Governments

Across the country, state and local governments are addressing food deserts by lowering the barriers to entry for supermarket operators. However, the mechanisms to do so vary by locality and range from tax incentives to revenue-sharing models.

In 2004, Pennsylvania partnered with a coalition of investment groups, and nonprofit organizations launched the Pennsylvania Fresh Food Financing Initiative. The state seeded the program with a \$30 million grant, and an additional \$145 million was leveraged to provide loans and grants and to subsidize a store’s start-up costs.⁸ The use of a public-private model gave the program significant flexibility to address Pennsylvania’s diverse populations and successfully open 88 new stores in underserved communities in its lifecycle. The supported projects ranged from full-service supermarkets in urban centers to small

groceries in rural counties. In total, the program created an estimated 5,000 jobs and 1.67 million square feet of commercial space.⁹

In Birmingham, Alabama, where 69 percent of the population lives in a food desert, current Mayor Randall Woodfin is aggressively addressing food access. In 2019, the city council approved the \$500,000 Healthy Food Fund,¹⁰ which allows the city to provide grocery stores with funds to help mitigate upfront costs.¹¹ The fund also provides for revenue-sharing deals, in which the supermarket would receive a sales tax rebate.¹² Furthermore, to support the long-term operation of grocery stores in Birmingham, mayor Woodfin introduced the Healthy Food Ordinance to amend the city’s zoning codes. The ordinance establishes rules on the clustering of dollar stores within food deserts and loosens regulations on food retail establishments.¹³

Reflecting on the impact of expanded healthy food options in Birmingham, Josh Carpenter, director of the Department of Innovation and Economic Opportunity, noted that improving food access was foundational and argued that “[h]ealthy foods are the cornerstone of a healthy community. What we are trying to do is show our community that healthy residents make healthy workers, which will lead to a healthier economy.”¹⁴

Rather than directly subsidizing stores, New York City’s Food Retail to Expansion to Support Health (FRESH) program offers discretionary tax and zoning incentives (such as abatement of land taxes and a 1:1 square-foot bonus up to 20,000 square feet) to lower the cost of developing, renovating, or opening a full-service grocery store. The New York City Industrial Development Agency administers the tax incentives, while the Department of City Planning

“But supermarkets can provide more than just improved food access and economic growth—new investments can change how residents see themselves and their communities.”

oversees the zoning benefit program. In its nearly ten years of operation, over 30 FRESH-supported stores have opened, creating more than 1,000 new jobs in New York City.

Atlantic City, New Jersey, is taking a different approach. The city has been without a full-service grocery store for approximately 15 years.¹⁵ As a barrier island with a car-ownership rate below the national average, it is difficult for many residents to access supermarkets outside the city's limits.¹⁶ As a result, the entire city has been repeatedly labeled a food desert.¹⁷

To address this, in the summer of 2019, the Casino Redevelopment Authority (CRDA) and Atlantic County Improvement Authority (ACIA) jointly issued a request for proposals for the development of a grocery store in Atlantic City. Uniquely, the proposed project site is on land owned by both CRDA and ACIA. In August 2019, CRDA voted to certify Village Super Market, which operates 30 ShopRites across four states, to build a 40,000-square-foot grocery store in the city. The project is estimated to cost \$13.5 million and take 13 months to build.¹⁸

But supermarkets can provide more than just improved food access and economic growth—new investments can change how residents see themselves and their communities. Pointing to the emotional and psychological impact of the new store, former Mayor Frank Gilliam explained, “To have ShopRite say it’s willing to be in the City of Atlantic City sends a deeper ripple effect than we can imagine. It’s something the community has wanted for a long, long time. The community should have a right to have a supermarket to eat and live in dignity.”¹⁹

Federal Government

Much like state and local governments, the federal government has developed programs to lower the costs of opening a grocery store. However, more recently, it has explored how SNAP can be used to expand food access to individuals with already-identified needs.

The Healthy Food Financing Initiative (HFFI) was created in 2010 by the Obama administration to bring grocery stores and healthy-food retailers to

“Removing the remote possibility that the government would create publicly run food retail stores, expanding access inherently requires the public and private sectors to collaborate.”

underserved communities across the country. The program is a partnership between the Departments of Agriculture, Treasury, and Health and Human Services.²⁰ Much like Pennsylvania’s program, HFFI uses a public-private partnership model to provide grants, financing, and technical assistance. To date, HFFI has helped leverage more than \$220 million in grants and \$1 billion in additional financing for eligible projects. It has supported almost 1,000 stores in more than 35 states.²¹

In April 2019, the USDA launched a two-year pilot in which SNAP participants can select and pay for groceries online.²² Increasingly, Americans, particularly those in urban areas, are turning to online shopping and delivery for grocery products. The pilot program, which was authorized by the 2014 Farm Bill, expands convenience and access to SNAP recipients.

The pilot originally launched in New York State, and the USDA plans to expand the program to Alabama, Iowa, Maryland, Nevada, New Jersey, Oregon, and Washington. Eligible retailers vary by area but include major retailers such as Amazon, ShopRite, Fresh Direct, and Safeway. Ultimately, the USDA aims to test the online ordering and payment system and address the related security and technical challenges before expanding the program nationwide.

Private Sector

Private sector innovations have largely focused on transportation—either transporting people to grocery stores or transporting food to people.

Lyft, the ride-sharing company, partnered with nonprofits and grocers to launch the Lyft Grocery Access Program. Now operating in 13 American cities²³ and Toronto, Ontario, the program offers

low-income residents of food deserts discounted rides to and from participating supermarkets and farmers markets. Adult participants pay \$2.50 each way, while seniors pay a reduced rate of \$1.50.²⁴ In a pilot of the program in Washington, DC, Lyft estimated that it cut the average commute to a grocery store in half.²⁵ As of November 2019, Lyft provided more than 18,000 discounted rides.²⁶

In recognition of the health impacts of poor nutrition, the Blue Cross Blue Shield Institute, a subsidiary of the health insurance company, piloted foodQ in February 2019.²⁷ Currently limited to Chicago, the program delivers \$5 prepared meals to residents of nutrition deserts. The foodQ model seeks to overcome barriers to food access and provide high-quality, nutritious meals to in-need households.

The Path Forward

While the public and private sectors are taking different approaches to mitigating food deserts, a clear and pressing need across the country is still largely left unmet. In developing new approaches or scaling up successful pilots, policymakers should keep three principles in mind:

Increasing Food Access Requires the Public and Private Sectors to Collaborate

Removing the remote possibility that the government would create publicly run food retail stores, expanding access inherently requires the public and private sectors to collaborate. While this could be through formal or informal partnerships, policymakers must work with the private sector to address barriers to entry and persistence. The success of such partnerships in Pennsylvania and elsewhere should inspire local governments to urgently and intentionally engage the business community in efforts to improve food access.

Think beyond a Traditional, Full-Service Grocery Store

In some communities, particularly those in rural areas, no amount of direct or indirect subsidy will make the

economics of opening a large supermarket make sense. Instead, policymakers should consider other avenues, particularly how technology and hyper-connected logistics networks can address a community's low food access and simultaneously promote healthier eating habits. This type of innovation is already being piloted in the private sector, including through Lyft and foodQ, and should serve as a model to stakeholders in both the public and private sectors.

Revitalizing Food Deserts Means Addressing Both Access and Affordability

If the government could provide sufficient food access to every underserved community, there would technically be no more food deserts in the country. However, the United States would still have a food crisis—one driven by affordability. To fully address this crisis, SNAP benefits need to be maintained and should play a critical role in expanding food access.

SNAP recipients are more likely to live in food deserts (this is in part by definition, as SNAP recipients meet the food-desert criteria of being low income). Thus, addressing America's food deserts means addressing the needs of SNAP beneficiaries, who without support would not be able to sufficiently feed their families. Policymakers must work to maintain or increase funding for SNAP. If a government-supported store opens in a food desert, it will not make a difference in the lives of those most in need if they do not have the resources to shop at the store.

Ultimately, solutions being proposed and enacted to address food deserts are almost as complex and diverse as the root causes. To fully revitalize food deserts, stakeholders from the public and private sectors need to work together to reimagine how Americans grocery shop.

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Lessons from the Mission District to Combat Housing Displacement in San Francisco and Beyond

Joshua Baltodano

My walk home in the Mission District of San Francisco is a perfect illustration of how income inequality has become part of daily life. Lining Shotwell Street are multimillion-dollar homes with homeless encampments out front, and a homeless navigation center right outside my building on 26th Street. With this

juxtaposition, tensions are running high for Mission locals coping with displacement, the defacement of murals honoring leaders like Dolores Huerta (labor leader and civil rights activist), and the shuttering of longtime family-owned businesses to be replaced by trendy stores.¹

“While I understand cities want to be at the forefront of innovation and technology, San Francisco’s former Mayor Ed Lee did not consider how it would impact the city.”

As a former single-room-occupancy tenant from the Tenderloin, living in a shared apartment in the Mission District has been a privilege, but with each spring comes the unavoidable fear of another rent increase, when I wonder if this will be the year I’m outpriced and forced to leave the city I’ve called home for the past 16 years.

The Mission District is ground zero for gentrification: the San Francisco Council of Community Housing Organizations highlighted that 10,000 Latinx residents have left the Mission District in the past 10 years, and the Latinx community now comprises less than 40 percent of the population. One could argue that the tech sector was partly to blame when the mayor’s office enacted a 1.5 percent cap on payroll tax—versus the state’s 6.5 percent—for tech companies to move into mid-market areas, which has generated a loss of \$34 million annually.² Unfortunately, the 1.5 percent cap on payroll taxes did not include local hiring mandates.

While I understand cities want to be at the forefront of innovation and technology, San Francisco’s former Mayor Ed Lee did not consider how it would impact the city. Big real estate developers like Lennar were looking to build and upscale, fast. As a result, evictions under the auspices of the Ellis Act have increased by 121 percent in six years. The Ellis Act is a 1985 state law that allows landlords to evict tenants without cause if they seek to exit the rental market. This past year saw the highest ever number of evictions: 278, not including another four months to be tallied by the Anti Eviction Project.³ The act was initiated to allow property owners to convert or redevelop their property, but the rise in evictions to then be converted on Airbnb listings suggests landlords are “increasingly implementing the Ellis

Act to evict tenants” with the goal of upselling.⁴ An amendment to the Ellis Act for San Francisco was proposed in 2014 to restrict property owners to wait five years before they can issue another eviction. Unfortunately, the measure did not pass.

Despite these challenges, the Mission District and the people of San Francisco have demonstrated a resiliency that has generated pioneering practices and policies to combat gentrification. Here’s what is being done and why it’s working.

Expanding Nonprofit Development

First, the Mission Economic Development Agency (MEDA), a local nonprofit committed to maintaining cultural identity, is stabilizing affordable housing in the district. When MEDA first arrived in the Mission District in 2010, most people had already written off the Mission as a lost cause given ongoing gentrification. Fortunately, MEDA already provides over 1,000 spaces for residents, with 27 affordable housing complexes. This work has been led by Karoleen Feng, who has shifted the program to acquire property through its real estate arm. The organization now oversees hundreds of public housing units and multi-unit apartment buildings and acts as a developer for over 600 below-market-rate units.⁵ One critique of nonprofit development is that some organizations enter into business with private developers by negotiating a below-market affordable housing unit in exchange for market-rate housing or condominiums and that it thus fails to offset the damage done by private developers. As a result, while it is still a great tool to provide affordable housing, I would strongly caution against relying on it as the only vehicle.

Gaining Recognition as a Cultural District

The northern area of the Mission District, the heart of the Mission, was recognized as a Latino Cultural District (LCD) by the San Francisco Board of Supervisors in May 2014.⁶ Being recognized as an LCD mandates that all new businesses must adhere to the surrounding areas and existing patterns of

Erick Diaz



development. It also ensures the protection of cultural murals, thereby preserving the neighborhood’s identity. Calle 24, a nonprofit operated by a volunteer leadership board, works on issues such as land use, arts and culture, quality of life, and economic vitality. Listening to community members, along with MEDA’s 2019 report exploring the expansion of the Mission District, they found that respondents want the LCD to “expand further or even preserve cultural assets like the Clarion Alley Mural Project.”⁷

Bolstering Local Housing and Purchasing Policies

In an effort to combat anti-displacement, San Francisco Supervisor for District 1, Sandra Lee Fewer, introduced legislation known as the Community Opportunity to Purchase Act (COPA) that gives nonprofits (like MEDA) five days to send notice of

“The Mission District and the people of San Francisco have demonstrated a resiliency that has generated pioneering practices and policies to combat gentrification.”

interest to a seller before a property goes on the open market.⁸ Since taking effect in June 2019, nonprofit organizations have been able to purchase newly listed property before private developers and convert to half-market-rate affordable housing. In addition, another law (AB1482) was passed in October 2019, “limiting annual hikes in California to 5 percent plus the regional cost-of-living increase, or maximum of 10 percent per year.”⁹ While the law only caps the increase at 10 percent, as the first statewide rent control, it’s a step in the right direction.

Although these practices cannot offset the damage done to thousands of displaced residents, the ongoing community efforts to preserve cultural identity have the potential to make a dramatic difference. Other cities should take note of the work being done by nonprofit, city and state government actors in the Mission District to find solutions to address gentrification.

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Sage Ross

A Rising Tide Sinks Some Boats: Policy Approaches to Reverse the Effects of Tech-Growth-Induced Homelessness

Simon Borumand

The rise of the tech economy has transformed iconic American cities into magnets for a highly educated, well-paid workforce. While new job opportunities and the constant presence of construction cranes tell a narrative of positive economic growth, the sudden influx of thousands of new residents has strained an already short supply of housing, leading to a rise in homeless men, women, and children.

Seattle's experience with homelessness mirrors up-and-coming tech cities across the country, offering helpful insights into the sequence of events that lead to a rapid increase in homelessness and

what steps can be taken to change this trajectory. This article has three sections. First, it will briefly examine the causes of Seattle's homelessness crisis. Next, it will analyze which aspects of Seattle's approach are working and which are falling short. Finally, it will offer policy recommendations to increase development in Seattle, to ensure a stable housing supply for a growing population. These recommendations are applicable to other rising tech cities—Austin, Portland, Salt Lake City—and provide a preemptive roadmap to prevent similar crises from taking root.

How We Got Here

Many Contributing Factors

Homelessness is the result of many disparate and intersecting societal problems. In Seattle, as in many other cities, mental illness, substance use disorder, racial disparities, and a lack of a coordinated city-county response to the regional crisis are contributing factors. However, all of these elements are exacerbated by a single underlying current: Seattle's homelessness problem boils down to a lack of affordable housing.

Housing instability can be a compounding factor and even catalyst for other causes of homelessness. In a report commissioned for the US departments of Health and Human Services and Housing and Urban Development, researchers found that substance use disorder is the leading cause of homelessness in the United States, that individuals with substance use disorder are more likely to be homeless for a longer time, and that they are more likely to become homeless at an earlier age.¹

Of course, the high cost of living has only exacerbated existing racial disparities in Seattle. Similar to many other northern cities in the United States, Seattle's overtly progressive politics mask a history of systemic racial inequality, compounded through practices including redlining, inequitable distribution of city services, and increasing levels of gentrification. In 2017, more than 35 percent of the applications to the Seattle Housing Authority's Housing Choice Voucher program came from people of color, a number vastly disproportionate to Seattle's demographics.²

Finally, the degree to which Seattle has failed to address this problem can be traced in large part to the lack of a coordinated response to what is truly a regional crisis. It was only in the final weeks of 2019, many years into a burgeoning housing crisis, that Seattle and King County came together to establish a joint response: the creation of a Regional Homelessness Authority.³

One Core Issue: Lack of Housing

For the past six years Seattle has been ranked among

the top five fastest-growing cities in the country. In the past decade alone, 114,000 people moved to Seattle. During that same period, Amazon grew from 5,000 local employees to over 53,000. The tech giant estimates its presence alone has resulted in the creation of an additional 245,000 jobs in adjacent industries and tech start-ups.⁴

Unfortunately, the pace of homebuilding has not kept up with the influx of new residents. A new report shows King County built just one new unit of housing for every 3.3 jobs created.⁵ As more people seek to buy or rent a dwindling number of homes, the asking price for each apartment or house has steadily risen. With average wages at Amazon of \$179,000, sellers of high-priced homes can find buyers, and sellers of lower-priced homes have an incentive to raise their rates.⁶

But the vast majority of Seattleites can't afford these changes. Wages are stagnant in industries outside of tech, even as rents and home prices skyrocket. From 2017 to 2018, median incomes in Seattle rose by 7 percent, while median property values jumped by nearly double that amount.⁷

The disparities between these diverging segments of Seattle are becoming palpable, as more and more middle- and low-income Seattleites are priced out of their neighborhoods. King County estimates that 156,000 new homes need to be built today to address this housing shortage and bring down housing prices.⁸

What's Working: Housing First as a Priority

While the situation can seem dire, there are promising responses. One policy successfully used in Seattle is Housing First. This approach is based on the belief that adequate housing is a basic human need, and that other issues, such as maintaining a job or sustaining treatment for substance use disorder, can more effectively be addressed once a person has a roof over their head.

Spearheaded by the Downtown Emergency Service Center (DESC), a nonprofit group focused on ending homelessness, and the Seattle City Council,

"Perception is reality, and misunderstanding leads to polarization."

Housing First has become a mainstay of Seattle's model since its inception in the 1990s and has proven its worth in both clinical and financial outcomes. A 2009 study found that one of the DESC-operated apartment buildings generated annual savings of \$4 million in avoided public services, emergency services, and jail costs. In 2012, another study found that residents with alcohol dependencies reduced their drinking by 7 percent for every three months they lived in the building.⁹

A variety of approaches should be incorporated into a Housing First model, to cover the gambit of needs in the community. Below are the three tiers Seattle is employing.

Rapid Rehousing into Transitional Housing

For people who need an intermediate step before moving into a permanent home, Seattle has created "city-permitted villages." These villages are a safe, authorized destination for those seeking transitional housing and offer shelter that can be locked, access to clean restrooms and showers, and around-the-clock access to a case manager and onsite health resources. The case managers work with individuals on next steps and address barriers to permanent shelter.¹⁰

Rapid Rehousing into Permanent Housing

For those who are ready for an immediate move into permanent housing, the city offers diversion services. Diversion gives people experiencing short-term homelessness access to a case worker and temporary financial assistance. The case workers assist the person to sort out any roadblocks they face in finding housing. Often, these services help newly homeless individuals negotiate with a landlord or bridge temporary budget gaps to make rent, so as to ease a quick re-entry into lost housing.¹¹

Temporary Financial Support to Prevent Homelessness

Lastly, for those who have yet to fall into homelessness but are living at the cusp, temporary financial support can be the difference between staying housed or ending up on the street. Seattle's mayor has instituted a series of measures to help families at risk of homelessness, including rental assistance and discounts on utilities.¹²

What Needs Improvement: Coordination and Perception

Despite progress, there is more work to be done. Operational inefficiencies have hampered Seattle's response, and there is widespread perception that the city is not doing enough to address the problem. Three immediate areas of action can have a high impact in the short term.

Coordinated Approach

First, Seattle needs to fully align its strategy and resources with the broader King County. Seattle's fate is not distinct from its surrounding suburbs. As has become evident in recent years, any attempt by Seattle to singularly address this crisis will fail.

A new proposal to unite Seattle, King County, and outlying municipalities under an umbrella organization, the Regional Homelessness Authority, opens opportunities to take a coordinated and thoughtful approach to tackling homelessness. According to a 2017 report by the Puget Sound Business Journal, the cost to house and care for every person experiencing homelessness in King County should be about \$190 million per year, whereas the actual spending by Seattle and King County is more than \$1 billion per year. This disparity is due to the fragmented response to the crisis, with over 125 organizations currently receiving funds from either the city, the county, or both, without a central entity overseeing the process.¹³

By-Name Lists

A concrete example of what coordination can look like is the use of by-name lists, also known as coordinated entry. A by-name list is a database of individuals

experiencing homelessness, accompanied by details of each person’s unique situation. This database helps frontline practitioners to quickly identify, assess, and connect homeless individuals to the resources they need.¹⁴

Seattle and King County have separate versions of a by-name list. Combining these lists into one master and then expanding the list to include all people currently experiencing homelessness will allow the Seattle–King County Regional Authority to better understand what services are most acutely needed. It will also help to identify areas of overlap and waste in the system.

Moving to Safer Overnight Encampments

Perception is reality, and misunderstanding leads to polarization. In Seattle, a chasm is growing between those on the frontlines of ending the crisis and some residents who feel that nothing is being done. City leaders need to demonstrate the efficacy of their programs through clearly visible changes.

Building short-term goodwill among voters will give policymakers the political capital to push forward longer-term solutions that can be more politically contentious. Short-term efforts include needle cleanups, reductions in unauthorized camping, and an end to RV camping. The city should expand its use of compassionate encampment removal, which involves coordination between social workers and police, voluntary storage of an individual’s possessions, and sidewalk trash removal. Using the by-name list, navigation teams can effectively steer people who are homeless to safer, more supportive transitional housing, such as authorized city villages.

City-permitted sites are not only safer than unauthorized encampments for individuals experiencing homelessness, they also create a stronger perception in the community that the city is taking a proactive

“Seattle’s homelessness problem boils down to a lack of affordable housing.”

and compassionate approach to addressing the crisis.

Long-Term Solution: How to End Homelessness in Seattle and Prevent Homelessness Elsewhere

There is only one surefire way to prevent homelessness: increase the number of affordable housing options in Seattle. But at the moment, state-, city-, and even neighborhood-level roadblocks prevent more construction. Through smart rezoning and streamlined permitting processes, the housing stock in Seattle can be drastically and rapidly increased.

Simultaneously, it’s important to be cognizant of the potential harmful effects of rapid development. Seattle should take steps to reduce the environmental and social impact of housing construction on neighborhoods. Development should be undertaken in a way that prevents the worst of its effects: gentrification and the loss of historic or culturally significant neighborhoods.

Rezoning

Currently, 75 percent of Seattle is zoned for single-family housing.^x Recently, states and cities including Oregon and Minneapolis have taken the seemingly drastic step of eliminating single-family zoning. While headlines can make these policies seem like too broad of a brush stroke, such steps can be taken in a measured and still effective way.

City officials should rezone single-family neighborhoods across Seattle to allow up to quadplexes—homes with four separate units—allowing for significantly more occupants without drastically changing the architectural layout of neighborhoods or adding considerably more density to any one block.

Additionally, transportation hubs should be rezoned for medium- and high-density housing. In an ideal world, this would be coupled with expansions of the public transit system, to allow people to live further away from cities, in less expensive parts of the county. For now, Seattle should focus on drastically up-zoning those areas

that have light-rail stops as well as those that are constructing or planning to construct light-rail stops.

Rezoning needs to be done in all neighborhoods, to prevent the burden of development falling on low-income, often Black, Latinx, and immigrant communities. By changing zoning ordinances citywide, policymakers can avoid the not-in-my-backyard mindset that has led to overdevelopment in disadvantaged neighborhoods and underdevelopment in wealthier neighborhoods.

Tax Exemptions and Streamlined Permitting for Affordable Housing

Seattle has a grab bag of tax exemptions and preferable rate loans for developers willing to allocate a certain percentage of their units for affordable housing. However, these programs are limited and are difficult to opt into. Permitting and procedural delays also still stymie developers. Seattle should streamline this process to make it easier to find financing for affordable housing. That means having a single front door for developers to learn about the programs available to them and having a simple process to navigate receiving these funds.

Seattle is currently experimenting with fast-tracked permitting for certain backyard cottages. Similar fast-tracked permit processes should be developed for standardized designs of medium- and high-density apartment complexes. This will allow developers to fit their construction plans into a well-defined preapproval template and get permission for their projects faster.

Permit processing should prioritize projects that dedicate a certain percentage of their units to low-income housing. Cities could work with community-design review boards to design architectural features that align with the current design standards and culture of each neighborhood. In this way, development can proceed at a faster pace, with more units dedicated to low-income residents, while still retaining community input into the design and feel of their neighborhoods.

Conclusion

The hope is that Seattle can act as a case study for other up-and-coming tech cities. The combination of near-term and long-term policies are aimed at helping policymakers craft quick wins—immediate approaches to helping those who are homeless—while building political capital to tackle the more arduous long-term work of increasing development. Bringing about an end to homelessness will not be easy, but through the right policies, it is an achievable goal.

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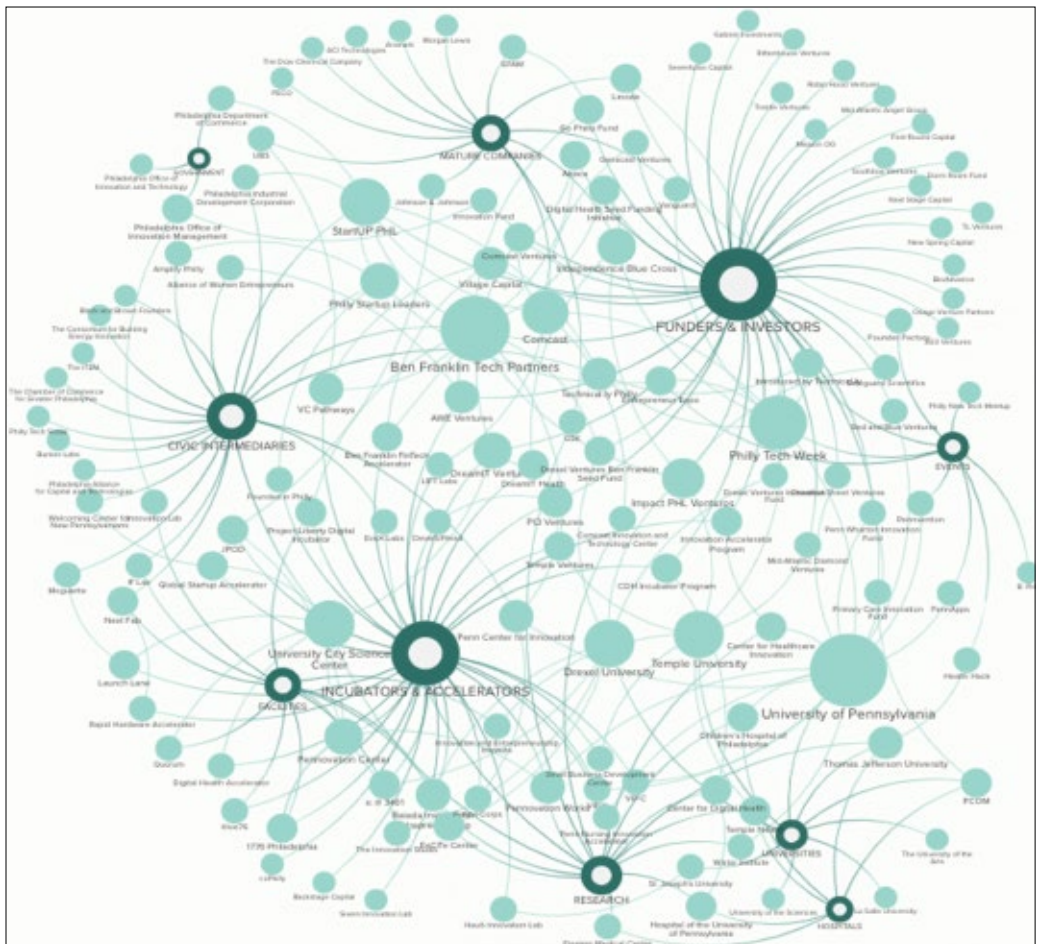
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A Tale of Two Districts: A Small Business Snapshot of Economic Inequality

Jihae Lee



Jihae Lee

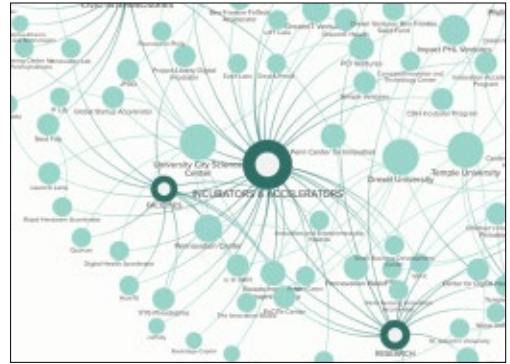
Philadelphia Innovation Small Business Ecosystem Map

strong manual skills and are usually unincorporated.³ These can include nail salons and dry cleaners.

Within each ecosystem map, there are two types of data points. The donut-shaped circles indicate the types of stakeholders,⁴ while the solid circles indicate individual stakeholders. Lines connecting donuts and solid circles are used to categorize stakeholders. Some stakeholders serve various functions, as demonstrated by multiple connections to different stakeholder types. Lines between solid circles symbolize a partnership in which financial support is given and/or there is a shared responsibility for a program or event.

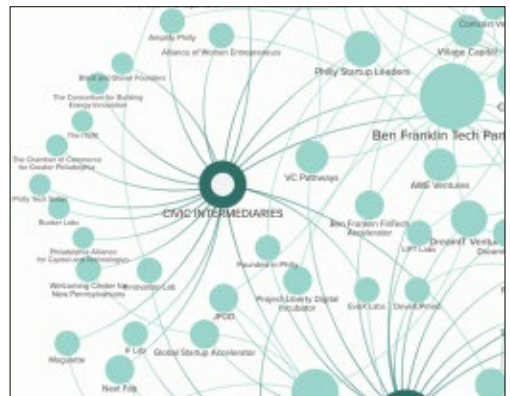
What This Means

The innovation small business ecosystem map is incredibly complex, thick, and intricately intertwined. It is well capitalized with various kinds of debt and equity financing, and it is supported by a collaborative team of public, private, and civic institutions. The biggest types of players in this ecosystem are funders and investors (39 connections),



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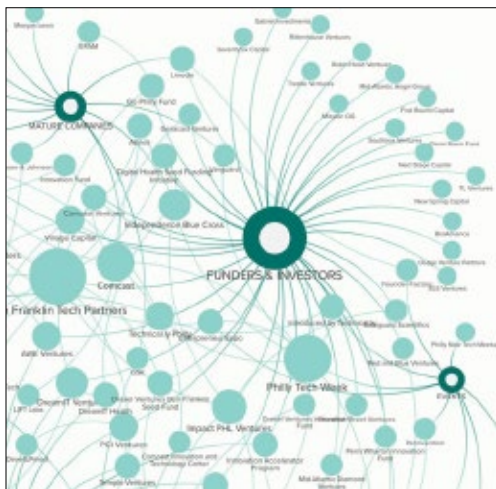
and civic intermediaries (22 connections).



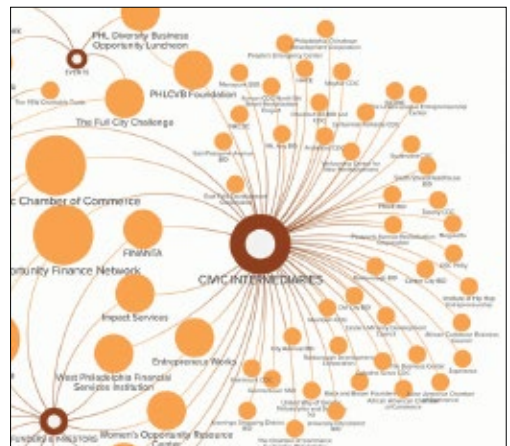
Jihae Lee

Meanwhile, the neighborhood small business ecosystem map is relatively thin and bare. It not only has disproportionately fewer stakeholders but also a much less balanced distribution of the types of stakeholders, relying heavily on nonprofit organizations. It is under capitalized and depends more on debt financing.⁵ The most dominant types of stakeholders in this ecosystem are civic intermediaries (56 connections),

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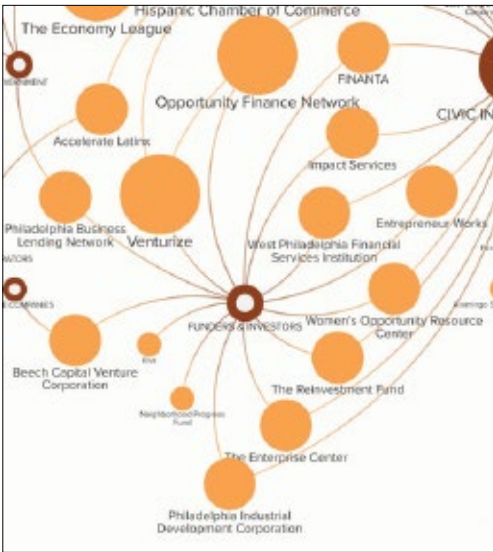


incubators and accelerators (33 connections),



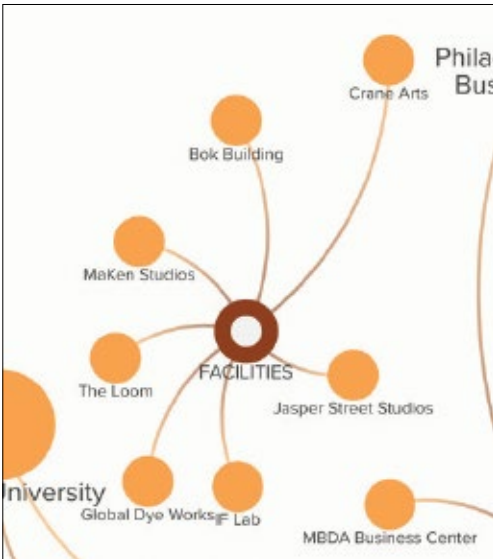
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fundors and investors (14 connections, many of which are community development finance institutions),



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and facilities (7 connections, all of which lack ties with other types of stakeholders).



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This asymmetry of ecosystems is not particular to Philadelphia. Intentional policy decisions and regulations across America have widened the growing wealth and resource gaps between innovation and neighborhood small businesses.⁶ Institutional racism, particularly toward Black Americans in the form of discriminatory lending practices known as redlining,

stymied wealth-building opportunities for generations. The growth of monopolism also made it difficult for small businesses to remain economically competitive. The result: The small business framework in America is structurally divided and highly imbalanced.

We segregate these small businesses in subtle ways. “Entrepreneurs” start innovation businesses, while “business owners” start neighborhood businesses.⁷ We are quick to associate innovation businesses with passion and neighborhood businesses with “just jobs.” The vast contrast in access to resources, as illustrated by the maps, is less subtle.

And the overt racial implications are sadly not surprising but still most concerning. Innovation small businesses are dominated by White males.⁸ In Philadelphia, where 44 percent of the population is Black, only 25 percent of businesses are Black owned.⁹ With limited access to capital, networks, and business development opportunities, people of color are systemically disadvantaged when starting and growing their businesses. In fact, if people of color started and owned businesses at the same rate as Whites, the United States would have 1 million more employer businesses and 9.5 million more jobs.¹⁰ More intentional policies need to be implemented not only to diversify the innovation small business owners but also to bolster minority-owned businesses and the neighborhood small business ecosystem. Philadelphia has already made several policy moves, such as creating a \$2-million fund to support businesses owned by people of color, women, and immigrants.¹¹ But there is more work to do, not just in Philadelphia but in cities all over the country.

With varying challenges and outputs, the innovation and neighborhood small business ecosystems are bound to look different, but different doesn’t have to mean inequitable.

Jihae Lee is a master of public policy student at the John F. Kennedy School of Government at Harvard University, focusing on urban economic development. Prior to graduate school, she worked for the City of Philadelphia on small business growth,

commercial corridor revitalization, and legislative affairs.

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Fulfilling the Image that Society Creates for Us: A Conversation between Brothers on Criminal Justice Reform

Deeneaus Polk and Desmond Polk

Last year, I signed up for a course on mass incarceration at the John F. Kennedy School of Government at Harvard University. I was curious about how a policy school would navigate the complex layers of the carceral system within the United States. If I'm being honest though, I really took the course because I hoped to better understand the factors that led to my brother Desmond's incarceration. I hoped to gain tools to help him not go back. Right before the course began, my brother found himself in prison again, and I could not help but feel that I had failed him.

My momma raised three children on her own in Pascagoula, Mississippi, a blue-collar community that saw us mired in low-income conditions. As the oldest, I felt responsible for and wanted to protect my brother and sister from the environment, especially because my momma had to work multiple jobs to raise us. As a result of her dedication to our upbringing, my siblings and I all graduated from college. In fact, Desmond and I graduated from the same community college, on the same night, sitting side by side.

Desmond and I always had a deep connection growing up until I moved to Germany, permanently altering our brotherly bond. At the age of 16, I found myself escaping to a brand-new world, gaining experiences that allowed me to be where I am today. I felt as if I left my siblings behind, however, and have struggled with what feels like a dereliction of duty. This was especially the case with Desmond. It all came to a head not long after my time abroad. Desmond began to get into trouble, eventually leading to time spent in Mississippi State Penitentiary, or Parchman

Farms—one of the most dangerous prisons in the United States, dating back to its founding in 1905 as a prison that perpetuated convict leasing at an extraordinary scale.

When you read stories about people who have been incarcerated, it is easy to forget the person behind the sentence. Yet, they are so much more. They are siblings, parents, children, and community members. In the following conversation, Desmond and I hope to shine a light on the voices of individuals who have interacted with the carceral system, both to better understand their experiences and learn strategies on how to improve the system as policymakers.

“Society made an image of me that I tried to complete.”

Desmond, can you introduce yourself—who you are, how you grew up, and who I am to you?

My name is Desmond Darnell Polk. I grew up in Pascagoula, basically the Coast. Pascagoula, Moss Point, Gautier. You, who are giving me the interview, are my brother: Deeneaus Polk. To tell you a little about myself, I'm 32 years old. I've been to prison twice, but I am a certified machinist and welder. I love to learn. I grew up in the streets, so, that's basically what I know.

Desmond, you have spent time at two different correctional facilities, Parchman and Central Mississippi Correctional Facility. Can you describe what life was like for you in prison?

Yes, I can. It's different. Like you have to become

a different person than what you are. When we're in there, we say out here it's the free world. When you're in there, it's basically like you a child. It's crazy in there, it's a whole 'nother world.

Before the interview began, you were telling me about a friend of yours who was out on a weekend pass. What were you saying about him again?

He was telling me how he was at Parchman. He at Pearl River now, but he was at Parchman for six months. And the first thing he said was, "Man I been fighting bro. I been fighting the last six months." Because Parchman has a camp called Camp 29. It's called Castle Grayskull, like it's called that for a reason. Like when you walk in the building it's blood on the walls. With a big X on it and skulls. You smell nothing but blood in the air. Like so if you get into Camp 29 it's already a given that you gonna fight and defend your life.

Desmond's commentary highlights some of the controversies unfolding in Mississippi's carceral system. Since 29 December 2019, 18 inmates have died in Mississippi prisons due to violence and suicide, while videos showing dilapidated infrastructure flood the internet.¹ Mississippi's new governor, Tate Reeves, has promised to "right the wrongs of the past" but did not recommend additional funding for a prison system that does not have enough resources.² Further, over the past six years, Mississippi has underfunded its prisons by \$215 million.³ Federal investigations have led to prison closures including Walnut Grove, a private prison that was deemed so substandard that it "paint[ed] a picture of horror as should be unrealized anywhere in the civilized world."⁴ In response to these issues, there have been rallies, protests, and a lawsuit from Jay-Z and Young Gotti protesting the conditions of Mississippi prisons.

What are some things people may not know about the conditions, especially in Parchman, and life inside prison?

A lot of people don't know that it's really nasty. It's starting to come out because of all the stuff going on the

internet and stuff. It's just like the ADC (Pascagoula Adult Detention Center) down here. It's mold in the showers. You take showers in mold, in black mold to be exact. Like I said, it was 140 of us in total. They had ten toilets, but only three or four of them work. They had eight shower heads, but only probably two of them work. Living conditions are bad.

When you say 140 people, are you referring to the unit that you were in?

Yeah, the building I was in. There's four dorms;— you've got B, C, D, and E; there's 140 in each one. And by me being in the same spot so long, I've seen a zone flip two or three times. Which means I've seen 139 people leave and I've seen 139 people come. At least two or three times. Either the people are going where they're supposed to go or people are getting sent home. Because where I was this time, it's the processing center. You have to come there to get classified as an inmate.

Obviously we have talked about prison before. We have men in our lives, such as our father, who have been locked up. But it's really hard for many folks to understand what's going on inside. Do you mind sharing more?

Gangs run the prison. Don't no warden run a prison like they try to make it out to be. Gangs run the system. They run the COs, they run everything about the prison system. There's a whole bunch of violence going on. People getting beat up. People owing money. People catching out, which means they run up a debt and then leave, so it make the zone hot. It's a whole 'nother world in there. You have to become a whole different person. You may not want to become what you have to become in order to survive.

How effective do you think the carceral system was in rehabilitating you?

It's not effective. (Laughs) You don't go in there and come out thinkin' you've been rehabilitated. You come out worse than what you was. Like I said, you have to become different than what you are. So, you might be a nice person, but if you go in there . . . you

not gonna be nice when you come out. I done seen some of the nicest people in the world go in and come out and they switch to a whole different person. Like now . . . I already had trust issues, but my trust issues are extra worse now because I still haven't broke that since my time in prison. It doesn't rehabilitate you none.

Were any of the state's mitigation programs effective at all?

(Laughs) Again, I don't know about any programs. They didn't tell us about any programs.

The system didn't rehabilitate my brother nor did it prevent him from entering in the first place. Instead, it left him in limbo, just like many other inmates. After Desmond was released the first time, I don't think I fully understood what he was going through. That is until I saw him homeless, sleeping in a car in over 95-degree weather. He had faced many challenges since being released from Parchman—addiction, unemployment—and it had all led to this. At that moment, I wanted to do everything possible to help him, but I felt like whatever I offered would never be enough. Desmond was incarcerated again less than a year later.

You and I grew up in the same house. Same parents. Same expectations with graduating and all that. We graduated the same night from community college. What happened? Why do you think we went in these separate directions?

I'll put it like this, now . . . people, places, things? That's where I went wrong. People, places, and things. I started hanging around these people who were in the streets. Like you said, our father, he's been in and out of prison and I clung to him. I don't know why, but I connected to this stuff at an early age. I started messing with drugs at 16. My first job was basically when I started off into the streets, because everybody was street. Everybody showed me bits and pieces of a life that I wanted and I started living that life . . . and it was good. At first. That's where I started going wrong. People, places, things. I started hanging with the wrong people, and they started getting in trouble. I never got in trouble in school, but I was always part of it.

Do you think society, or even us as your family, failed you in some way?

I think society did. Because society made an image of me that I tried to complete. I feel like, if Momma pushed me more instead of handling what I gave more, I could have been pushed to be more. Me and you? We should have talked more, but my thing was that you had so much going on I didn't want to add to it. I started going through it at a young age. I started selling crack at 17. So, I went to the streets because, Hell, our pops was in and out of jail. I didn't really have a male figure that I could look to. I had to basically become a man on my own, and the way I figured it out was wrong. As a kid, I've seen a trunk full of money. You see people riding around, selling this, selling that. It's a risk, but Hell, that's a risk worth taking. Instead of going to this 9-to-5, busting my ass, for nothing. For a check that's gone quicker than I can cash it. The streets . . . yeah it's tough, but it's fair. I got a homeboy right now who has 18 years. He had 13 counts of armed robbery, five home invasions, and one attempted murder. He was 18 when he got locked up, and with how messed up our system is, he ain't gonna wanna do nothing but what got him put in there the first time. That's why the system sucks. That's why the system is failing everybody 'cuz when you get out that's all you know is what got you in there. Either you're gonna come out the same way you were, but smarter . . . or you become a preacher. You might come out a little fixed, but if you don't have a good head on your shoulders, when you leave there you won't have a mind anymore.

“Talk to the inmates and stop talking to the guards.”

Despite the ongoing challenges, increasing attention has been placed on Mississippi as a model for reform. In an attempt to reduce the prison population, the state legislature passed its first Criminal Justice Reform Bill (HB585)⁵ in 2014, and revised it in 2019 (HB1352).⁶ These efforts hoped to accomplish several improvements, including greater discretion for judges when determining sentences, the expansion

of alternatives to prison, and increased use of drug courts. Each of these interventions have been proven to reduce recidivism and improve outcomes for individuals within the system. These early reforms caught the attention of the Trump administration, which subsequently based many of their national prison reform efforts on Mississippi's policies. The efforts were also meant to cut costs, with the reforms in 2014 set to save the state \$266 million by 2024.⁷ While the current effort for reform shows promise, policymakers frequently fail to consider the voices and experiences of those who are incarcerated.

I'm sure you've heard of prison reform efforts and increased attention from people around the nation. What do you think of all of this? What do you think they should know about this issue?

I just think it's talk until it's been put into action. They've been talking about fixing the system, but hasn't nothing been done. So for people who have actually been in the system, we don't believe it until we see it. Talk to the inmates and stop talking to the guards. That's the only way you're going to be able to change it. You're listening to the staff, but that's not gonna change it because they don't actually know what's going on. Don't ask people who don't actually care about the system—ask people who are in the system about how to fix the system.

What should they talk to them about?

Help us help you. How can we stop you from coming back here? People do what they've gotta do. When you get out, they say that you can get a job anywhere. That a person isn't supposed to hinder you from getting a job because you're a felon. That's not true. People tell you one thing and then something else happens. They might tell you that we're not gonna care that you're a felon, but you're going to look into my past. I was about to get a job at McDonald's one time after I got out. I had a good interview. She said it was one of the best interviews she had ever had. She went to the application from the back, I filled it out and it asked if I'm a convicted felon. I don't like to lie, so I told them

yes. Her whole demeanor changed, her whole attitude, facial expression, everything changed when she saw that I was a felon, and I didn't get the job. So there'll be people who get out who only know selling drugs and have to come and try to settle for a \$7.25 job. You get tired of answering the same questions. You get tired of explaining yourself. Tired of going into these job interviews breaking down your whole life story about when you went to prison. Everybody makes mistakes. I just got caught.

Deeneaus Polk is a master in public policy candidate at the John F. Kennedy School of Government at Harvard University where he is a presidential scholar and Cheng fellow. Prior to graduate school, he worked to empower Mississippi's workforce via apprenticeship programs. His work in Mississippi was enhanced via time spent in Germany researching their vocational education training system and dreaming about what a more equitable society could look like.

Desmond Polk is from Pascagoula, Mississippi, and is a machinist and welder. The challenges he has faced in his life serve as a source of inspiration to grow. His hopes and dreams are vast. He hopes his words and perspective can serve as a wakeup call to policymakers and society in general. He is a proud graduate of Pascagoula High School and Mississippi Gulf Coast Community College.

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Preventing World War III in Space with Global Governance

Chu Wang

To ensure the safe use of space, policymakers, international governing bodies, and civil society must act now to de-weaponize space.

Outer space is a public good¹ used for research, exploration, intelligence, and practical purposes like transmitting simple directional signals. Your smartphone talks to space daily, including each time you turn on Google Maps. Despite the already widespread—and growing—use of space by countries and private companies, there exist few global governance mechanisms to manage activity beyond the Earth’s atmosphere. Unlike advanced governance regimes for terrestrial public goods—for example, shipping lanes for open water or environmental assessments used to govern the Antarctica region—those for space remain in infancy.

As the United States, China, Russia, and France implement space defense strategies, the weaponization of outer space is becoming more likely. This trend has already sparked heightened geopolitical tensions and risks outright conflict.² Thus, de-weaponizing outer space requires urgent attention and a strategic approach to preventing space warfare and ensuring global security. This paper outlines the importance of a safe outer space, discusses the existing weak global governance processes for space, and proposes practical ways to de-weaponize space.

Is a Safe Outer Space Necessary?

In December 2019, president Trump signed into law the National Defense Authorization Act that included

a provision to start the US Space Force. Meant to stand alone as an independent service branch, the new Space Force safeguards “American dominance in space.”³ In July of 2019, France announced its own Space Defense Strategy to counter threats of Russian and Chinese interference in space.⁴ As global powers race to develop new technologies, states have begun deploying more assets into space⁵ to project power (see Figure 1).

Just like offensive and defensive weapons on Earth, offensive and defensive space technologies can escalate geopolitical tensions and risk harming other countries’ peaceful space assets with negative externalities. For example, more technologies in space can create more space debris and result in satellite collisions; damaging space assets can in turn harm critical research infrastructure and threaten global commerce.⁶ This all has potential consequences for civilians on Earth.⁷ Moreover, space assets that start off defensive can often be converted into offensive weapons, potentially sparking a new arms race.⁸ Yet, like the sea or the airspace, outer space is a public good that should be free, open, and most importantly, safe. This makes developing effective global governance processes to de-weaponize space⁹ all the more necessary.

Why Are Current Global Governance Processes for Outer Space Weak?

There are three consequential reasons for why outer space governance is underdeveloped. First, technology moves faster than the pace of the necessary interna-

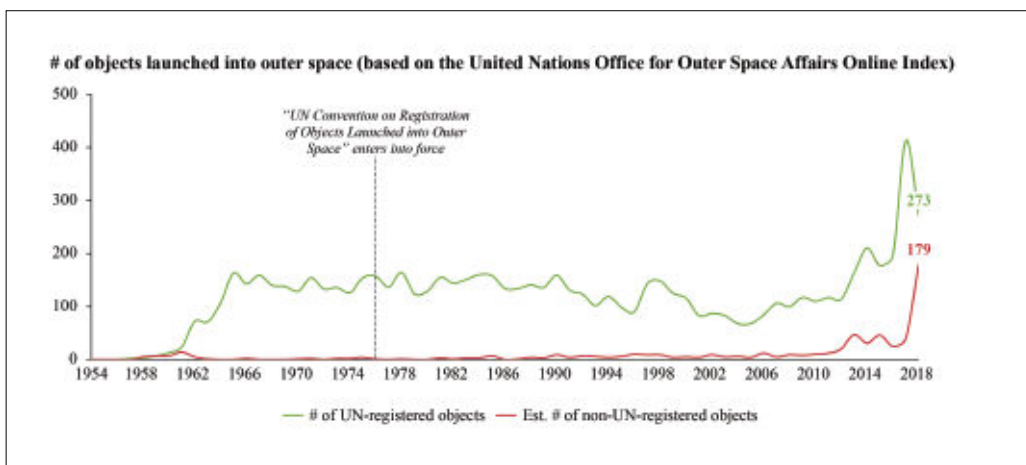
tional regulation. International law remains outdated and ill equipped to manage new technological trends. Today, many laws exist at the national level to govern the use of outer space, but there have been minimal efforts¹⁰ to harmonize them into cohesive international laws. The five United Nations treaties on outer space that exist fail to keep pace with new technological advancements capable of weaponizing space.¹¹ The Outer Space Treaty (OST)¹²—passed in 1967 and ratified by 109 signatories including the United States, China, and Russia—is one legally binding international law. The OST requires signatories to maintain international peace while exploring space (article 3), to “not place in orbit . . . any objects carrying nuclear weapons or any kinds of weapons of mass destruction” (article 4), and to use space exclusively for peaceful purposes (article 4)¹³. However, if a state is “defending” space for international peace, then this different interpretation may encourage that state to launch weaponizable assets into space. A second international law, the UN’s 1992 Principles Relevant to the Use of Nuclear Power Sources in Outer Space, is not legally binding¹⁴ for member states and is limited to outlining uranium-enrichment specifications, procedural guidelines, and safety assessments for the use of nuclear energy. Despite these modest measures, current international laws do not restrict the use of defensive or deterrence technologies deployed in space nor exploration-focused assets equipped with weaponization capabilities.

Second, compliance challenges with what international laws do exist persist. A prime example is the implementation of the UN Convention on Registration of Objects Launched into Outer Space. Ratified by 69 UN member states and entered into force in 1976,¹⁵ this treaty requires signatories to report their respective space launches to the UN secretary-general, who maintains a central registry.¹⁶ In 2018, the UN Secretariat recorded 452 objects launched into space: 273 UN-registered objects and 179 unregistered¹⁷ objects.¹⁸ Compared to 2014 data, the number of UN-registered objects in 2018 has increased by 30 percent, whereas the number of unregistered objects has increased by nearly 500 percent. This suggests that member states are becoming less compliant.¹⁹ In 2018, the United States, China, and Russia registered 71 percent of all UN-registered objects but accounted for 68 percent of unregistered objects identified by the UN Secretariat. Interestingly, the United States has become less compliant and represented 63 percent of all unregistered objects in 2018.

Lastly, while there are many global norms that govern the sea and airspace, there are few norms for space. Existing capacities shape norms that focus on the peaceful research and exploration of space, but

Figure 1: In the past decade, member states have drastically increased object launches into outer space

Source: UNOOSA Online Index and Chu Wang analysis



they do not promote ones around space de-weaponization. Today, there are multilateral and national efforts to shape these norms, but so far they have been ineffective at deterring states' aspirations to militarize space and at reducing the number of assets being launched into space with weaponization capabilities. For example, the United Nations Office of Outer Space Affairs (UNOOSA) organizes workshops with member states to advance space laws and policies²⁰ and offers a space-law education curriculum.²¹ The UN General Assembly also established an expert, intergovernmental working group in 2017 to consider preventative measures against a potential arms race in space.²² These efforts have unfortunately done little to alter member states' transparency with object launches into space, nor have they resulted in recent outer space treaties or frameworks to address rapid technological developments.

Global governance of space is in its infancy. However, de-weaponizing space should be a priority before more nations make outer space a core component of their military and defense strategies. Space can be de-weaponized if the right actors reframe the issue, set standards, and create norms that allow for all human beings to have access to a peaceful space.

Reframing the Issue as a Global Public Good that Needs to Be Kept Safe

Public goods merit protection because of their universal benefits. Reframing how governments and civil societies think about the use of space is critical to changing perceptions, behaviors, and actions.²³ Existing laws frame the use of outer space as passively occupying a territory for countries to share and use peacefully. Yet, outer space is becoming militarized. Satellite-mounted lasers, for example, are primarily used for research and for monitoring debris, but they can be transformed into offensive weapons.²⁴ Reframing how people think about space usage is a first step to reshaping the trajectory of multilateral discussions and lessening the risk of space warfare.

To start, space use should be normalized as a global public good. The principle informing this

move keeps humans at its core. If space is kept safe from weapons, then all of humankind benefits.²⁵ The Antarctic Treaty is proof that such bold shifts in thinking are possible. The treaty aims to ensure cooperative, peaceful scientific research and frames Antarctica as a public good in need of protection.²⁶ Introducing new frames such as “ensuring the safety of humankind” and “preventing space warfare” can leverage existing moral world views like “wars are bad” and “global safety is good.” For example, nations and non-government organizations (NGOs) can partner with influential individuals to anchor new public frames. Nations can also coordinate with the UN's expert working group²⁷ and conferences such as the World Space Forum to embed de-weaponization concepts into the global space agenda. One caveat is that space seems less tangible to people than terrestrial public goods; this could cause space issues to receive less public traction. Therefore, UN agencies and member states should develop and implement public education campaigns to teach people about how a safe and de-weaponized outer space can deliver tangible benefits, including better weather information and GPS data.

Some would argue that a public good like space needs to be militarized and patrolled, as navies do to ensure shipping lanes remain open. Yet, militarizing the sea has created significant international tensions and distrust,²⁸ with unwanted political, economic, and military consequences. The United States may oppose space de-weaponization because of its stated ambitions to improve its space warfighting capabilities;²⁹ however, China and Russia have a vested interest in reframing outer space because they worry about a potential US space weaponry breakout³⁰ Domestic NGOs like the Global Security Institute or the Carnegie Endowment

“Existing capacities shape norms that focus on the peaceful research and exploration of space, but they do not promote ones around space de-weaponization.”



for International Peace may be effective allies in nudging the United States and other countries to rethink the merits of de-weaponization.

Setting New Standards for Verification and Inspection

Standards often elicit more compliance and provide a superior solution to global governance challenges.³¹ Yet, given international treaty fatigue and low compliance rates to existing conventions, non-binding, de-weaponization standards may be a better way to shape state behaviors regarding space.³² The International Civil Aviation Organization works with UN member states to develop standards and policies to support a secure, economically sustainable, and environmentally responsible civil aviation sector³³ Similarly, public and non-market standard-setting bodies should set de-weaponization standards to better solve cooperation and coordination problems that may arise.³⁴

UNOOSA is an appropriate body for pursuing this change because it already has established networks with member states to design and implement de-weaponization standards. Moreover, in 2019, the

UN's Group of Governmental Experts on further practical measures for the prevention of an arms race in outer space reported that member states stressed the need for legal instruments that regulate behavior and capabilities.³⁵ To start, site inspections can deter states from launching weaponized objects into space. For example, the Secretariat of the Antarctic Treaty has adopted non-mandatory inspection standards³⁶ to include environmental and disarmament assessments for all parties. In its checklist, it assesses military support activities, emergency response capabilities, and other conditions at sites including stations, installations, and vessels. For outer space, a site inspection checklist could assess an object's military capabilities, offensive potential, and other factors related to weaponization. UNOOSA could also specify standards on an object's maximum level of uranium enrichment, permissible conditions for using jamming technology,³⁷ and the use of last-resort deterrence weaponry.

International standard-setting in a single focal institution tends to be slow,³⁸ but national agencies, academic institutions, NGOs, and private companies can help research, draft, and propose standards to accelerate the process. The United States will

likely oppose standards if it perceives them to limit defensive capabilities. Previously, the United States did not support a space-weapons-ban treaty proposed by China and Russia.³⁹ However, in a recent UN First Committee exchange, the United States stated that “[weaponization] risks can be reduced by cooperating on the development of non-legally binding measures.”⁴⁰ Internationally, if UNOOSA can recruit European countries that believe in a space arms control framework to help outline verifiable instruments,⁴¹ it will have more leverage to convince the United States to partake in setting standards. Given the United States’ past unwillingness to adopt legally binding measures, voluntary standards may be an effective interim policy solution.

Creating Norms to Ban Space Weapons and Promote Compliance

Issue reframing can create a cascade of de-weaponization norms and standards. However, there are other ways to create de-weaponization norms vis-à-vis norm entrepreneurship and repeat actions.⁴² For outer space, creating and internalizing de-weaponization norms must be a policy priority to achieve effective global governance mechanisms. Norm entrepreneurs can highlight space de-weaponization and reframe the issue by emphasizing the importance of global safety, the perils of space weaponization, and the consequences of space warfare.⁴³ Influential norms entrepreneurs could include astronauts such as Chris Hadfield and Mark Kelly, scientists like Bill Nye and Neil deGrasse Tyson, NGOs like EURISY and the Planetary Society, and UN agencies including UNOOSA and the UN Office for Disarmament Affairs.

Furthermore, NGOs can form coalitions with celebrity endorsements to protest and lobby governments to pursue de-weaponization agendas and prevent space warfare. For example, NGOs spearheaded the International Campaign to Ban Landmines and helped establish the Mine Ban Treaty and norms around landmine usage.⁴⁴ NGOs could launch an international campaign to ban space weapons and, through protests and awareness campaigns, help society

internalize the norm that space is about securing a global public good for the safety of humankind. By stressing the importance of civilian protection and security, these frames can translate into space norms that have transnational resonance.⁴⁵ NGOs and academic institutions can also collect and report data on countries’ compliance to space conventions and standards and on countries’ weaponization capabilities.

In an era of networked governance, norms are complex and dependent on cultural contexts.⁴⁶ NGOs and academic institutions must work closely with UN agencies to gain international legitimacy as they create and promote new norms. The United States may not favor these norms, but a coalition of NGOs can work with leaders to launch campaigns that lobby the US government to ban space weapons. This coalition could also lobby the US government to increase object-registration compliance and develop multilateral frameworks.

Conclusion

As countries continue to develop and launch outer space technology with defensive and convertible offensive capabilities, outer space governance becomes an urgent topic that requires global governance mechanisms. In comparison to terrestrial global governance mechanisms, outer space governance is still elementary. To de-weaponize space, the most relevant and impactful governance mechanisms will be issue reframing, global standard setting, and norms creation. Nations should charter initiatives to de-weaponize space; NGOs and academic institutions should recognize their roles in advancing the movement to keep outer space—a public good—free from weapons. There is an opportunity for countries to get space right while strategically, and peacefully, collaborating on space exploration and commercialization.

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More than a Game: The Untapped Potential of Sports Policy

Holly Ransom and Adam Barsuhn

“Sport has the power to change the world . . . it has the ability to unite people in a way that little else does. It is more powerful than governments in breaking down barriers. It laughs in the face of all types of discrimination.”¹

– Nelson Mandela

Sports are an unparalleled lever for change. They elicit passion and inspire belief in participants and spectators alike. Sports bridge divisions and reopen dialogue, connect communities and build resilience. In a globalized world, the cultural, political, diplomatic, and commercial influence of sports has taken on a

new level of power and primacy. Consequently, the sporting world has become ever more intertwined with contemporary social issues worldwide, including human rights, corruption, and international politics.

As important as these issues are, little attention has been paid to sports’ relationship with them. Instead, policymakers and other leaders have widely, yet myopically, viewed sports purely as a vehicle for entertainment. Without the necessary public oversight, sporting organizations have lacked the checks and balances that typify well-functioning governance: they make their own rules, adjudicate their own disputes, and enforce their own penalties.

This opaque exercise of power, combined with a “win at all costs” mentality, often places little value on transparency, social accountability, and ethics, despite the profound public consequences of sporting organizations’ private decisions. By recognizing that sport is more than a game, policymakers have a unique opportunity to drive social progress by improving sports’ governance. If sport, as Mandela suggests, is a vehicle to change the world, sports literacy and sports-focused policy are essential skills in the toolkit of every public policy leader.

Old Games, New Money

Welcome to the age of the “sporting superpowers.” In 2018, the global sports market reached a value of nearly \$489 billion, having grown at an annual rate of more than 4 percent since 2014. The industry is expected to grow to \$614 billion by 2022.² The days of “amateur” sports and athletes are long gone. Sports teams are now big business and need to be regulated accordingly.

The scale and pace of this commercial evolution has been dramatic. In 2012, Manchester United was the world’s only sports franchise worth more than \$1 billion; there are now 106 franchises valued at more than \$1 billion each and over 50 worth more than \$2 billion.³ The Dallas Cowboys, the world’s most valuable sports team, is now worth \$4.2 billion and generating a staggering \$700 million in annual revenue. This exponential growth in organizational value is mirrored by the growth in consumer spending—Americans alone spend about \$56 billion on sporting events each year. Further, the annual market for legal sports betting is \$423 billion, while the total for sports betting (including illegal betting) is estimated at approximately \$3 trillion by the United Nations.⁴

A major driver of the exponential growth in sports’ economic value is the globalization of sporting revenue bases, as formerly domestic markets have expanded into worldwide-recognized brands with a global following. When the English Premier League first launched in 1992–93, its broadcast deal was worth \$63 million per season. By May 2019, the global competition for

“By recognizing that sport is more than a game, policymakers have a unique opportunity to drive social progress by improving sports’ governance.”

the broadcast rights had bid the value up to \$15.5 billion.⁵ The Globalization and TV Sports Rights Report predicts that the worldwide sports broadcast market will grow from \$48.6 billion in 2018 to \$85.1 billion by 2025—a 70 percent increase, led in part by streaming services such as Amazon and China’s Tencent.⁶

On the surface, this unprecedented growth has few downsides for the sporting organizations themselves. However, beneath the surface, the immense economic power of these new markets can carry with them inherent conflicts of interests as sporting, commercial, and state interests become increasingly tangled. This tension surfaced in dramatic fashion when a tweet in October 2019 by Daryl Morey, the general manager of the NBA’s Houston Rockets, about the Hong Kong pro-democracy protests inflamed US–China diplomatic relations, with widespread public debate about human rights and free speech. Many pundits who were surprised by the situation’s rapid escalation missed two key factors. First, sport has increasingly become a source of prestige for the Chinese government in the last two decades;⁷ second, the NBA’s commercial model has become increasingly dependent on Chinese money (to the tune of \$6.5 billion). In this context, a 140-character tweet upset a delicate balance that had allowed both parties to prosper, until their political and commercial interests suddenly diverged.

See How They Run: Sports Governance

Sadly, it is not just emerging issues that are challenging the regulatory frameworks of sporting organizations. Sporting organizations lack modern governance structures (including transparency of information, ethical and democratic decision-making processes, and robust risk management frameworks) tailored

to their existing operating environments. A 2018 University of Colorado Boulder review found that the organizations charged with overseeing US Olympic sports from the elite level down to the youth level earned an average “governance score” of 58—a failing grade.⁸ However, despite their overwhelming “fail” grades, US sporting governance bodies still ranked far better than their international counterparts, such as FIFA.⁹ It would be inaccurate to conclude that this is exclusively a failure of private decision making. Some of sport’s most egregious scandals, such as Salt Lake City’s bribery of the International Olympic Committee to win the 2002 Winter Olympics¹⁰ and Russia’s systemic doping of its athletes to achieve competitive advantage,¹¹ have been state funded and sanctioned. As sports governance expert Borja Garcia put it: “When it comes to governance standards, modern sport is a very young and immature industry and most governing bodies and processes lack robust organizational structures that induce effective ethical governance.”¹²

For better and for worse, the interconnectedness of professional sport and socioeconomic issues means such failures negatively impact substantial areas of social life, while its moments of progress can prove a tipping point for broader societal change.¹³ Billie Jean King and the US women’s national soccer team enlivened debate on pay equity, and South Africa’s 1995 Rugby World Cup win was a watershed moment for uniting the post-apartheid nation. As expectations around social responsibility rapidly evolve, sporting organizations and athletes alike are being challenged more than ever to acknowledge and leverage their unparalleled influence to champion social causes and take a stand on a variety of issues. With great power comes great responsibility, and so too increases the unacceptability of complacency, indifference, and worst of all, blatant abuse of power.

There is perhaps no better example of the consequences of unethical, unregulated governance than the awarding of the 2022 FIFA World Cup to Qatar. With the bidding process still mired in a corruption investigation, the host nation (and FIFA) have never

strayed far from controversy: from human trafficking and slavery via the *kalafa* labor system, discrimination due to anti-homosexual laws and gender equality, to player safety concerns due to the fierce heat and a tumultuous political scene in the Middle East. The Qatar World Cup is truly the poster child for a sports organization choosing profit over prudence.¹⁴

While awarded before FIFA adopted a statutory human rights commitment in 2016,¹⁵ at the time of writing, these issues remain unresolved. Since FIFA has yet to align its disciplinary procedures to these commitments, global human rights bodies, such as Human Rights Watch, have expressed grave concern at FIFA’s “bystander” governance.¹⁶

“FIFA has deservedly faced a firestorm of criticism for awarding the 2022 World Cup to Qatar without making labor reforms a prerequisite for hosting the tournament. The result is that a million migrant workers building football stadiums and another million migrant workers in the service sector like hotel staff or transit workers are highly vulnerable to wage cheating, unsafe working conditions like extreme heat, and forced labor,” said Minky Worden, director of Global Initiatives and Sport at Human Rights Watch.

“Fans increasingly don’t want to sit in a stadium workers died to build or to travel to a country that criminalizes their identity as LGBT people. FIFA’s human rights reforms are hindered at every turn by the federation’s failure to tie human rights requirements that exist in its 2017 Human Rights Policy to governance within FIFA. The ‘Supreme Committee for Qatar 2022’—the tournament’s quasi-governmental delivery committee—has pledged to improve conditions for workers, but the lack of trade unions to defend workers on World Cup and other construction projects definitely restrains the possibilities for sport to meaningfully improve human rights in Qatar.”

The situation has also highlighted the inherent

tensions for competing countries, such as the United Kingdom, whose participation in the Qatar-hosted event is inconsistent with the demands of its own Modern Anti-Slavery Act, passed in 2015.¹⁷ Still, the multitude of issues raised and erratic responses by FIFA and the participating nations has failed to deter preparation, and the tournament is expected again to be the world's most watched sporting event.

The Critical Perspective Shift: It's Much More Than a Game

Despite the public and pervasive nature of sports governance failures, there has been no public outcry to fix the system nor an effort by policymakers or activists to seize the power of sport to advance social progress. Unfortunately, the narrative that sports are nothing more than entertainment, devoid of any larger implications or contexts, curtails efforts to harness sport for greater public good.

The most charitable perspective of this view is one of escapism: watching your favorite team play can be a unifying and edifying event. Indeed, many fans object to anything that intrudes on cheering for their preferred team. Much of the response to NFL quarterback Colin Kaepernick kneeling during the American national anthem highlighted this willful ignorance. Bringing politics into the sporting mix is like discussing religion at Thanksgiving dinner—liable only to cause strife and, therefore, to be avoided at all costs.

While this escapism has an undeniable pull, it's naïve in its logic and myopic in its effect. To deny the effects of politics, race, and money in shaping every aspect of on, and off, field exploits is to willfully ignore how inextricably interwoven sport is with the exercise of power. Sporting organizations occupy rarefied air—they control the currency of global attention, mobilize tribal and national pride, and monetize both factors to the tune of some \$145 billion in annual collective revenues.

When convenient, sporting organizations act as legitimate businesses but demand complete autonomy in self-management, and even in self-punishment.

Often operating as quasi-independent states, they lack effective counterbalances and have vast latitude to remain in power. A “stick to sports” culture enables this lack of accountability. In the famous words of Oakland Raiders owner Al Davis, all is well between fans, owners, and administrators as long as you “just win, baby, win.”¹⁸ However, deeply concerning for policymakers is that, as former Australian cricket captain Kim Hughes put it, “winning covers up all manner of sins.”¹⁹

Conversely, the “it's only sport” view of many policymakers compounds the “stick to sports” status quo. Tinged with elitism, this response implies sport is not befitting of “serious” policy attention and scholarship, leaving it to the consumption of the masses. A quick survey of ten of the top public policy schools shows no curriculum devoted to sports.²⁰ Despite the global reach of sport, few in academia seem to have recognized its immense potential for driving social change. By deeming sports not worthy of being taken seriously, policymakers have permitted it to avoid serious governance.

Policymakers and Sports: Accountability, Improved Governance, and Social Progress

Regardless of policymakers' lack of interest, these governance failures are not the result of the absence of proposed sports policy guidelines and governance principles. Since the beginning of the 21st century, more than 30 models of best-practice sporting governance principles have been formulated and in some instances mandated industry wide.²¹ Despite this, there remains scant robust, empirical, independent evidence to suggest these policies have fundamentally altered the day-to-day governance practices and performance of sporting organizations. Unfortunately, it appears that sports policy is more often than not confined to paper and relegated from practice.

Piecemeal governance, with poor implementation and lackluster adherence to sport-wide standards, is a threat to improved governance outcomes, perpetuating the status quo of social, economic, and political

“To deny the effects of politics, race, and money in shaping every aspect of on, and off, field exploits is to willfully ignore how inextricably interwoven sport is with the exercise of power.”

challenges. At an organizational level, few federations have established basic corporate governance practices, such as independent audit and ethics committees with sufficient authority to execute efficient financial controls, conduct risk management, and monitor the application of an ethics code (if it exists). Additionally, the lack of term limits in many international sports federations increases the risk of abuse of power, lack of accountability, and a weak internal democracy.

To address these shortcomings, government, sporting institutions, and academia need to work collaboratively to create bespoke sports governance and policy courses focused on skilling up sports administrators, directors, and public sector officials as well as facilitating greater networking and collaboration between the sectors. Additionally, collaboration between civil society, sporting organizations, and policymakers is needed to develop a practical “balanced scorecard,” a rubric that could help sporting clubs and decision-making processes involving sport (such as major event bids and large-scale public infrastructure decisions) in creating consistent and transparent standards. Finally, accountability structures and sanctions need to be aligned to ethical commitments, whether in the form of international treaties or internal codes of conduct, to ensure public legitimacy and trust.

In conclusion, the world of sport has become too rich and too influential for policymakers to ignore its profound role in shaping and driving social outcomes. Fighting corruption, removing racial barriers, eliminating gender inequality, and practicing responsible geopolitics are in the best interest of sporting organizations. Those that effectively straddle their commercial and social responsibilities will set themselves up for long-term success. What’s required

now is for policymakers and sports leaders to embrace their interdependence and to collectively create robust, consistent sporting governance structures. On the road to social progress, policymakers have few greater drivers than sport and its cross-cutting cultural power. For sports organizations, facing sprawling agendas and harnessing unprecedented power, flippant governance threatens to erode their social license to operate. Critically, the whole is greater than the sum of its parts: improved sports governance, aided by passionate policymakers, has the potential to fulfill Nelson Mandela’s vision of sport positively changing the world.

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Democracy in Mexico Needs a Law Enforcement Oversight Body

Daniel Hernández Aldaco and Daniela Philipson García

Joaquín “El Chapo” Guzmán and Jesús Reynaldo Zambada were the leaders of the world’s most infamous drug cartel, the Sinaloa Cartel. During El Chapo’s 2018 trial in Brooklyn, Zambada was the prosecution’s main witness against his long-time business partner and friend.¹ His testimony revealed the cartel’s inner workings, including details on how he bribed the former secretary of Public Security and head of the Mexican Federal Police, Genaro García Luna, with \$3 million in cash. García Luna was arrested in December 2019 and is expected to be tried this year.²

The allegations against García Luna put the Mexican police at the center of an investigation into collusion between officials and cartel leaders. García Luna was the leading champion of the Mexican War on Drugs, the strategy initiated by former President Felipe Calderón in 2006. Calderón argued that the military was necessary to combat the cartels and avoid police corruption. Before 2006, authorities would sometimes order the military to eradicate marijuana and poppy fields and deny access to illicit markets. Since then, the number of military officers fulfilling civilian public security tasks has increased substantially. In some cities, they replaced police forces entirely. Two presidents and 14 years later, the military is still waging the war, but the root causes of police corruption remain unaddressed.

Law enforcement in Mexico is decentralized, meaning federal, state, and municipal entities each have police departments. The federal arrangement defined by the constitution gives local governments

the authority to manage their own security and law enforcement departments with some help from the federal government. Yet over the past two decades, the federal government has abandoned local solutions to crime and prioritized a military approach to combat and prosecute federal crimes, even though 95 percent of crimes occurs locally.⁴

By substituting the military for civilian law enforcement, the use of military force has been normalized and human rights violations have skyrocketed, causing widespread violence. Last year was the most violent in six decades, with over 35,000 homicides, more four times greater than in 2007.⁵ The justice system has been unable to pursue violations,⁶ leaving crimes unaccounted for and eroding Mexican democracy. Pundits argue that to reverse these trends, soldiers must return to their barracks and a trustworthy and efficient police force must be supported. But none of this is possible without robust law enforcement oversight.

The abandonment of local agencies is evident in their lack of funds, abilities, and capacity. A 2010 report showed the staggering shortfall in resources dedicated to state-level public security.⁷ According to the government, about a quarter of municipalities lack a police department entirely,⁸ and among those that exist, none has a robust oversight structure. Finally, the police also lack investigative abilities, instead relying on the courts to report and prosecute crimes. Yet, the local judiciary tends to be inefficient, overlooking most crimes.

Along with low wages and constant pressure

“Along with low wages and constant pressure from organized crime, the lack of supervision and accountability for police creates negative incentives.”

from organized crime, the lack of supervision and accountability for police creates negative incentives. Honesty becomes a liability, with no consequences for bad behavior. Officers engage in petty corruption, collude with criminals, and neglect opportunities to improve services. In 2019, just 29 percent of Mexicans said that they trust local police, which suggests an urgent need for oversight mechanisms to rebuild trust and protect police from external threats.⁹

Currently, police have a two-part oversight structure. First, within each department there is an internal affairs unit that certifies officers and controls for misconduct. Second, some regions have civilian-run external oversight structures. Some departments helped create *mesas de seguridad*,¹⁰ pro-bono structures led by community leaders. Alternatively, businesspeople in northern cities such as Monterrey and Chihuahua have created nonprofit organizations to help fund local police and demand accountability.

These organizations lack two elements of oversight: autonomy and resources. Internal affairs units are prone to conflicts of interest and are thus incapable of leading investigations. They are also frequently understaffed and poorly resourced. Nonprofits and *mesas de seguridad* focus more on publicizing trends and providing feedback and resources rather than on supervision.

Some cities in the United States have innovative police oversight models that suggest how to enhance accountability. These watchdog organizations fall into three types: investigator-focused, review-focused, and auditing. The first investigates complaints against officers, the second oversees internal affairs, and the third makes recommendations regarding patterns of misconduct.¹¹ These models are complementary, not mutually exclusive. Over the last decade, these overlapping structures have allowed cities like Seattle

to improve police conduct.

Seattle agreed to reform its police following 2010 allegations of bias and excessive force.¹² The Office of Police Accountability (OPA) was established as the Seattle Police Department (SPD) internal affairs unit, investigating allegations of misconduct and making recommendations to the chief of police.¹³ The Office of Inspector General (OIG), housed in the mayor’s office and appointed by the city council, reviews and audits the SPD and OPA.¹⁴ Simultaneously, it oversees OPA’s investigations and recommends policy to the mayor. Finally, the Community Police Commission (CPC), appointed by the city council, provides community input and oversees the SPD, the OPA, and the OIG.

Though Seattle provides a potential model for reform in Mexico, there are obstacles to adaptation. First is applying one approach to 1,840 police departments, with varying local conditions, resources, capabilities, and threats. Increasing staffing would incur costs most cities cannot afford. This model is also an uncomfortable fit for the design of Mexican local government. While community liaisons sometimes exist, they have little authority.

Yet the ongoing public security crisis demands that Mexico consider international best practices to build police oversight structures compatible with local institutions. This should be guided by three principles. First, internal oversight bodies should retain autonomy to avoid conflicts of interest. Ideally, heads of external bodies would be appointed by neutral actors with no political ties. Second, oversight bodies should have adequate resources and capabilities to enforce recommendations. Finally, the oversight structure should be designed as a system of overlapping bodies supervising each other.

Gradual reform, starting with larger cities, is a realistic starting point. Alternatively, state-level structures could be designed to oversee municipalities with limited capacity. Local funds could be complemented by federal subsidies and donor-based contributions, conditioned on implementing reforms.

Using the military to restore public security is

a temporary solution that ignores the root causes of violence, namely corruption. Three presidential administrations and 14 years since the Mexican War on Drugs began, over 120,000 people have died and many more gone missing.¹⁵ Meanwhile, police lack the means to protect themselves and the communities they serve. Ensuring transparency and accountability through oversight is a crucial first step.

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Abandoning the “Failed State”

Esther Brito Ruiz

The United States has shown increased aggression in the Middle East in recent months, exemplified by the assassination and attempted killing of Iranian Revolutionary Guard Corps leaders Qassem Soleimani and Abdul Reza. Such intervention often spills into neighboring states that already suffer from internal strife. For example, the United States has recently targeted individuals in Afghanistan, Pakistan, Libya, Sudan, Somalia, and Yemen.¹ These countries have something else in common: they are failed or fragile states, according to recent iterations of the Fragile State Index, a private research initiative from the Fund for Peace.

Coinciding with elections around the world favoring hardline politicians, there has been an increase in military exhibitionism and extrajudicial killings. With these aggressive responses on the rise, the post–September 11 era of social militarization, violations of international law, and weaponized political speech may return.² This is visible in the parallels between Trump’s recent assertions that he is willing to violate international law³ and Bush’s 2002 order unilaterally and illegally exempting the United States from its obligations under the Geneva convention regarding the country’s conflict with Al Qaeda.⁴ Today’s rebirth of the narrative of the danger of failed state may prompt and justify American intervention abroad.

What Is a Failed State? Definition, Cracks, and Bias

The notion of the failed state first emerged in the 1992 Foreign Policy article “Saving Failed States,” written by

then–US State Department employees Gerald Helman and Steven Ratner in response to new types of armed conflicts following the Cold War.⁵ Failed states are spaces where governmental authority and power structures providing institutional and political guarantees of law and order have collapsed.⁶ As a result, the governing body is unable or unwilling to provide political goods to its citizens⁷ or exercise control over its territory.⁸

The concept was solidified and heavily invested in within academic and public policy debates after the September 11 attacks, when failed states were framed as security concerns because they, willingly or unwillingly, harbored transnational threats, such as terrorist organizations, within their borders.⁹ The concept of the failed state bridges the paradoxes between the formal sovereignty possessed by states and their de facto control and capacity within their territories.¹⁰ The failed state has subsequently been renamed fragile, vulnerable, weak, at risk, failing, or collapsed.¹¹ Yet, at its core, its definition remains the same.

The immediate issue arising from such a definition is its broadness. Academics, policymakers, and politicians freely use the term failed states, even though there is no formal procedure to declare a state as failed. Many cases can be categorized as failed, and elements that indicate a state has failed are very subjective.¹² This has brought forth debate on practical or theoretical utility of labeling states failed¹³ and the need to properly identify quantifiable or more objective indicators of failure. To this day, there is no agreement between scholars on how to consistently define the concept or variables of state failure.¹⁴

The Fragile State Index is one of the most-referenced sources of identification of failed states. It uses political, social, and economic indicators to evaluate states' fragility.¹⁵ But even this index remains controversial.¹⁶

The ambivalence of what it means to fail has led analysts and policymakers to label a wide array of countries failed states. Today's so-called failed states have experienced anything from genocide to revolution, despite the fact that many political crisis don't correlate with a breakdown or weakening of state institutions.¹⁷ The result is a "super-aggregation" of very diverse states and their issues under the label of state failure.¹⁸ Analysts and policymakers "throw a monolithic cloak over disparate problems that require tailored solutions,"¹⁹ stifling efforts that seek to contextualize what are, by definition, extremely complex social phenomena.²⁰

Beyond this, the idea of failed states remains problematic due to its inherently politicized and ahistorical nature and the implicit Western bias in identifying such states. Most of the cases of failed states have been historically defined and restructured by colonialism,²¹ yet the ripple effects this holds on institutional breakdowns and violence is often minimized or disregarded.²² Further, a failed state necessarily subscribes to the conception of state defined by dominant Western powers²³ and is inevitably subjected to both Western bias and state interests.²⁴

We might ask: How will this affect security at an international level? The answer is twofold. Because the idea of a failed state is ambiguous, it is remarkably easy to instrumentalize, and because it is generic, it leads to over-simplified responses that may worsen the situation at hand.

The Failed State as an Ambiguous and Generic Concept

The concept of failed or fragile states impedes critical evaluations of how certain countries or regions may be more intrinsically tied to different types of security risks²⁵ or engrained in regional or global patterns and processes of collapse.²⁶ This absence of awareness active-

ly harms state building. Thus, generalizations derived from the idea of failed states generally do not provide meaningful insights or guidance for policymakers. Consequently, it is accompanied by policy proposals that disregard important circumstances and practical challenges. Such is the case in Yemen, which has been in a stalemated civil war between Houthi rebels and an internationally backed government for half a decade.²⁷ In Yemen, military intervention has been masqueraded as efforts to assist in state reconstruction and peace.²⁸ The manner in which the category is politicized evidences it as a non-objective indicator in terms of security and emphasizes its operationalization rather than utility. Given the particular delicacy of current international security, these are shortcomings the international community cannot afford.

"Because the idea of a failed state is ambiguous, it is remarkably easy to instrumentalize, and because it is generic, it leads to over-simplified responses that may worsen the situation at hand."

The Failed State as an Instrument Rather Than a Tool

The instrumentalization of the concept has made the failed state narrative a potentially harmful tool that regional or global powers use to further their interests and justify their actions.²⁹ Politicians and policymakers argue failed states are security challenges because they could harbor perpetrators of transnational violence.³⁰ Thus, states labelled as failed or fragile can favor more aggressive policy response.³¹ This can be seen in the aggressive policy responses to counter terrorism in Afghanistan, Liberia, and Somalia after they were labeled failed states, but the lack of a comparable response in Nigeria, which, although it also struggles to combat terrorism, has not been labeled a failed state.³²

In her 2009 TED Talk, the "Danger of a Single Story," Chimamanda Adichie asserted that "the

single story creates stereotypes, and the problem with stereotypes is not that they are untrue, but that they are incomplete. They make one story become the only story.”³³ At its core, this underlying issue renders the failed state not only useless in practice but harmful in analysis of and response to intrastate conflict. The failed state has led to over-simplified responses to conflicts.³⁴ These responses are dictated by Western powers, which are primarily concerned not with the welfare of the people living in such states but with the transnational security threats that may emanate from non-governed spaces.³⁵ Consequentially, the failed state concept may create a conceptual barrier to understanding the dominant transnational dynamics that actually drive conflict within these states,³⁶ hindering appropriate policy responses.³⁷ By creating a single vision of one of the most complex phenomena in politics and offering little more than a standard step-by-step guide in order and security, policymakers, analysts, and academics continue to prescribe overly simplistic policy solutions and enable the harm of intrastate conflicts to flourish.

How to Rethink the Failed State Narrative

If policymakers and governmental actors seek to promote effective policy responses to intrastate conflict, they must avoid falling into the trappings of old foreign policy mistakes. The first step is to abandon the failed state narrative and instead embrace less pejorative approaches to conflict-afflicted states. A new model is emerging, allowing a transition from a fragility to resilience paradigm, focused on identifying multifaceted, interacting risks and strengthening diverse domestic capacities to address them locally.³⁸ Multilateral institutions including the African Development Bank, the World Bank, and the Organization for Economic Co-operation and Development are making this transition, but there is a way to go before it enters the mainstream political lexicon.

The next step is to prioritize multinational policies that improve the internal standards of affected states through pragmatic and context-specific objectives.

There are five key principles to achieve this: promoting local ownership, keeping politics at the core, supporting a few country-led priorities rather than donor priorities, confidence-building through the process, and local engagement from idea to implementation.³⁹ By advancing the living standards of communities affected by intrastate conflict, there can be a sustainable state building, not determined by the objectives of foreign powers but by those of the population.⁴⁰ To move toward these objectives, it is necessary to abandon the existing vision of the failed state.

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A Case against Legalization

Nalini Tata

While marijuana should be decriminalized, legalization of recreational use marijuana should wait until we have more robust scientific research and a better medical evidentiary base.

It is important to acknowledge, at the outset, the historical evidence of how criminalization of marijuana has resulted in the heavily disproportionate incarceration of people of color. This concern, along with the inflexibility of federal sentencing guidelines, lends strong support for the decriminalization of marijuana. However, this article's position against legalization arises from uncertainty and even grave concern about the potential physiological effects of the drug.

One day on the psychiatric floor of a hospital is all it takes to dispel the popular notions that marijuana is neither addictive nor harmful. Associations of recreational marijuana use with psychoses and exacerbating certain mood disorders (mania, schizophrenia) are relatively well accepted by medical providers through experience but not yet researched or, in turn, proven at the neurobiological level. We should not legalize marijuana until we better understand what it really does to the brain.

Here's what we do know: Marijuana, a product of the cannabis plant, contains two key substances, or cannabinoids, THC (tetrahydrocannabinol) and CBD (cannabidiol). Evidence suggests that THC is the primary psychoactive component of cannabis, while CBD may be associated with the plant's analgesic, anti-epileptic, anti-inflammatory, and other potentially

beneficial properties. CBD is sometimes referred to as the “protective component” of the drug.

The ratio of THC to CBD in marijuana has soared in recent years. Before the 1990s, THC concentration in recreational use marijuana was under or at 2 percent; during the 1990s, it climbed to 4 percent, and by 2017, skyrocketed to 17.1 percent, which represents a 325 percent increase in concentration of THC in recreational marijuana in about 20 years, by conservative estimates. The concentration of CBD has correspondingly dropped^{1,2}

Proponents of legalization, particularly for medical use, contend that marijuana has beneficial properties that warrant its legalization. However, these effects, which themselves require more research, seem to be associated with CBD rather than THC. Inconsistent standards across states around marijuana for medical use, and a threadbare regulation around concentration and indication, represent a complicated patchwork of policy challenges.

THC and the Brain

The latest joint report from the National Academies of Sciences, Engineering, and Medicine cites substantial evidence that cannabis use is associated with development of schizophrenia and other psychoses.³

“One day on the psychiatric floor of a hospital is all it takes to dispel the popular notions that marijuana is neither addictive nor harmful.”

More and more studies have demonstrated that patients who use marijuana frequently or heavily have a higher risk of developing psychotic symptoms than nonusers. In those already predisposed to developing psychoses, evidence demonstrates an increased risk of early-onset psychotic symptoms in those who use marijuana.⁴

Even over a decade ago, there was a reasonable body of evidence demonstrating that regular cannabis use predicts an increased risk of schizophrenia, which at the time led to the conclusion that use of cannabis can precipitate schizophrenia in those vulnerable to developing the disease (such as those with familial predisposition).⁵

In response to the inevitable question of correlation—whether those patients with psychiatric mental illness are just more likely to use marijuana—evidence is emerging that marijuana may play a causal role in development of psychosis⁶; more research must be done to confirm these results. In any case, it is important to note that across these studies demonstrating the relationship between marijuana use and psychiatric symptoms, the risk of psychiatric effect seems to increase with higher THC concentration.

Even beyond psychosis, the interactions between cannabis and the brain remain largely unknown. Preliminary studies show that THC binds to cannabinoid receptors in the nervous system, resulting in changes in mood and appetite, and perhaps long-term changes in verbal learning and memory; imaging studies have also demonstrated changes in structure and function of the brain with regular cannabis use.⁷

The Punchline? We Need Real Research

Roadblocks

Since 1970, marijuana has been classified as a schedule I substance, a category the Drug Enforcement Agency (DEA) maintains for “drugs with no currently accepted medical use and a high potential for abuse.” Marijuana shares this designation with drugs like heroin, LSD, and MDMA, among others. As one might imagine,

“We should not legalize marijuana until we better understand what it really does to the brain.”

this characterization has come under particular fire from proponents of medical marijuana use, who argue that the drug has demonstrated medical benefit for certain indications.

For the past 50 years, the only source of marijuana for federally funded research is one marijuana farm at the University of Mississippi, contracted through the National Institute on Drug Abuse. The limitations of this arrangement are many, including that the concentration of THC in the plants grown at this facility is not even close to representative of the concentration in recreational-use marijuana today. The scientific community seems unified in its expressed desire for more robust and thorough research. Francis Collins, director of the National Institutes of Health, has been particularly open in calling for fewer restrictions on research. In addition to his concerns about limitations in amount and quality of the plant available for research, he has also expressed the importance of studying the drug in its pure form, an effort that has been hampered by its DEA scheduling.⁸ According to Collins, “we know far too little about the benefits and risks of smoked marijuana” because “there have been very few studies that have actually rigorously tested that.”

Facilitating Real Research on the Drug

One oft-discussed avenue for increasing research is reclassification of marijuana out of schedule I. In theory, this change could help lift logistical barriers and signal a shift in willingness to allow and support research. However, the DEA seems to be caught in a self-defeating cycle of justifying schedule I classification based on lack of scientific evidence of medical value, while hampering efforts to obtain this scientific evidence through schedule I classification.

Evidently, the DEA does not think reclassifying marijuana is the only way to facilitate research. In an

August 2019 press release,⁹ the agency shared plans to register more growers (ending the half-century hold of the University of Mississippi program), revealed a 40 percent increase in approval for marijuana research project approvals between 2017 and 2019, and announced that certain forms of marijuana, including hemp and CDB products with no more than 0.3 percent THC concentration, are no longer controlled.

While these are promising advances, little progress has been seen in the subsequent months. In December 2019, Senator Elizabeth Warren was joined by seven other senators in formally demanding an update from the DEA on the progress of their efforts to register more growers.¹⁰

While the movement toward legalization marches forward, a turn toward medicine gives us reason to pause. Instead of signing the next bill to legalize, let us first make sure we do the research.

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Creative Governance: How Artists Can Build Pathways for Civic Participation

Eva Heinstejn

If you were to drop into the Boston Center for Youth and Families Grove Hall Senior Center in Dorchester on a Tuesday afternoon, you would find a hall full of women in their 70s–90s chanting, swaying, and striking Japanese Taiko drums in power poses. This group, self-titled Older and Bolder, is led by Karen Young, a Japanese Taiko drummer who served as a 2018 Boston

artist-in-residence. The Boston Artists-in-Residence program (AIR), which will soon enter its fourth cycle, places artists in municipal departments or centers for 10 months to explore the way that art and media can bolster city initiatives.¹

In the summer of 2018, Young and the Older and Bolder participants staged a musical rally to bring

attention to road safety and mobility issues in the Grove Hall neighborhood. Partnering with Project Zero and Boston's Age Strong Commission, Older and Bolder was able to draw attention from many inside City Hall. Eventually the Older and Bolder members were able to meet with Department of Transportation staff, and ultimately, new safety remediation measures were instituted for the crosswalk outside Grove Hall.

Young's work with the elders at Grove Hall extends far beyond musical instruction—she has helped them use music to bring awareness to issues that impact their community. The participants of Older and Bolder have grown their civic capacity in critical ways, developing new skills, awareness, and knowledge while also expanding their network of relationships and sense of agency.

Artistic practice offers opportunities for civic engagement that political or social activity alone cannot: building community through co-creation, giving voice to diverse experiences and perspectives, cutting across spatial and cultural boundaries, and offering spaces for individual and communal healing. These outcomes are deep and durable and can outlast election cycles or timebound campaigns to build a stronger, more participatory civil society.

Artists in the AIR program realized many of the outcomes mentioned above, but relatively few were able to meet the program's original goal to change city policy. The evolution of AIR program goals and insights from Young's case offer a framework for understanding artistic practice as a pathway for deepening civic participation in our cities and communities.

The Boston Artists-in-Residence Program

The Boston AIR program launched in 2015 with a grant from the National Foundation for the Arts' Our Town initiative.² The program is led by Karin Goodfellow, the director of the Boston Art Commission, and has evolved considerably over the course of its initial three-year pilot. Today, the program is funded through the budget of the Mayor's Office for

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Arts and Culture, which means that Boston taxpayers now directly support the initiative.

In its first year, three artists were selected to work in tandem with liaisons from 12 Boston city departments to generate ideas for integrating art and creative thinking into city government processes and policy development. In the second year, ten artists were selected and based in Boston community and youth centers (BCYFs) for their residencies to examine the impact of city policies on local communities. In the third year, seven artists developed residencies—some in collaboration with BCYFs and others with government departments or initiatives—to examine city policy through a racial equity and resiliency lens.³

The 2020 cohort will include five artists, who will be paired with city departments that have applied to participate in the program, to co-create projects and solutions to advance city goals.⁴ This evolution in the scope and structure of the program underscores an important reality: you can't simply place an artist in a city department or center and expect that new creative solutions will emerge. It takes thoughtful design, iteration, learning, and most importantly, the right partners and conditions to empower artists like Young and her city counterparts to achieve real impact.

Supporting Creative Engagement in Government Settings: What Works

Over the course of academic year 2018–2019, I participated in a pilot Reading and Research program led by Jorrit de Jong, faculty director of the Bloomberg Harvard City Leadership Initiative, and Cecily Tyler (MC/MPA '16), founder of Docutribe, to explore how film could be used to enrich field research and better understand policy problems at a local level. Through this course, I interviewed program leaders and arts policy makers in Boston and at the national level, city staff, Boston AIRs, and community participants.

I explored the implicit and explicit assumptions that drove the design of the program, the necessary conditions for success, and how program leaders could articulate the goals and outcomes to more closely align with the range of activities that artists lead. First, program leaders believed that embedding artists in city departments would bring a “culture of critique” or creative problem-solving, in which artists and city partners would have conversations about where changes were needed and explore solutions to work around challenges.⁵

In parallel, they hoped that the collaboration would broaden city staff and residents’ understanding of what an artist is and does. The AIRs believed that engaging in artistic processes could lift up community voices and empower traditionally marginalized citizens, which would in turn expand civic engagement and grassroots activism to shape city policy. In conversations with artists, city partners, and community members, there was broad agreement about the necessary conditions for success: artists need to have previous experience with community practice or organizing and feel welcomed by city partners, and city partners need a basic comfort level with exploratory processes and to commit time and resources to the collaboration.

Similarly, artists and city partners articulated a core set of barriers that can inhibit impact: lack of buy-in between agencies and artists; city staff who have a narrow view of what an artist does and aren’t open to letting their agenda shift; and lack of clarity around Boston AIR goals, which inhibits alignment and shared purpose.

Older and Bolder: A Recipe for Success

Returning to Young’s case, we see that she had the right conditions and background to facilitate successful community action. Young is both an artist and community organizer who has worked with youth in Boston for decades. She brought this skillset to her residency and quickly formed trusting relationships with city partners and the elders at Grove Hall. She also used her organizing skills to facilitate participatory processes and build alliances with city partners

beyond Grove Hall, working with the director of the program, Karin Goodfellow, to broker connections in City Hall core to the project’s mission. Her partners at Grove Hall were open, collaborative, and invested in her success.

Young was certainly not the only artist who was able to inform policy or drive municipal response to local issues, but the majority of artists in the program struggled to do so. There were critical gaps between the design of the program and its intended goals. When artists were embedded in community centers, as opposed to city departments, they struggled to leverage their community-based work to form collaborative relationships with city decision makers to shape policy conversations.

However, the residencies did serve as effective vehicles to incubate socially informed community projects and grow artists’ capacity to do civic work over time. While this approach may not lead to direct policy change in the short term, it empowers artists to build bridges between residents and city staff and creates contexts for participatory processes and collaborative problem-solving. Over time, this kind of work can contribute to a stronger, more participatory civil society in Boston, facilitated by artists who are engaged in socially informed creative work. In order to fully realize the value of artistic engagement in government, we need a framework for understanding it, articulating it to others, and measuring its impact.

A Framework for Artistic Collaboration in Government Contexts

One of the key challenges in seeding artistic collaboration in government contexts is communication. How do you provide a clear value proposition for government agencies to engage with artists, and how do you build shared language and understanding

“Artists serve as agitators and facilitators, linking residents to their city government and spurring discovery, exchange, and action.”

between artists and city staff to enable effective collaboration? Developing a clear framework for artistic engagement in government contexts cannot answer these questions fully, but it can offer a springboard for partners to think through the possible scope and intended outcomes of their work together.

Artists, city staff, and residents developed two primary resources through the Boston AIR program: information in the form of new skills, knowledge, or awareness; and organization, in the form of deeper social anchoring, new relationships, networks, or sense of agency.⁶ At the end of Young's residency, she had a much firmer grasp of city governance and the range of initiatives that support the local elder community. She also learned how to join community organizing strategies with creative expression to build an impressive network of city collaborators, including her community center hosts, leaders of city agencies, and other nonprofit organizations focused on creative aging initiatives.

Ayana Green, an elder service worker at Grove Hall, reported that her engagement with Young enabled her to better understand the issues that impact the members of the Center and appreciate the elders' desire to have a voice in the civic realm.

When interviewed, Ayana underscored the impact the program had on her growth, helping her to “dream bigger” and expand her network of collaborators to enrich the Grove Hall elder community.⁷

The residents who participated in the residency program developed new creative skills and outlets, but more importantly, they grew their agency to nominate problems, advocate for solutions, and exercise their voice through performances and other civic engagements. Donna Redd, a Boston resident and member of Grove Hall, said that the activities of the residency “made you feel like you own your space in the city and you're working to make it better. . . . And, performing and going out in front of people, it just brings you out, it makes you feel special, and like there is so much you can do that you didn't realize you had in you.”⁸

As Donna so clearly articulates, information and network resources can be deployed to deepen residents' civic participation and build stronger ties between city decision makers and the communities they serve. In this frame, artists serve as agitators and facilitators, linking residents to their city government and spurring discovery, exchange, and action. Using this framework, the success of an artist residency



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program no longer has to be measured in terms of direct change to city policy or processes, but rather, it can be framed as a vehicle to promote participation of residents, expand artists' civic capacity, and enliven city initiatives through creative practice.

Looking Forward

Artist residencies in municipal government settings are on the rise, with leading examples in San Francisco, Los Angeles, New York City, Austin, and Saint Paul, among many others. In early 2020, *A Blade of Grass* and *American for the Arts'* Animating Democracy initiative released a new website that houses guides, tools, and resources for forging strong and sustainable creative partnerships between local governments and artists. In order to grow the impact of "creative governance" work, we need analytical tools to understand how design, context, resources, and community needs affect outcomes. Articulating a clear theory of change—that artist residencies will grow the capacity for city staff, artists, and residents to engage in collaborative civic action—provides a roadmap for partners to understand and commit to what can be a nebulous and iterative process.

With an understanding of the necessary conditions to facilitate this kind of creative collaboration, roadblocks can be removed and partners can come to the engagement clearer about what it will take to achieve success. Artists bring many innate strengths that can spur innovation and new modes of working in government contexts, including thinking creatively, leading collaborative processes, and building communities, among others. Without the right pathways and resources for them to contribute these strengths, some of the value of artist residencies may be lost. The lessons learned from Young's work and Boston AIRs more broadly can provide a helpful toolkit for city leaders looking to initiate or strengthen creative governance work and, hopefully, entice many more city leaders to consider how arts and culture can bolster their impact.

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Endnotes

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